

# Meeting Minutes

## Wednesday, May 10, 2023

[Hyperlink to video](#)

### Community Plan Advisory Committee

**Attending:** Chair Rob Weltman, Vice Chair Daniel Kanahale, Tova Callender, Everett Dowling, Vernon Kalanikau, Randol Leach, Mike Moran, Cody Nemet, Wayne Nishiki, Keoki Pfaeltzer, Jennifer Sullivan, Brian Ward

**Absent:** Lehuanani Huddleston-Hafoka

### County of Maui – Planning Department, Long Range Division (LRD)

Jacky Takakura, Planning Program Administrator

Karen Comcowich, Senior Planner

Brendan Conboy, Senior Planner

Kawika Farm, Cultural Resources Planner

Call to order at 5:31 p.m.

### **Roll Call, Introduction and Housekeeping (0:21 to 14:22 in meeting video)**

Following member roll call, Chair Weltman gave an opening in Hawaiian and briefly went over the protocol for hybrid testimony at recessed meetings. Vernon Kalanikau shared his mana’o (thoughts) with the committee.

### **Hybrid Public Testimony for Community Plan Designations (14:22 to 15:01 in meeting video)**

There were no testifiers for Community Plan Designations.

Before moving onto the next agenda item, Vice Chair Kanahale read aloud an excerpt of the General Plan and Community Plans second of the Maui County Charter, then recited the Draft South Maui Community Plan’s vision statement from memory. He urged members to memorize the vision statement as well to say aloud each week, and Tova Callender volunteered to do so at the next meeting. (15:07 to 19:33)

### **Review and Recommendations for Community Plan Designations (19:34 to 1:31:38 in meeting video)**

Members continued their review of the Community Plan Designations, using the proposed language from [Chair Weltman’s member input](#) as a reference (and replicated below). **NOTE: All motions include changing “Permitted Uses” to “Appropriate Uses” as agreed to by CPAC in the previous meeting; the change is included in all descriptions.**

### **Small Town Center (19:34 to 30:56)**

The Small Town Center community plan designation is intended to preserve the character of Maui's smaller towns and communities and allow for development of new low-to-medium-density commercial centers with a mix of uses that service nearby neighborhoods. The mix of uses and human-scale design in Small Town Centers is similar to Neighborhood Centers, however, these areas typically cover a larger area and may serve more neighborhoods. Some Neighborhood Centers may evolve into Small Town Centers over time. Ground floor commercial with second floor apartments is encouraged to provide live-work opportunities for residents. A mix of medium density housing types are also encouraged. Preferred design elements include smaller blocks; buildings fronting property lines; ample pedestrian, bicycle and transit facilities; as well as public/private amenities, civic spaces and parks. Buildings shall be limited to 35 feet in height. Regional scale uses are not permitted in Small Town Centers. Development must follow the scale and character of the surrounding area until design standards are established by the Council.

#### Permitted Appropriate Uses

1. Low-to-medium-density commercial centers that service nearby neighborhoods
2. Low-to-medium-density housing
3. Mixed commercial/residential
4. Public/quasi-public uses such as civic spaces, parks, schools, and churches

**Vice Chair Kanahale made a motion to adopt the language under "Business and Commercial (B)" of the Kihei-Makena Community Plan (see page 54 of the [linked document here](#)) for the Small Town Center designation: "This includes retail stores, offices, entertainment enterprises and related accessory uses." Wayne Nishiki seconded the motion. Following member discussion and Planning staff, Vice Chair Kanahale amended his motion to adopt the language under "Business/MultiFamily (BMF)" instead: "This includes a mixture of retail, office, and commercial services which are oriented to neighborhood service and single-family and multi-family residential uses." Wayne seconded the motion. Vice Chair Kanahale and Everett Dowling, Vernon Kalanikau, Randol Leach, Cody Nemet, Wayne Nishiki, Keoki Pfaeltzer, and Jennifer Sullivan voted in favor of the motion, with Mike Moran opposed; Tova Callender and Brian Ward abstained from voting (which counts as a Yes vote). **10-1, MOTION PASSED.****

### **Transit Oriented Corridor (31:19 to 48:05)**

The Transit Oriented Corridor community plan designation is intended to create transit-friendly areas that are, or are planned to be, characterized by a mix of higher-density commercial, employment, light industrial, and residential uses. Within this designation, residential uses and retail and other businesses serving local or regional markets mix to create pedestrian-friendly activity centers and multimodal corridors with vibrant street life. ~~Housing types in this designation include a mix of medium- to high-density development.~~ Preferred design elements include buildings fronting property lines; pedestrian, bicycle, and transit facilities; public/private amenities; and civic space and parks. Developments within Transit Oriented Corridor designations should be designed to provide the majority of the services residents would need on a daily basis, within walking distance. Buildings shall be limited to 45 feet in height. Development must follow the scale and character of the surrounding area until design standards are established by the Council.

#### Permitted Appropriate Uses

- 1) Higher-density commercial uses that serve local or regional markets
- 2) Light industrial uses (warehousing, light assembly, service and craft-type operations)
- 3) Medium to high density residential uses
- 4) Public/quasi-public uses such as parks, schools, and churches

Following member discussion, **Everett Dowling made a motion to adopt Chair Weltman's proposed language for the Transit Oriented Corridor designation; Brian Ward seconded the motion. Tova Callender requested a friendly amendment to include proposed changes from page 4 of Albert Perez's testimony; following discussion members agreed to the following changes to the first sentence: "The Transit Oriented Corridor community plan designation is intended to create transit-friendly areas within 1/2 mile of transit facilities that are [...]"** Members also agreed to changing "Developments [...] should be designed to provide" to "Developments [...] **must** be designed to provide". **Everett and Brian accepted the friendly amendment.** Vice Chair Kanahale and members Tova Callender, Everett Dowling, Randol Leach, Mike Moran, Keoki Pfaeltzer, Jennifer Sullivan, and Brian Ward voted in favor of the motion, with Wayne Nishiki and Cody Nemet opposed; Vernon Kalanikau abstained from voting (which counts as a Yes vote). **9-2, MOTION PASSED.**

## Resort/Hotel (48:06 to 55:50)

The Resort/Hotel community plan designation is intended to provide for existing and future visitor-oriented development in appropriate areas. When developed, these areas are typically medium-to high-density with a broad range of uses primarily intended to serve visitors, ~~including transient accommodations, retail and commercial uses, and other visitor amenities. Related and compatible uses include parks and other public/quasi-public uses.~~ Public beach access must be provided as required by law and will not be discouraged.

### Permitted Appropriate Uses

1. Transient accommodations
2. Retail and commercial uses and other visitor amenities
3. Parks and other public/quasi-public uses

**Everett Dowling made a motion to adopt Chair Weltman’s proposed language for the Resort/Hotel designation; Jennifer Sullivan seconded the motion. Vice Chair Kanahale requested a friendly amendment to remove “existing and future” from the first sentence; Everett and Jennifer accepted the friendly amendment.** Vice Chair and members Tova Callender, Everett Dowling, Vernon Kalanikau, Randol Leach, Mike Moran, Cody Nemet, Keoki Pfaeltzer, Jennifer Sullivan, and Brian Ward voted in favor of the motion, with Wayne Nishiki opposed. **10-1, MOTION PASSED.**

## Employment Center (55:51 to 58:27)

The Employment Center community plan designation is intended to encourage a range of employment uses ~~like light manufacturing, processing, other light industrial uses, business incubators, and compatible uses in appropriate areas.~~ These areas may also include amenities that serve the employees that work there ~~including retail, restaurants, and live-work spaces.~~ Retail and/or commercial uses that serve regional needs beyond the area of the Employment Center are not permitted. Development in these areas should include ample multimodal options, such as pedestrian, bicycle, and transit facilities, ~~and may include some parks or civic spaces.~~ Development must follow the scale and character of the surrounding area until design standards are established by the Council.

### Permitted Appropriate Uses

- 1) Light industrial uses (warehousing, light assembly, service and craft-type operations)
- 2) Business incubators
- 3) Live-work spaces
- 4) Retail and commercial uses that serve the needs of workers in the Employment Center
- 5) Parks and civic spaces

Following member discussion and Planning staff input, **Jennifer Sullivan made a motion to adopt Chair Weltman’s proposed language for Employment Center; Everett Dowling seconded the motion. MOTION PASSED UNANIMOUSLY.**

Before moving onto the next designation, **Cody Nemet asked if he could change his vote for the Resort/Hotel designation; he made a motion to reopen discussion, and Everett Dowling seconded the motion. Members then took another vote on Everett’s previous motion for the Resort/Hotel designation:** Vice Chair and members Tova Callender, Everett Dowling, Vernon Kalanikau, Randol Leach, Mike Moran, Keoki Pfaeltzer, Jennifer Sullivan, and Brian Ward voted in favor of the motion, with Cody Nemet and Wayne Nishiki opposed. **9-2, MOTION PASSED. (58:34 to 1:00:27)**

### **Industrial (1:00:30 to 1:03:24)**

The Industrial community plan designation is intended to permit intense industrial and manufacturing activities which could include noxious uses.

#### Permitted-Appropriate Uses

The manufacture, processing, storage or treatment of goods from raw materials.

**Everett Dowling made a motion to adopt Chair Weltman’s proposed language for the Industrial designation; Jennifer Sullivan seconded the motion. MOTION PASSED UNANIMOUSLY.**

### **Special Purpose District (1:03:25 to 1:05:30)**

The Special Purpose District community plan designation is intended to provide for specified land uses that, due to their uniqueness or incompatibility, do not easily fall within one or a combination of the other community plan designations.

#### Permitted-Appropriate Uses

1. Airports
2. Established project districts that do not easily fall within one or more of the other community plan designations

**Everett Dowling made a motion to adopt Chair Weltman’s proposed language for the Special Purpose District designation; Brian Ward seconded the motion.** Following input from Planning staff, **Everett amended his motion to change “Established project districts” to “Other established uses”;** Brian seconded the amendment. **MOTION PASSED UNANIMOUSLY.**

### **Public/Quasi Public (1:05:31 to 1:07:49)**

The Public/Quasi Public community plan designation is intended to provide facilities for public use or benefit. Many of the uses in this designation are also allowed in other districts, ~~like churches, parks and schools~~, but this designation is typically for planned or existing largescale government, nonprofit, or educational uses, including churches, parks, schools, libraries, fire and police stations, government buildings, public utilities, hospitals, cemeteries and community centers.

#### Permitted-Appropriate Uses

Government, non-profit or educational uses

**Everett Dowling made a motion to adopt Chair Weltman’s proposed language for the Public/Quasi Public designation, with a period after “uses” and the rest of the description being placed under Appropriate Uses; Jennifer Sullivan seconded the motion. MOTION PASSED UNANIMOUSLY.**

### **Park (1:07:50 to 1:18:12)**

The Park community plan designation is intended to preserve and manage lands for recreational activities, ~~including golf courses and related amenities.~~

#### Permitted-Appropriate Uses

- 1) Recreational activities (including picnics, walking, running, golf courses and related amenities)
- 2) Uses which support natural processes that provide for flood management and/or erosion control

**Vice Chair Kanahale made a motion to adopt Chair Weltman’s proposed language for the Park designation and remove “golf courses” from the list of Appropriate Uses. Wayne Nishiki seconded the motion. Following Planning staff’s input, Vice Chair Kanahale amended his motion to keep golf courses; Wayne chose not to second the amendment, so Everett Dowling seconded Vice Chair Kanahale’s amended motion instead. Following more discussion and several amendments and friendly amendments, “Camping areas” and “Passively managed parks” were added to the list of Appropriate Uses. MOTION PASSED UNANIMOUSLY.**

Before moving onto the next designation, **Cody Nemet made a motion to reopen discussion on the Industrial designation; Vice Chair Kanahale seconded the motion.** Following member discussion, **Cody Nemet made a motion to create a new Light Industrial designation, and pulling the first item on the Appropriate Uses list from Employment Center (“Warehousing, light assembly, service and craft-type operations”); Vice Chair Kanahale seconded the motion.** Vice Chair Kanahale and members Tova Callender, Vernon Kalanikau, Randol Leach, Cody Nemet, and Keoki Pfaeltzer voted in favor of the motion, with Everett Dowling, Mike Moran, Wayne Nishiki, Jennifer Sullivan and Brian Ward opposed. With the in-favor vote one short of majority, Chair Weltman was asked to vote; he voted against the motion. **6-6, MOTION FAILED.** ([1:17:44 to 1:31:29](#))

## **10-MINUTE BREAK**

### **Review and Recommendations for Community Plan Designations ([1:31:40 to 2:03:46](#) in meeting video)**

#### **Open Space** ([1:31:45 to 1:43:35](#))

The Open Space community plan designation is intended to preserve and manage lands for Native Hawaiian traditional and customary uses, while protecting sensitive ecological resources, scenic resources, hazardous areas, drainage ways, and open space greenbelts and greenways. Open Space areas support natural processes such as flood management and erosion control.

#### Permitted Appropriate Uses

1. Recreational activities (including walking, hiking and running)
2. Hawaiian traditional and customary uses
3. Protection of sensitive ecological resources, scenic resources, recreational resources, hazardous areas, drainage ways, open space, greenbelts, and greenways
4. Uses which support natural processes that provide for flood management and/or erosion control

**Everett Dowling made a motion to adopt Chair Weltman’s proposed additions to the Open Space designation and include wetlands in #3 of Appropriate Uses; Tova Callender seconded the motion. Vice Chair Kanahale requested a friendly amendment to include “dark skies” after “scenic resources”, and Cody Nemet requested a friendly amendment to include “muliwai,” “punawai,” and “kahawai” after drainageways; Everett and Tova accepted the friendly amendments. MOTION PASSED UNANIMOUSLY.**

### **Agriculture (1:43:36 to 2:01:41)**

The Agriculture community plan designation is intended to promote agricultural development, preserve and protect agricultural resources, and support the agricultural character and components of the County's economy and lifestyle. Lifestyle estate-type subdivisions with lots that are not used for active agricultural production are prohibited, and long-term leaseholds are encouraged for farming.

#### Permitted-Appropriate Uses

1. Agriculture
2. Agricultural land conservation
3. Agricultural parks
4. Animal and livestock raising
5. Minor utility facilities
6. Historical or archaeological preservation
7. Solar energy facilities
8. Accessory uses such as farm dwellings and farm labor dwellings shall be permitted only if they are associated with bona fide agricultural use

Following member discussion on language, **Everett Dowling made a motion to adopt Chair Weltman's proposed additions to the Agriculture designation and include "agroforestry" in the list of Appropriate Uses; Brian Ward seconded the motion.** Vice Chair Kanahale and members Tova Callender, Everett Dowling, Vernon Kalanikau, Randol Leach, Mike Moran, Cody Nemet, Keoki Pfaeltzer, Jennifer Sullivan and Brian Ward voted in favor of the motion, with Wayne Nishiki opposed. **10-1, MOTION PASSED.**

### **State Conservation (2:01:42 to 2:03:42)**

The State Conservation community plan designation is intended to recognize the designation of lands in the State Conservation District and is used to protect and preserve wilderness areas, beach reserves, scenic areas, historic sites, open ranges, wetlands, and watersheds; to conserve fish and wildlife; and to promote forestry and grazing.



The following is not necessary if the County is not involved in permitting for State land:

Permitted Appropriate Uses

Uses allowed under HRS Section 205-2, including protection of watersheds and water sources; preservation of scenic and historic areas; provision of park lands, wilderness, and beach reserves; conservation of indigenous or endemic plants, fish, and wildlife, including those which are threatened or endangered; prevention of floods and soil erosion; forestry; open space areas whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities, or would maintain or enhance the conservation of natural or scenic resources; areas of value for recreational purposes; other related activities; and other permitted uses not detrimental to a multiple use conservation concept. Uses in State Conservation districts are regulated by the Hawaii State Department of Land and Natural Resources.

Planning staff confirmed that the County is not involved with permitting for State land. **Everett Dowling made a motion to adopt the description for the State Conservation designation without Chair Weltman’s proposed additions; Mike Moran seconded the motion. MOTION PASSED UNANIMOUSLY.**

**Hybrid Public Testimony for Preferred Growth Alternative: Subarea 1 | Mā’alaea/Keālia (2:03:46 to 2:14:22 in meeting video)**

Claire Apana was the only person to testify for Subarea 1 ([2:08:37 to 2:10:48](#)).

Unrelated to Subarea 1, Albert Perez testified on Community Plan Designations ([2:10:53 to 2:13:55](#)).

**Preferred Growth Alternative: Subarea 1 | Mā’alaea/Keālia (2:14:23 to 2:50:53 in meeting video)**

**Mā’alaea Triangle**

Following discussion, Vice Chair Kanahale made a motion to make the designation from the 1998 Kihei-Makena Plan the default designation for any area that CPAC cannot come to an agreement on; in the case of the Mā’alaea Triangle, the Business Commercial designation. Keoki Pfaeltzer seconded the motion; however, he revoked his second after further discussion and Planning staff input. No other member seconded Vice Chair Kanahale’s motion, so the MOTION FAILED.

**Everett Dowling made a motion to adopt the Small Town Center designation for the Mā'alaea Triangle; Mike Moran seconded the motion.** Vice Chair Kanahale and members Tova Callender, Everett Dowling, Vernon Kalanikau, Randol Leach, Mike Moran, Jennifer Sullivan and Brian Ward voted in favor of the motion, with Wayne Nishiki opposed; Cody Nemet and Keoki Pfaeltzer abstained from voting (which counts as a Yes vote). **10-1, MOTION PASSED.**

**Hybrid Public Testimony for Subarea 2 | North Kīhei (2:51:12 to 3:15:58 in meeting video)**

Testifiers included Randy Wagner (2:51:33 to 3:02:18), Robin Knox (3:02:30 to 3:05:50), Albert Perez (3:05:54 to 3:07:48), Lucienne De Naie (3:08:32 to 3:13:09), and Claire Apana (3:13:19 to 3:15:51).

Before recessing the meeting, Chair Weltman briefly went over the planned agenda for the next meeting.

**Preferred Growth Alternative: Subarea 2 | North Kīhei (3:17:25 to END in meeting video)**

Members very briefly noted the starting point for North Kīhei discussion at the next meeting.

**NEXT MEETING IS ON MAY 17, 2023. MEETING RECESSED.**

