Resolution

No. 26-111

REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND WEST MAUI COMMUNITY PLAN AND A PROPOSED BILL TO CHANGE THE ZONING FOR PROPERTIES OPERATING LIKE HOTELS IN THE A-1 AND A-2 APARTMENT DISTRICTS

WHEREAS, the Council is considering a proposed bill to change the zoning for properties operating like hotels in the A-1 and A-2 Apartment Districts to the H-3 and H-4 Hotel Districts, respectively; and

WHEREAS, the Council is also considering a proposed bill to amend the Kihei-Makena Community Plan Land Use Designations and West Maui Community Plan Land Use Designations, as appropriate, to provide the necessary consistency for the proposed Change in Zoning bill; and

WHEREAS, Transient Vacation Rental uses are being phased out of the Apartment Districts under Ordinance 5909; and

WHEREAS, while Ordinance 5909 was under consideration, the Maui Planning Commission identified several properties with a zoning in addition to Apartment District or a community plan land use designation that allows Transient Vacation Rental uses outright and recommended the Council consider excluding those properties from Ordinance 5909's effect; and

WHEREAS, three of those properties—Maui Eldorado, Papakea, and Wailea Ekahi III—are included in the attached proposed Community Plan Amendment and Change in Zoning bills; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commissions review proposed zoning and other land use ordinances, and provide findings and recommendations to the Council; now, therefore,

Resolution No. 26-111

BE IT RESOLVED by the Council of the County of Maui:

1. That it refers the following to the Maui Planning Commission for appropriate action under Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended:

    a. A proposed bill, entitled "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND WEST MAUI COMMUNITY PLAN FOR PROPERTIES OPERATING LIKE HOTELS IN THE A-1 AND A-2 APARTMENT DISTRICTS," attached as Exhibit "1"; and

    b. A proposed bill, entitled "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM THE A-1 AND A-2 APARTMENT DISTRICTS TO THE H-3 AND H-4 HOTEL DISTRICTS FOR PROPERTIES OPERATING LIKE HOTELS," attached as Exhibit "2"; and

2. That certified copies of this Resolution be transmitted to the Mayor, Planning Director, and Maui Planning Commission.

paf:jgk:26-180d

INTRODUCED BY:

NOHELANI U'U-HODGINS

EXHIBIT "1"

ORDINANCE NO. _____

BILL NO. _____ (2026)

A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND WEST MAUI COMMUNITY PLAN FOR PROPERTIES OPERATING LIKE HOTELS IN THE A-1 AND A-2 APARTMENT DISTRICTS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Under Ordinance 5909, Transient Vacation Rental uses are being phased out of the Apartment Districts. By Ordinance 6008, effective June 22, 2026, the Council established the H-3 and H-4 Hotel Districts.

Some Apartment District properties with Transient Vacation Rental uses that operate like hotels—for example, by providing front-desk or similar services or employing groundskeepers and other staff—are appropriate for a Hotel land use designation within the Kihei-Makena Community Plan Area or a Resort/Hotel land use designation within the West Maui Community Plan Area.

This Ordinance's purpose is to change community plan land use designations and approve related community plan amendments to allow Transient Vacation Rental uses to continue at these properties.

SECTION 2. Under Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan is amended by amending the Community Plan Land Use Map by changing the designation from Multi-Family to Hotel for the following properties:

Property Name	Tax Map Key	Address	Size in acres
Wailea Ekahi II	(2) 2-1-008:060 (portion)	3300 Wailea Alanui Drive, Wailea	Portion of 10.388
Wailea Ekahi I	(2) 2-1-008:064 (portion)	3300 Wailea Alanui Drive, Wailea	Portion of 13
Wailea Ekahi III	(2) 2-1-008:065 (portion)	3300 Wailea Alanui Drive, Wailea	Portion of 10.118
Wailea Ekolu	(2) 2-1-008:077	10 Wailea Ekolu Place, Wailea	17.604
The Palms at Wailea I	(2) 2-1-008:082 (portion)	3200 Wailea Alanui Drive, Wailea	Portion of 16.727

SECTION 3. Under Chapter 2.80B, Maui County Code, the West Maui Community Plan is amended by amending the Community Plan Land Use Map by changing the designation from Residential to Resort/Hotel for a 12.281-acre parcel identified for Real Property Tax purposes as Tax Map Key (2) 4-4-001:055, situated at 3543 Lower Honoapiilani Road, Lahaina, Hawai'i, containing Papakea.

SECTION 4. Under Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan is amended at Part V, A., "Land Use Categories and Definitions," for the "Hotel (H)" designation by repealing the bracketed material and adding the underscored material:

"This designation applies to transient accommodations **[**which**]** that do not contain kitchens within individual units**[.]** or that are in the H-3 or H-4 zoning district. Such hotel facilities may include permissible accessory uses primarily intended to serve hotel guests."

SECTION 5. The West Maui Community Plan is amended by amending page 176 in the table under "Most Compatible Zoning Districts for Updated

Community Plan Designations" for the "Resort/Hotel (RH)" designation by repealing the bracketed material and adding the underscored material:

"B-R, B-1, H-1, H-2, H-3, H-4, H-M, [A-1, A-2,] PK, PKGC, OS-1, OS-2"

SECTION 6. This Ordinance takes effect on approval.

paf:jgk:26-180e

INTRODUCED BY:

Nohelani U'u-Hodgins

NOHELANI U'U-HODGINS

EXHIBIT "2"

ORDINANCE NO. _____

BILL NO. _____ (2026)

A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM THE A-1 AND A-2 APARTMENT DISTRICTS TO THE H-3 AND H-4 HOTEL DISTRICTS FOR PROPERTIES OPERATING LIKE HOTELS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Under Ordinance 5909, Transient Vacation Rental uses are being phased out of the Apartment Districts. By Ordinance 6008, effective June 22, 2026, the Council established the H-3 and H-4 Hotel Districts.

Some A-1 and A-2 Apartment District properties with Transient Vacation Rental uses that operate like hotels—for example, by providing front-desk or similar services or employing groundskeepers and other staff—are appropriate for H-3 and H-4 Hotel District zoning, respectively, to allow for continued Transient Vacation Rental uses.

This Ordinance's purpose is to change the zoning for these properties.

This Ordinance is intended to advance the following General Plan policies:

- "Support the renovation and enhancement of existing visitor facilities." (Countywide Policy Plan)
- "Recognize the important contributions that the visitor industry makes to the County's economy." (Countywide Policy Plan)
- "Provide a rich visitor experience, while protecting the island's natural beauty, culture, lifestyles, and aloha spirit." (Maui Island Plan)

- "Recognize the important economic contributions that the visitor industry makes and support a healthy and vibrant visitor industry." (Maui Island Plan)
- "Establish balance between visitor industry employment and non-visitor industry employment." (Kihei-Makena Community Plan)
- "Support best practices for tourism management in West Maui to protect the residents' quality of life, and the area's environment, culture, and character." (West Maui Community Plan)

SECTION 2. Under Chapters 19.14 and 19.510, Maui County Code, a Change in Zoning from A-1 Apartment District to H-3 Hotel District is granted for the following properties:

Property Name	**Tax Map Key**	**Address**	**Size in acres**
Wailea Ekahi II	(2) 2-1-008:060	3300 Wailea Alanui Drive, Wailea	10.388
Wailea Ekahi I	(2) 2-1-008:064 (portion)	3300 Wailea Alanui Drive, Wailea	Portion of 13
Wailea Ekahi III	(2) 2-1-008:065 (portion)	3300 Wailea Alanui Drive, Wailea	Portion of 10.118
Wailea Ekolu	(2) 2-1-008:077 (portion)	10 Wailea Ekolu Place, Wailea	Portion of 17.604
The Palms at Wailea I	(2) 2-1-008:082	3200 Wailea Alanui Drive, Wailea	16.727

SECTION 3. Under Chapters 19.14 and 19.510, Maui County Code, a Change in Zoning from A-2 Apartment District to H-4 Hotel District is granted for the following properties:

Property Name	**Tax Map Key**	**Address**	**Size in acres**
Papakea	(2) 4-4-001:055 (portion)	3543 Lower Honoapiilani Road, Lahaina	Portion of 12.281
Maui Eldorado	(2) 4-4-008:021	2661 Kekaa Drive, Kā'anapali	10.215

SECTION 4. This Ordinance takes effect on approval.

paf:jgk:26-180f

INTRODUCED BY:

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