

*NOTE: Meeting recessed to September 12, 2007, 1:30 p.m., Council Chamber;  
Meeting further recessed to September 17, 2007, 4:30 p.m., Council Chamber; and  
Meeting further recessed to September 19, 2007, 1:30 p.m., Council Chamber.*

**LAND USE COMMITTEE**

**Council of the County of Maui**

**Meeting Agenda**

**September 10, 2007**

**6:00 p.m.**

**Kihei Community & Aquatic Center Main Hall**

**303 East Lipoa Street, Kihei, Hawaii**

**website: [www.mauicounty.gov/committees/LU/](http://www.mauicounty.gov/committees/LU/)**

**e-mail: [lu.committee@mauicounty.us](mailto:lu.committee@mauicounty.us)**

**COMMITTEE MEMBERS**

**Michael J. Molina, Chair**

**Joseph Pontanilla, Vice-Chair**

**Michelle Anderson**

**Gladys C. Baisa**

**G. Riki Hokama**

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**Bill Kauakea Medeiros**

**Michael P. Victorino**

*AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Carla Nakata or Tammy Frias) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).*

*ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit by 12 noon on the business day preceding the meeting so that copies can be provided to Council members in a timely manner.*

*INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.*

*DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.*

*TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.*

**LU-38**

**CHANGE IN ZONING AND PROJECT DISTRICT PHASE I APPROVAL FOR “HONUA`ULA/WAILEA 670” RESIDENTIAL DEVELOPMENT**

1. County Communication No. 01-334, from the Planning Director, transmitting a proposed bill to repeal Chapter 19.90, Maui County Code (MCC), and establish a new Chapter 19.90A, MCC, pertaining to Kihei-Makena Project District 9 (Wailea 670), along with the following:
  - a. A draft bill entitled “A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. 2171 (1992), RELATING TO KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) ZONING, FOR PROPERTY SITUATED AT PAEAHU, PALAUEA, KEAUHOU, MAUI, HAWAII”. The purpose of the draft bill is to amend Ordinance No. 2171, relating to Kihei-Makena Project District 9 (Wailea 670), for approximately 402.35 acres

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(TMK: (2) 2-1-08:056 (por.) and 071 (por.)), to facilitate the development of a residential community consisting of up to 1,400 dwelling units, an 18-hole golf course with recreational amenities, and village mixed uses.

- b. A draft bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM THE AGRICULTURAL AND OPEN SPACE DISTRICTS TO KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT PAEAHU, PALAUEA, KEAUHOU, MAUI, HAWAII". The purpose of the draft bill is to change the zoning from the Agriculture and Open Space Districts to Kihei-Makena Project District 9 (Wailea 670) for approximately 267.65 acres (TMK: (2) 2-1-08:056 (por.) and 071 (por.)), to facilitate the proposed development.
2. Correspondence dated September 29, 2006, from the Department of the Corporation Counsel, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO REPEAL ORDINANCE NO. 2171 (1992) AND TO ESTABLISH KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670) ZONING (CONDITIONAL ZONING), FOR APPROXIMATELY 670 ACRES SITUATED AT PAEAHU, PALAUEA, KEAUHOU, MAUI, HAWAII". The purpose of the proposed bill is to consolidate the draft bills listed above, thereby establishing Kihei-Makena Project District 9 (Wailea 670) zoning across the 670-acre project district, with a single set of conditions.
3. Correspondence dated February 16, 2007, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 19.90, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 19.90A, MAUI COUNTY CODE, PERTAINING TO KIHEI-MAKENA PROJECT DISTRICT 9 (WAILEA 670)". The purpose of the revised proposed bill is to grant a Phase I Project District Approval to repeal in its entirety Chapter 19.90, MCC, and establish a new Chapter 19.90A, MCC, relating to Kihei-Makena Project District 9 (Wailea 670), to facilitate the proposed development. The revised proposed bill incorporates revisions recommended by the Committee at its meeting of January 31, 2007.
4. Correspondence dated March 13, 2007, from the Chair of the Committee, transmitting a set of draft conditions prepared by Charles Jencks, Owner's Representative, WCPT/GW Land Associates, LLC.

**STATUS:**

At its meeting of January 31, 2007, the Committee recommended that the proposed bill to repeal Chapter 19.90, MCC, and establish a new Chapter 19.90A, MCC, be passed on first reading with revisions. The Committee may consider further revisions to this revised proposed bill. The Committee may consider whether to recommend passage of the draft or proposed bills on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 01-334 and other related action.