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SEPTEMBER 12, 2026

DEAR DISASTER RECOVERY, INTERNATIONAL AFFAIRS, AND PLANNING (DRIP) COMMITTEE MEMBERS,

I am writing to alert you that the Wailea Golf's description of the New Area of Change, Envision Change and Challenges and Opportunities was changed from the original proposal which is inadvertently included in the submitted South Maui Community Plan (SMCP) that has been submitted for approval by the DRIP Committee and reviewed by the community for their comments. Unfortunately, your committee and the community will be reviewing an outdated plan.

A Memo was sent by Kate Blystone, Planning Director, to Kimberly Thayer, Chair Maui County Commission and its Members for review and approval on February 24th, 2025 (attached). The Maui County Commission met on March 4th, 2025, and approved the new Wailea Golf Plan (agenda and minutes attached – agenda file name states 2005 but the agenda is 2025).

The issue is that the DRIP Members and the community has been reviewing an outdated plan for discussions – how to proceed since now neither of you have had 6 days to review this Plan. The South Maui Community Plan cannot be approved as is. I see the cleanest method is to remove the Wailea Golf Plan altogether and move forward with approving the SMCP. At a later DRIP meeting add the updated Wailea Golf Plan to another DRIP agenda to amend the SMCP per the Maui Plan and move forward that way.

Thank you for your consideration.

Warm regards,

Kay Anderson

KAY ANDERSON, PRESIDENT

WAILEA808

MAUI PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART I, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A SPECIAL REMOTE PUBLIC MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: March 4, 2025
TIME: 2:00 P.M. – 7:00 P.M.

REMOTE MEETING LOCATION: Interactive conference technology via Webex
Videoconferencing: **Meeting ID: 2660 582 2341 Password: 030425**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Planning Department Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793. Note: The Commission Members may not be physically present at this location. **Due to physical meeting space constraints, attendees are encouraged to attend virtually, via Webex Videoconferencing.**

Members: Kim Thayer (Chairperson), Dale Thompson (Vice-Chairperson), Mel Hipolito, Jr., Ashley Lindsey, Mark Deakos, PhD., Andrea Kealoha, PhD., Brian Ward

A. CALL TO ORDER AND ROLL CALL

Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three minutes.**

To watch the meeting or provide video testimony: Click on or use meeting link: <https://mauicounty.webex.com/mauicounty/j.php?MTID=m8260d0ba49ec67c849e3e1e2a7f8973f>

To listen to the meeting or provide oral testimony via phone, dial 1-650-479-3208 and enter **Meeting Number/Access Code: 2660 582 2341** (press *6 to mute/unmute)

Testifiers via video are asked to sign-up using the Chat function providing their names and the item they wish to testify on. Testifiers via phone will be called by the Chair after in-person and video testimony is finished.

Testifiers will be called by the Chair to offer their testimony, those participating by phone or video are asked to **mute** their audio and video when they are not testifying.

To provide written testimony: Email testimony to planning@mauicounty.gov or submit written testimony by mail to the Maui Planning Commission c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawai'i, 96793. While the Commission requests that written testimony be submitted by noon, one business day before the meeting to ensure distribution to the Commission, testimony submitted after such date and time will still be accepted by the Commission.

Commissioners **shall not** be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

B. UNFINISHED BUSINESS

1. MS. KATE L. K. BLYSTONE, PLANNING DIRECTOR, transmitting the South Maui Community Plan Advisory Committee's recommended revisions to the South Maui Community Plan pursuant to the provisions of Chapter 2.80B of the Maui County Code (K. Comcowich)

[\(Memorandum\)](#)

[\(Draft Plan\)](#)

[\(Prior Testimonies Received\)](#)

[\(Department Recommended Amendments\)](#)

[\(Documents Received After Posting – New Testimony\)](#)

- a) Section 1 | Plan Framework
- b) Section 2 | Policy Framework
- d) Section 3 | Growth Framework
- e) Section 4 | Implementation & Monitoring
- f) Section 5 | Appendices

C. MAUI PLANNING COMMISSION RECOMMENDATIONS: FINAL MOTION FOR APPROVAL

D. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with Commission members participating in the meeting or with the public location identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

An **executive session** may be called in order for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities, pursuant to Sec. 92-5(a)(4), Hawai'i Revised Statutes.

Documents relating to this meeting may be found by clicking on the links provided on this Agenda, on the County of Maui official website at <https://www.mauicounty.gov>, under Boards and Commissions, Maui Planning Commission, and are on file with the Department of Planning.

The address of the Commission to provide written testimony is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawai'i 96793, phone number is 808-270-7735, and email is planning@mauicounty.gov.

Written testimony, whether sent via fax, email or USPS mail should be received by the Department of Planning by noon, one business day before the meeting to ensure distribution to the board. Fifteen (15) copies of written testimony is needed if testimony is presented immediately prior to or at the meeting.

The links for documents received after posting will be updated periodically when testimony or documents is received, up to 12:00 p.m. on business day prior to the meeting.

Oral testimony will be received on any agenda item subject to the provisions of Chapter 92, Hawai'i Revised Statutes, the Commission's Rules of Practice and Procedure. In accordance with these rules, maximum time limits of at least three minutes may be established by the Commission on individual oral testimony. Please note that anyone wishing to provide oral testimony pertaining to an agenda item that is a "contested case" pursuant to Chapter 91, Hawai'i Revised Statutes, will be asked to testify under oath or affirmation, and may be subject to limited cross examination in accordance with Section 91-10(3), Hawai'i Revised Statutes

TESTIFIERS: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawai'i 96793.

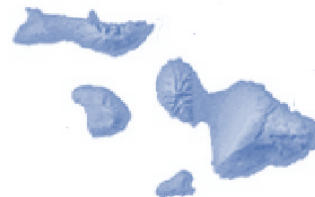
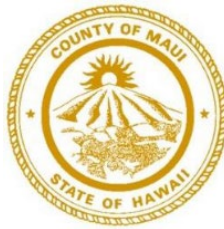
SPECIAL ASSISTANCE: If any person needs an auxiliary aid/service or other accommodation due to a disability, contact the Planning Department at 808-270-7735 (Maui), 1-800-272-0177 (Moloka'i) or 1-800-272-0125 (Lāna'i), or planning@mauicounty.gov, as soon as possible. Requests made as early as possible will allow adequate time to fulfill the request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation. (S:\ALL\CAROLYN\MPC agendas\2025\030425_SMCP_MPC_agenda.doc)

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director

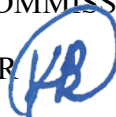


DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 24, 2025

MEMORANDUM

TO: KIMBERLY THAYER, CHAIR
AND MEMBERS OF THE MAUI PLANNING COMMISSION

FROM: KATE L.K. BLYSTONE, PLANNING DIRECTOR 

SUBJECT: FINAL DEPARTMENT RECOMMENDED REVISIONS TO THE DRAFT SOUTH MAUI COMMUNITY PLAN UPDATE

The Planning Department recommends the following changes to be considered by the Planning Commission for the Draft South Maui Community Plan, Section 3. The proposed recommendations reflect discussions that have occurred since Maui Planning Commission began reviewing the draft South Maui Community Plan. Each recommendation includes a description of why the Department recommends the proposed change and the proposed language.

Please feel free to contact me if you have any questions or need additional information.

Attachment

KLKB:JMCT:KJC:rhI

S:\ALL\LONG RANGE\South Maui Community Plan Update\11.0 Planning Commission\Meetings\16. March 4, 2025\SMCP-Final_Recommendations_3425.docx

FINAL DEPARTMENT RECOMMENDED REVISIONS TO THE DRAFT SOUTH MAUI COMMUNITY PLAN UPDATE

Section 3.2 | Community Plan Designations

Page 63 | Resort/Hotel (RH)

To clarify that residential development is allowed in areas designated as Resort/Hotel in the community plan, the department recommends adding “Residential” to the list of appropriate uses:

- Resort/Hotel (RH) 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 and residents. Public beach access must be provided as required by law and will not be discouraged.

Appropriate Uses

- Transient accommodations
- Retail and commercial uses and other visitor amenities
- Residential
- Parks and other public/quasi-public uses.

Section 3.4 | Areas of Change

Page 98-99 | Maui Research and Technology Park

For Līpoa, formerly Maui Research and Technology Park, the Planning Department recommends that all areas currently designated Special Purpose District (SPD) be designated Transit Oriented Corridor (TOC) with a policy to ensure the zoning for this area takes precedence. This will ensure maximum flexibility within their existing zoning. It is also noted that Maui Research and Technology Park’s name recently changed to Līpoa. This name change should be reflected throughout the draft submitted to Council.

- New Area Specific Policy | For lands comprising the Maui Research & Technology Park, the provisions of Maui County Code, Chapter 19.38, Maui Research & Technology Park District shall guide permitted uses if there is any discrepancy between allowable zoning uses and interpreted uses in the community plan designations.
- Updated figure 3.13: Area of Change. The Community Plan Designation change will also need to be reflected on page 79, Figure 3.5: Subarea 3 | South Kīhei.

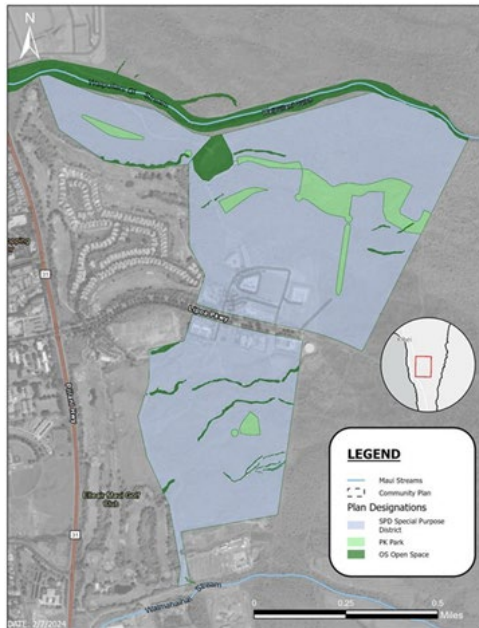
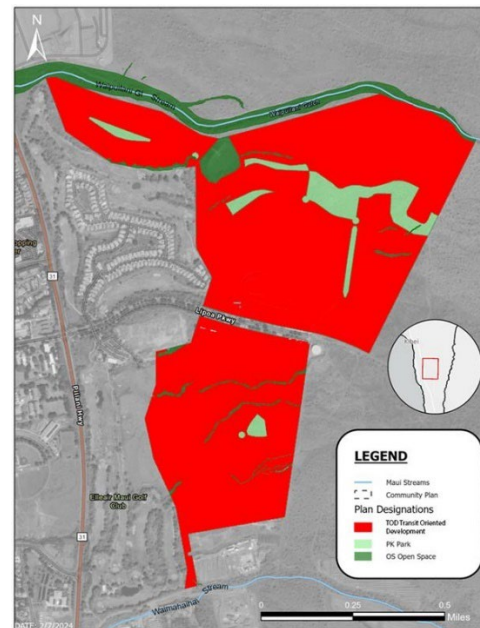


Figure to be removed



New Figure 3.13

New Area of Change | Wailea Golf

The Maui Planning Commission recommended including the Wailea Golf Course redevelopment proposal in South Maui Community Plan. The following is the proposed language for this Area of Change.

- **Wailea Golf**

The original masterplan for this area included two golf courses (36 holes/356 acres), a tennis center (6 acres), single-family residential (70 acres), and multifamily/apartment units (126 acres). Today, the Wailea property spans 548 acres, with three championship golf courses (~530 acres), a tennis club (6 acres), and 12 acres of ancillary property. Key landmarks include the Wailea Blue Pro Shop, Mulligans Irish Pub, and the Wailea Gold and Emerald Clubhouses. Located in the moku of Honuaʻula and the ahupuaʻa of Paeahu, Palauea, Keauhou, and Papaʻanui, the property is now poised for change to address evolving community needs, including workforce housing, transportation, water sustainability, and cultural preservation.

Envision Change

The proposed redevelopment would reduce the emphasis on golf, eliminating 18 holes to provide diverse housing types, neighborhood-serving businesses, amenities, and open spaces. The development will prioritize walkability, creating mixed-use zones and a multimodal network for better connectivity in the area while reducing reliance on cars. Environmental and cultural resilience will be strengthened through green infrastructure, sustainable water practices, and disaster preparedness. Plans include a Hawaiian Culture & Learning Center, botanical garden, and a native plant nursery. Community

feedback has refined goals to create a multimodal transportation system, exceed workforce housing requirements, and integrate community hubs, parks, and open spaces, while promoting Hawaiian culture and community resilience.

Challenges and Opportunities

Redeveloping Wailea Golf presents both challenges and opportunities. While existing infrastructure such as water and wastewater systems provide a foundation, significant upgrades are needed. Traffic congestion is a concern, and solutions will focus on improving road safety and supporting multimodal transportation. Addressing flooding risks and disaster preparedness is critical. However, the redevelopment also offers opportunities to address workforce housing shortages by building homes near key employers, enhancing walkability with mixed-use neighborhoods, and providing green spaces and recreational amenities for residents. Additionally, cultural preservation and environmental sustainability will ensure the project benefits the community long-term, fostering a resilient, active, and connected Wailea.

**MAUI PLANNING COMMISSION
REVIEW OF SOUTH MAUI COMMUNITY PLAN UPDATE
SPECIAL MEETING
MEETING MINUTES
MARCH 4, 2025**

A. CALL TO ORDER AND ROLL CALL

The regular meeting of the Maui Planning Commission was called to order by Chair Kim Thayer at approximately 2:06 p.m., Tuesday, March 4, 2025 in the Planning Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793 and online via WebEx; **Meeting ID: 2660 582 2341 Password: 030425**

Roll call was taken by Director Kate Blystone. Chair Thayer and Commissioner Ward were in attendance in-person. Vice-Chair Thompson, Commissioner Deakos, Kealoha and Lindsey were in attendance via WebEx. Commissioner Hipolito, Jr. was excused.

Ms. Thayer: Brilliant! Good afternoon. Welcome everybody to our March 4th, 2025 02:00 meeting regarding the South Maui Community Plan. Roll call please, director.

Ms. Blystone: Mahalo Chair, sorry. So Commissioner Deakos.

Dr. Deakos: Aloha. I am alone in my home office in Napili.

Ms. Blystone: Commissioner Kealoha.

Dr. Kealoha: Good afternoon, I'm at home in my office alone.

Ms. Blystone: Mahalo. Commissioner Lindsey.

Ms. Lindsey: Aloha mai kakou, I am in Wailuku in my office alone.

Ms. Blystone: Commissioner Ward.

Mr. Ward: Hello, everybody, and I am present into a very empty room.

Ms. Blystone: Vice-Chair Thompson.

Mr. Thompson: Good afternoon, at home and one guest here that may or may not hear us.

Ms. Blystone: Mahalo. Chair Thayer?

Ms. Thayer: Yes, I'm here.

Ms. Blystone: All right. And we also have Commissioner Hipolito is excused.

Ms. Thayer: Okay. All right. Thank you everybody. And so everybody following us online and at home, we are going to take a break because we have not had a break in several hours and we need our commissioners to re energize, get some blood flowing, take a bio break, whatever you may need to do to, go through the rest of our two agendas for today. So we are going to recess this meeting and resume the last of our 1st agenda for today, to finish out item B1. But I want to give everybody a decent break to do everything you need to do to rejuvenate yourself. So it is two oh eight right now. If we come back at 02:20, does that give everybody enough time to stretch hydrate, nourish etc.

Mr. Hopper: Chair?

Ms. Thayer: Yes.

Mr. Hopper: This is Michael Hoppers. So I think the 1st thing is to recess this meeting to a specific time that you can announce when you're gonna resume the other meeting. I thought it would be brief, but I think you'd want to let people in this meeting know when you're going to be recessing the meeting till. So they know when to come back. So if someone's only watching this meeting, they can know about when to come back. I think that's, that would be a preferred practice.

Ms. Thayer: Okay, thank you. So commissioners, what we have left, you know, to figure out this timing, what we have left on our last agenda is Section 3.5 Areas of stability. Gulches. So one way we can do this is to go back to that agenda and just do a cursory move ahead with what's there because this 02:00 agenda that we have is gonna go through the whole entire plan all over again and there's lots of policies that talk about the implications of gulches anyway. So we could close out that discussion relatively quickly and just have that wrapped into this agenda. In which case, we would be able to pick up with this agenda relatively quickly. How does everybody feel about that?

Mr. Ward: Good done good.

Ms. Thayer: I see good from Commissioner Ward.
Good from Commissioner Deakos, nodding, everybody ok online. Okay, brilliant. So, let us take 10 minutes though. We'll still come back at 02:20 and close out our gulch discussion and then we'll say 02:30, we will resume this 02:00 meeting. Everybody follow that? Yep, so we'll see you at 02:20 to close out our 1st agenda and then 02:30 to come back to this one.

Mr. Hopper: So chair, just to be clear, 02:20 at the meeting link that started at 09:00 A.M. for that meeting.

Ms. Thayer: Yeah.

Mr. Hopper: Okay, so this meeting's going to be reassessed until 2:30?

Ms. Thayer: Correct.

Mr. Hopper: Okay, thanks.

Ms. Thayer: Thank you. See you at 02:20 everybody on the other link.

Meeting recessed: 2:08 p.m. to finish up the recessed February 18th meeting.

Meeting reconvened: 2:35 p.m.

A. UNFINISHED BUSINESS

1. **MS. KATE L. K. BLYSTONE, PLANNING DIRECTOR, transmitting the South Maui Community Plan Advisory Committee's recommended revisions to the South Maui Community Plan pursuant to the provisions of Chapter 2.80B of the Maui County Code (K. Comcowich)**

(Memorandum)

(Draft Plan)

(Prior Testimonies Received)

(Department Recommended Amendments)

(Documents Received After Posting – New Testimony)

a) Section 1 | Plan Framework

The commission reviewed Section 1, Plan Framework and accepted the changes and / or provided revisions and comments as discussed.

b) Section 2 | Policy Framework

The commission reviewed Section 2, Policy Framework and accepted the changes and / or provided revisions and comments as discussed.

Meeting recessed at 4:34 PM and reconvened at 4:45 PM.

With no objections from the Commission, moved Section 4 and Section 5 before Section 3 of the agenda.

d) Section 4 | Implementation & Monitoring

The commission reviewed Section 4, Implementation & Monitoring and accepted the changes and / or provided revisions as discussed.

e) Section 5 | Appendices

The commission reviewed Section 5 Appendices and accepted the changes and / or provided revisions and comments as discussed.

Meeting recessed at 5:18 PM and reconvened at 5:30 PM.

c) Section 3 | Growth Framework

The commission reviewed Section 3, Growth Framework and accepted the changes and / or provided revisions and comments as discussed.

Ms. Thayer: Beautiful. Good afternoon. Again, everybody, Welcome back to our Maui Planning Commission meeting of Tuesday, March 4th, 2025 regarding the South Maui Community Plan and we are on our 02:00 meeting agenda. We've already taken roll and established quorum and just an overview, so this agenda takes us back through our whole entire plan and this is leading up to our final recommendation, which could be a motion for approval or written comments or some combination thereof to pass on to council for their review and action.

So, unless the department has anything to say 1st we will go into public testimony. Okay, and seeing none from the department, let us go into public testimony. We have one person here in the gallery. No yes, and our our our custom is to do in-person testimony 1st and then go to everybody online. Just real fast Leilani, could you tell us the 1st three people who are signed up to testify on-line?

Ms. Ramoran-Quemado: We do not have anybody signed up on-line.

Ms. Thayer: Okay.

Ms. Mukai: Hi, good afternoon, chair members of the commission. I'm Erin Mukai of Pacific Rimland and here today to speak on behalf of the landowner for the Maui Research and Technology Park. We've met with the department and have worked together on their recommended revisions related to the MRTP and we would appreciate sharing our position for your consideration.

One, support for the new area specific policy. We support the department's new area specific policy for MRTP. This policy acknowledges our unique zoning code and that it should guide permitted uses in the event of any discrepancies between the plans.

Two, support for the land use designation change. We also support the department's recommendation to change the land use designation from special purpose district SPD to transit oriented corridor, TOC only if paired with the new area specific policy.

Three, requests for one unified designation. However, we asked the commission to designate the entire MRTP area with one single designation, in this case TOC rather than multiple designations. So the whole property would be read as TOC. Having multiple designations for the MRTP would create inconsistencies with our zoning controlling plan, which governs zoning and land uses at MRTP. The controlling plan is based on precise maps and meets and bounds that the county uses to determine zoning subdistricts.

If we are given multiple community plan designations, it will create conflicts with the boundaries of the various districts of the controlling plan leading to unnecessary complexity and technical permitting issues in the future.

By designating the entire MRTP as TOC, we can avoid these mapping and technical issues altogether. Both maps can coexist without ambiguity over where one boundary ends and another begins.

Thank you for the opportunity to provide this testimony today and thank you for your work on the plan.

Ms. Thayer: Mahalo for your testimony. Commissioners, any questions for the testifier? Seeing. I'm just letting Commissioner Ward read through the written testimony. Vice-Chair Thompson.

Mr. Thompson: Yes, thank you chair. So I was wondering on the, so the maps on that property, do the revised ones, take an account for the gulches? I think that was the hang up we had from before, but I agree it should be all one, they worked very hard to get the zoning that they have on there and it's particular to them, but I I thought that there was something with the zoning with did the planning department and then work that out?

Ms. Mukai: So right now if I could commissioner, thank you for the question. What's on the table, what the department is recommending is TOC designation with the gulches still being shown throughout the property. We are requesting that everything be transit oriented corridor.

Mr. Thompson: Okay, thank you very much.

Ms. Mukai: Thank you.

Ms. Thayer: Commissioner Lindsey, you weren't raising your hand, yeah, that was it, ok. Commissioner Ward?

Mr. Ward: Thank you chair. Thank you for testimony. Thank you and for being flexible. Question for you on the parks because the requested modification is all red.

Ms. Mukai: Correct.

Mr. Ward: Would you be open to having a policy that would state what percentage of space would be parks just so that or.

Ms. Mukai: So thank you for the question. We do have that spelled out in our code already in in Maui County Code chapter 19 point 38. My preference would be not to include that detailed here just because when we have plans for parks that everything's kind of laid out in our zoning, and we have land set aside for parks too. Open space and parks.

Mr. Ward: Okay. I just wanted to clarify that just for beyond the record.

Ms. Mukai: Yeah. Thank you so much.

Mr. Ward: I think visually it's kind of like, wait, you took parks away, so thank you for that.

Ms. Thayer: Okay, any further questions for the testifier? Okay, seeing none, thank you.

Ms. Mukai: Thank you very much.

Ms. Thayer: So, you have people sign up online? Okay.

Ms. Ramoran-Quemado: Ok. Dick Mayer, Cal Chipchase, Bo Yuan, and then Johann Lall.

Dick Mayer: Are you calling on me?

Ms. Thayer: You're a little bit soft.

Mr. Mayer: Okay, can I speak louder?

Ms. Thayer: Yeah, that's good.

Mr. Mayer: Very good. I'd like again to share something with you and see if I can pull it off this time more easily. Oh, I've got a whole different window. Okay.

It's a different Webex from this morning. But question I have, I'd like someone to ask the Planning Director Kate Blystone, a question. The Planning Department recommended that there be a need for 800 to 1700 more homes in South Maui in the 20 year planning period.

The question I have is why hasn't the planning department stayed with that recommendation? What has changed that has allowed allowing them now to make recommendations that would allow is up to 8000 units, about four times the number that was recommended previously when the plan planning process began. Is there an increased demand? Has, has the financing changed? What, what is the reason why you would want that many houses in South Maui with the infrastructure already is overtaxed. So, I'd like to have either I can ask it or have one of you ask the planning director to please explain how they got to this position of having such a great inconsistency. And that's all. Thank you.

Ms. Thayer: Yes, thank you. We noted down your question. This is not what the director won't be able to answer you directly, but we have that question written down to ask her once testimony is done.

Mr. Mayer: Thank you very much. I hope you do.

Ms. Thayer: Any other commissioners, any questions for the testifier? Commissioner Kealoha? Oh, you're on mute.

Dr. Kealoha: Thank you. Mahalo for your testimony. Can you briefly just mention how you get to 8000?

Mr. Mayer: Okay, there are 10 projects that I can see as being either already approved or that you are now considering, and I'll go through them very quickly. 400 for Hawaiian Homelands, 2000 for Kihei North Mauka area, 250 are probably in the or maybe more in the mega mall site. 1250 in the R & T Park. 975 in the Ledcor property. 1150 in the Wailea 670 Honua'ula site. The golf course conversion 900. Kihei Makua 900, and then

two much smaller projects, the H2, which you recently approved with around 53, and then above the above the Makena Mauka, excuse me, is the estates up there which have 36 lots, but they're all allowed to have farm dwellings, so probably another 72 lots total up there. The total comes up to 7950.

Dr. Kealoha: Okay, thank you. And these are projects that have not been some of them have been approved, but some of them are not.

Mr. Mayer: Your your plan as it's now drafted, would enable those other ones to go through or actually have been encouraged almost.

Dr. Kealoha: Okay, thank you.

Ms. Thayer: Any further questions commissioners for the testifier? Okay, seeing none. Mahalo again for your testimony.

Mr. Mayer: Thank you all and best wishes.

Ms. Ramoran-Quemado: Next testifier is Cal Chipchase to be followed by Bo Yuan and then Johann Lall.

Mr. Chipchase: Good afternoon, commissioners. Cal Chipchase, picking up on my testimony with respect to Honou`ula. I think as we come to the end of the process, this is probably our last opportunity to talk about the changes that we have talked about for some months now.

One is that Honou`ula requests that the site map in the community plan be modified to reflect our phase two approval, as I've talked about, the department's map is close, but does differ in some critical ways. My testimonies of January 27th and this February 17th, my written testimony set out the correct map and I'm happy to walk through the differences and why it's important to align the map with our phase two approval. And 2nd is the setback along that portion of Piilani Highway that we've discussed, currently anticipated to be a hundred and 50 ft under the community planning maps. We've requested 40 ft and my testimony's detail the impact that the larger setback would have in particular on the area that has already been designated by the planning commission for workforce housing.

And the last aspect is the gulch policy, and I've set out in the testimony in response to Commissioner Ward, I believe had requested it proposed amendments to that policy that would recognize that the community plan maps are not subdivision or or precisely done maps when it comes to gulches in other areas and that would allow refinement, alteration reduction and removal of gulch areas if further planning processes warrant. Thank you.

Ms. Thayer: Mahalo for your testimony. Commissioners, any questions for the testifier. Commissioner Ward.

Mr. Ward: Thank you chair. Thank you for your testimony. To clarify the gulch since that's topic we're gonna be talking about at some point today, to just to clarify, it would be policy 2.4.6 revision that was provided.

Mr. Chipchase: Two policies I believe Commissioner Ward. That is one of them. If you give me a moment, I will identify the other one for you.

Mr. Ward: I think it was 2.4.5B.

Mr. Chipchase: 2.4.6 and 2.5.8.

Mr. Ward: Thank you.

Ms. Thayer: Any other questions for the testifier? Commissioner Kealoha?

Dr. Kealoha: Mahalo for your testimony Mr. Chipchase. I keep going back and forth about this and well I think as a commission, we keep going back and forth about this gulch thing too, and I my question for you is other than providing more space for development, which I get, how does reducing the boundaries of the gulches benefit the community?

Mr. Chipchase: Yeah, I, I appreciate the question. So I think as you've heard through a significant portion of the the testimony, folks who are familiar with the areas have commented that the gulches has mapped or inaccurate in some ways both as to size or as to location. And you also heard a lot of testimony that the proposed buffer of a hundred and 50 ft, a hundred feet from, from top of bank, I should say was unnecessary and and you know that we could look at smart development and other ways to minimize impacts with smaller buffers. What what I proposed is, is nothing like that. I wouldn't propose to change any maps at this point and I wouldn't propose to change the buffer duration.

Instead what I would propose is that accuracy matters and that gulches that serve as gulches and watershed areas should be protected, but they should be accurate in their mapping and in their depiction on the properties. I think that's the only way that the, the public purpose is served by the the exclusion of those areas from development. And I think it's the only fair approach from the perspective of the landowner whose property is restricted. And so what I proposed is that as properties go through more detailed design and development phases, like subdivision that those processes recognize that the gulches will be more accurately depicted than they are in the community plan maps, which cover broad areas with broad maps, and that that process should allow for refinement of those gulch areas.

The current policies contemplate refinement, including realignment, but they don't contemplate reduction or elimination. There maybe instances and there's lots of testimony in the planning commission record of specific instances where reduction or elimination may in fact be the correct answer. And I think coming back to your question, everyone benefits from accurate mapping.

The public policy is only served if these are actually gulches that serve as conveyors of water from mauka to makai and that should be protected from encroachment. And that fairness suggests that landowners should, who do have gulches on a property that

should be prepared or preserved I should say, would only have to preserve them to the extent that they actually exist in the areas that are identified.

Dr. Kealoha: Okay, yeah. Thank you. Appreciate that.

Mr. Chipchase: You're welcome.

Ms. Thayer: Vice-Chair?

Mr. Thompson: Thank you chair. Yeah, just one question on your phase two maps. Was it I think you said before a hundred times that was the water tank that was not on there? What was the difference in the the two the county map and yours.

Mr. Chipchase: Yeah, absolutely. Vice chair. So in the county map, there, there are several differences, and if you look at my January 27th, 2025 written testimony, I go through those differences and I attach both the county's proposed map, as well as our phase two map and the map that we would suggest the commission use for the community plan map.

The differences include areas that are differently designated under the county's proposed community plan map versus our phase two map. In particular, you'll see a small town center area that does not match the map approved by the commission. You'll also see a, a public quasi public area down toward the makai portion of the property that does not match, and you'll see a number of other areas in particular gulch and preservation areas that don't match our maps.

Accuracy on those are, are very important because our phase two map dictates the land areas that we are entitled to to develop and those areas that we have to preserve. They're also important, particularly down in the south, because we have a large preservation area that is both as the size and boundary dictated by a settlement agreement. And so having a map that tracks as closely as possible to those detailed turns and twists in the preservation area which will be fenced ultimately is critical for Honua`ula.

You'd mentioned the water tank, and so the water tank is the one area of my proposed map that differs from the phase two map. When we were before the planning commission for phase two approval, that area was anticipated on the mauka end of the property to be the location of a water tank. We now anticipate moving that water tank across the boundary to get better gravity flow.

And so that area would be appropriate for residential use. That kind of minor modification is done usually through the phase two process because the county through this mapping is departing from the traditional way that community plans have mapped project areas namely with one big color that said project district, right? And so you did all your refinement through phase two and phase three. In this mapping, the community plan is seeking to be specific as to land use areas. Because it's seeking to be specific as to those land use areas, we have asked that that water tank area be colored residential so that we can have the flexibility to locate development there rather than the water tank. Other than that, our maps track the phase two maps that were approved by the commission.

Mr. Thompson: Yep, thanks much.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Thank you chair. Thank you for your testimony today. You mentioned the neighborhood center does not align with your, your map. Can you just, I don't have your map in front of me. Can you just describe what the differences are around that.

Mr. Chipchase: Yeah, I'll do my best. If you, if you do have a chance to, to pull it up commissioner, it is the January 27th testimony which would have been posted online and I would ask you to look at attachments one, two, and three just if you have an opportunity to, to study it in detail. But, it it I'll point to the easiest way to describe it for folks who do have it and and if you have an opportunity to look at it, the map proposed by the department has an area of small town center judding out into almost a point like a beak. That point is not. It doesn't exist on the phase two maps. And so instead that area is is a different residential designation. And so that's just an in one easy example of the differences between the phase two map and the department's map.

And as, as I said, I think the department tried very hard to, to, to do it is dealing with a ton of maps and I think some you know differences are, are, could be reasonably anticipated coming out of that process. Since we have the benefit of a phase two map, we just asked to substitute what the commission's already approved for the community plan map, subject to that one change with the water tank that I requested.

Dr. Deakos: Okay, and 2nd neighborhood center, that one's ok.
There's two.

Mr. Chipchase: No, that has some differences too, but they're, they're far subtler than that, the beak.

Dr. Deakos: Okay. All right. Thank you. Thank you, Chair.

Mr. Chipchase: You're welcome.

Ms. Thayer: Further questions for the testifier? Commissioner Lindsey.

Ms. Lindsey: Actually, my question is just like seeing that map. Is that somewhere where we could easily access it?

Mr. Chipchase: Yes. So, all the testimonies should be posted online, and the map that we would ask you to use is attachment two, to my January 27th testimony.

Ms. Thayer: And just to clarify, that was submitted for the January 28th meeting.

Mr. Chipchase: I Believe that's correct commissioner. Or chair.

Ms. Thayer: Any further questions for the testifier?
Okay, are you gonna have a question? Commissioner Lindsey?

Ms. Lindsey: No, I'm I'm just trying to find it in our testimony, we have 1238 pages of testimony.

Ms. Thayer: If you can pull up the January 28th agenda and you click on documents received after posting new testimony, it is page.

Ms. Lindsey: Here, I think I found it in our 1238 testimonies. I think it is page exhibit A you said?

Mr. Chipchase: It's attachment two, which is on page nine of the document.

Ms. Lindsey: Okay.

Mr. Chipchase: Attachment one is the phase two approval. Exhibit 53 from the phase two approval.

Ms. Lindsey: Okay, we're talking about page, 1099 ish for other commissioners who can't find it.

Ms. Thayer: Yeah, otherwise if you pull up the link to the January 28th agenda, it's page 111 out of 178.

Ms. Lindsey: Thank you.

Ms. Thayer: Further questions for the testifier? Seeing none, thank you again for your testimony.

Mr. Chipchase: Thank you, Chair.

Ms. Ramoran-Quemado: And next testifiers Bo Yuan to be followed by Johann Lall and Rory Frampton.

Bo Yuan: Aloha commissioner. Thank you for providing the opportunity. This is a follow up testimony to answer the question that raised during the previous testimony that request a change of Maui Kamaole designation from the residential to resort that hotel in South in South Maui Community Plan.

So the 1st question is that whether Maui Kamaole using any affordable housing credit. We ask our property manager to search through all the older documents and we found nothing, and the original development document called Maui Kamaole Resort. So that's kind of confirmed that originally the project developer as a resort in the naming of the project. And we didn't find any record that have using the government funding such as the workforce housing credits, there's NO record for using any of the government funding

for this project. This project was developed named with resort. So that is kind of resort project.

And 2nd question. It's about how many owners of Maui Kamaole are from the Hawaii or Maui from so by the end of 2024, based on the data that we have out of 315 units at Maui Kamaole, only 47 units. Which mailing address are the how which has, which show a mailing address in Hawaii state. We don't have further details on the Maui address but there's only 47 units shows mailing address in Hawaii state. And according to the property tax record, by the end of 2024. Out of these 315 units, two units used for the long term, twelve units are owner occupied. That means the remaining 301 units are used for the short term rental. So like 96% of all these units are used for the short term rental.

The 3rd question is about beyond the providing financial revenues and the providing local job opportunities, what other benefits the short term rental at the Maui Kamaole can provide for the South Maui community. So there's a few benefits. The 1st one is that support local business. So the visitors staying at short term rental units, they frequently visit the local restaurant. Local shop farmers market.

Mr. Quemado: 30 seconds.

Mr. Yuan: Activity providers of the local pro activity providers. So this can help you ensuring the small business in the South Maui they can thrive year round. So not just during the peak tourism seasons. So over the year, all these local business they have a lot of customer coming.

Second is sustainable tourism distribution because STR the pricing compared to the hotel is cheaper, so STR provide more affordable options for all.

Mr. Quemado: Time.

Mr. Yuan: The visitors. So that can ensure that the tourism are sustainable and a lot of visitors. There's a lot of guests of the short term rental units are repeated visitors, so that help to keep this keep the tourism more sustainable. Thank you so much for your for your time and consideration.

Ms. Thayer: Mahalo for your testimony.

Mr. Yuan: Yeah, thank you.

Ms. Thayer: Questions for the testifier commissioners? Okay, seeing none, thank you again.

Mr. Yuan: Thank you. Bye.

Ms. Ramoran-Quemado: Next testify is Johann Lall to be followed by Rory Frampton.

Ms. Thayer: And there's nobody else signed up after Mr. Frampton, ok? Everybody online wishing to testify, make sure you write to staff in the chat to get on the list. Go ahead Mr. Lall.

Mr. Lall: Johann Lall, testifying on behalf of myself. Before I say what I actually wanted to say, I wanted to call attention to I think. Cal Chipchase may have made a mistake because he said that the hundred and 50 ft would cut into what you guys designated as workforce housing. I don't believe that's accurate because I don't think the map specified where the workforce housing would be. So I would suggest checking with the planning director and or Hopper on that.

And the other specific thing I wanted to mention is what Erin Mukai said about the TOC at the MRTP and protecting the gulches, so I would be in support of that especially if the gulches would have some buffer for additional protection. I think it's a good place for more high density development because of the transit, proximity to shops, schools, all that kind of stuff. But the big overarching thing, I think because you guys are doing your your full review of the entire plan.

I just wanna kind of point out like what your role is and, you know, and Hawaii developers have a lot of power, probably more power than any other state, and I think everyone's thinking about like checks and balances right now because of what's going on in the federal government and you guys as regulators are really the check and the balance on that power.

And so, you know, a lot of folks have said that really, the CPAC, what they decided should be, you know, the law. Like that's the way the final plan should be and I actually disagree, you guys do have a lot of power in this process and do have the right to use it. But I think you should be very judicious with how you make changes to what CPAC decided and what the community wants.

But I think where changes makes sense, you guys should definitely make changes, but you should take very seriously your role as regulators of development and this community plan is gonna be probably the biggest thing that makes a difference in how Maui develops into the future because most of the vast majority of development is gonna be in South Maui for the next few.

Mr. QuemadO; 30 seconds.

Mr. Lall: Decades. So, this is probably the most important thing as far as that goes and you guys are, you know, the most powerful commission, and your own this is very important for protecting the community, protecting the future you know and ensuring that future generations can actually stay in Hawaii, which is an issue that's, you know, probably front and center for everyone.

So, and also protecting people from harms, whether it's flooding or sea level rise or fire, and also protecting quality of life, so.

Ms. Thayer: Would you be able to summarize your testimony?

Mr. Lall: That's it.

Ms. Thayer: Okay, thank you. Thank you for your testimony. Questions for the testifier commissioners? Commissioner Deakos.

Dr. Deakos: Thank you chair. I missed your comment about MRTTP Gulches. Can you clarify?

Mr. Lall: I believe Erin Mukai had asked for that area to be a hundred percent transit oriented corridor with the gulches protected. And so I'm in support of that because I think that's a good area to have the higher density development and the more, the more density you have, the more land you can protect while still having people live, like have a place to live and have proximity of the school and all the stuff that's you know within walking distance. I do also think it's important to protect the gulches with the buffer cause the area mauka over there is where a lot of the flooding happens right now, so protecting people downstream is very important.

Dr. Deakos: Okay, thank you. Thanks for your testimony. Thanks Chair.

Ms. Thayer: Yep, any other questions for the specifier? Okay, seeing none. Mahalo again.

Ms. Ramoran-Quemado: Next testifier is Rory Frampton to be followed by Ryan Churchill.

Mr. Frampton: Good afternoon, commissioners, and can you hear me ok?

Ms. Thayer: Yeah, please go ahead.

Mr. Frampton: Okay. Okay, thank you very much for your time and your dedication and on behalf of Kaonoulu Ranch and Haleakala Ranch, I want to thank you for your favorable actions earlier today on those two projects Kihei Mauka and the Keokea Industrial area. I just wanted to say for the Keokea Industrial area, you know, we did meet with KCA and they had similar concerns to commissioners Commissioner Kealoha in terms of storm water management and uses and that type of stuff and we worked out some project specific policies that I submitted with my testimony, my testimonies dated January 8th and I did want to point that out that their support was contingent on those policies being adopted. I just wanted to make sure that was known.

In terms of the forecast, the comments about the forecast that Mr. Mayer made, I just wanted to make some comments that we discussed at CPAC or at least I did. There should be some caution relying too heavily or rigidly on the department's land use demand forecast for the following reasons. It's based on economic forecasts which can be subject to changes based on worldwide trends or global events.

Well, the forecast has been made for 20 years, the updates of the community plans have not been timely. This plan is almost 30 years old. Relying too rigidly on the forecast numbers could result in an outdated or irrelevant plan if it takes 30 more years for the next update to occur. The forecast did not account for pent up demand due to existing

housing shortages in 2019, of course prior to the fire, the estimate was made that it were ten over 10000 units short in terms of pent up demand.

The report did not include numbers for vacancies and assumed every new house would be occupied by a local resident. Change in assumptions on variables such as household size can lead to significant differences and results.

The department's forecast utilized higher household size than actual existing conditions despite the discussion in the housing report indicating that future residents will want to be in smaller units and household sizes thus requiring more units for the same amount of people.

And lastly, just because an area is designated in the plan as a growth area, it does not guarantee that it will be developed at all or that it will be developed within this time horizon. Maui Lani and Kehalani project districts are good examples of master planned communities, including a large area and scale

Mr. Quemado: 30 seconds.

Mr. Frampton: Has assured that sites for schools, parks, roadways, and shopping areas were anticipated and constructed. Although conceived in the 70s and approved around 1990, they have not been completely built out and they're still in the process of being built out. So I just wanted to make those comments and when we were doing the Maui Island Plan, one of the lead planners of that quoted a famous planner, and he said, you know, it's always better to plan for more and have less rather than to plan for less and have more growth. And that was just one of his axioms. So anyways, I just wanted to offer that and then and just thank you guys again for all your dedication and time that you've committed to this process. I'm open for any questions.

Ms. Thayer: Mahalo for your testimony. Commissioners, questions for the testifier. Vice-Chair.

Mr. Thompson: Yeah, thanks for coming in. And how many units do you say we're short and can you just give me a little relevance there? I just missed the number?

Mr. Frampton: Oh, in 2019 SMS did a Hawaii housing planning study and for Maui it was 10,400 units. This was across this was for Maui or Maui County is what I have in my notes. That was for the years 2020 through 2025.

Mr. Thompson: At 10,400, then. And that's before Lahaina burned down.

Mr. Frampton: Right.

Mr. Thompson: That studies. Okay, thank you.

Mr. Frampton: Yep.

Ms. Thayer: Commissioners, any other questions for the justifier? Okay, seeing none, thank you again for your testimony.

Mr. Frampton: Thank you very much.

Ms. Ramporan-Quemado: And Ryan Churchill.

Ms. Thayer: Ok. Is anybody signed up after him? Okay, so anybody online wishing to testify, make sure you raise your hand or write to staff in the chat if you wish to be added to the list. Go ahead Mr. Churchill, thank you.

Ryan Churchill: Yeah, good afternoon chair. Thanks for the opportunity to testify, and I appreciate all the time you've put into this plan. My name's Ryan Churchill with Pacific Rim Land. I'm going to provide similar testimony as Erin Mukai provided but also possible provide visuals. We worked closely with the planning department to come to agreement on their change from special district, which you recall we were previously recommending to the TOC designation. We are agreeable to that subject to their company change to the policy as described in the March 4 memo from the director to you.

However, we still prefer, as Erin mentioned, to have the entire site be designated TOC versus certain areas still being designated, open space or gulch for the reasons that have been discussed discussed at length by Erin and others.

And I just wanted to point out what's in our testimony that came in today that you should have on page two and this is the map from that with the department's recommendation on the left. And our request for modification on the right, which is basically designating the entire area TOC and leaving the park and open spaces to what, as Erin mentioned is already in our controlling plan as part of our zoning.

Again, this is for technical reasons that have been discussed. It really doesn't change the use or density of the land. It's more the technical processing as we go through our permits and creates conflicts, potential conflicts in mapping with our zoning map.

So that's just wanted to clarify with this maps and call that out in Erin's testimony on page two dated today. Thank you again for all your time, many many months put into this plan. I appreciate it.

Ms. Thayer: Mahalo for your testimony. Commissioners, any questions for the testifier? Okay, seeing none, thank you again.

Ms. Ramoran-Quemado: No one else.

Ms. Thayer: Okay, well this will be a last call for testimony on this agenda, if you're online, please raise your hand, unmute yourself or write to staff in the chat.

Otherwise, public testimony will close in 3, 2, 1. Alrighty. Now commissioners.

We can move into the meat of our agenda, which starts us off back at Section 1, our plan framework. Director, did you have anything you would like to say?

Ms. Blystone: I just think, thank you chair. At the, at the start of this process, I very much hope that today we're able to get through everything and put this to rest and move it on to the next phase of its process. We've already requested an extension, we're working in an extension time period. It would be delightful to be able to to wrap these things up. Staff has all, has collected all the things that were like held back and they're gonna walk

you through those one at a time and we're not. Oh, I thought that's what you were gonna do. What are you going to do then?

Ms. Comcowich: To propose changes you want based on what you've already done, the last agenda was based on the things we still needed to cover. Policies and actions we have already covered when we reviewed them.

Ms. Blystone: So, we don't have any follow up items from previous agendas.

Ms. Takakura: We have one item which we just left off, gulches from the previous meeting.

Ms. Blystone: So everything else has been covered. Every single item. Okay, great, so that's where we're at.

Ms. Thayer: Okay, so commissioners, I do have a list of all the changes that we made to Section 2, which is all the policies so I can just keep tabs on those as we go through, and then we would, you know, go on to section three and four and five. If that sounds good to everybody, Commissioner Deakos followed by Commissioner Lindsey.

Dr. Deakos: Yeah, I had two small items for Section 1 and they were discussed a long time ago and I'm not sure if they, maybe I can. Okay if I bring them up now.

Ms. Thayer: Yeah, I just want to check in Commissioner Lindsey, what did you wanna bring up?

Ms. Lindsey: I was just wondering about Oiwi Resources changes to the document if we've applied those or I'm not, I don't recall seeing I recall maybe, maybe half or a quarter of it we we went over, but the rest I'm not sure.

Ms. Thayer: I don't know that we've received anything from them.

Ms. Comcowich: The Department of Oiwi Resources.

Ms. Thayer: And we may not have them online. Commissioner Ward?

Mr. Ward: Thank you chair. I don't remember I have to think and go back to my notes, but I definitely know that we asked to have information sent over to them for their input and review. And this Commissioner Lindsey has indicated, I don't recall seeing it. I could be wrong because obviously gone through a lot, but I think my recollection is in sync with Commissioner Lindsey.

Ms. Comcowich: We did request section plan section one and plan section three and the policies for plan section five. All of those requests were sent and they did attend one of the meetings, but we have not received any written comment.

Ms. Thayer: Director.

Ms. Blystone: Yeah, I think the way to deal with this potentially is this is a new department that is probably very overwhelmed right now with everything that's on their plate. This isn't the, and I'm gonna remind you of this a thousand times probably before we wrap today. This is not the last, you're not the decider. So, we can, we can reiterate and that can be part of, you know, we've already made the recommendation that they take a look at these sections, we can follow up with them and make sure that they provide that information to council. So that that's, that's totally an acceptable approach.

Ms. Thayer: Commissioner Lindsey.

Ms. Lindsey: Okay, I just wanted to make sure it was kind of in there somewhere. Thank you.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you, Chair. Could we just note to be like that as a recommendation to the council?

Ms. Thayer: Oh, include that in our comments? Sure. Yeah.

Mr. Ward: Thank you.

Ms. Thayer: Ok. Thank you, Commissioner Deakos for your patience. You can go ahead with your items for Section 1.

Dr. Deakos: Okay, on page 23 at the end of second paragraph, there's language based on population forecasting for the plan area. The population may increase between 3700 and 6100 new residents over the planned time frame. Seems it would make sense to also add the forecast data for how many new homes would be needed in that time frame. So I guess would, you'd be strongly opposed to adding language at the end of that paragraph two, that states South Maui forecasts the need for 800 to 1700 new homes over the next 20 years and reference the South Maui Plan forecast paper page 22, which I think is one of the resources we were provided.

Ms. Thayer: Director?

Ms. Blystone: Yeah, I believe we discussed this last time and I I think, you know, I I don't know that I had strong strong feelings, but I I do want to remind the commission that these, this chapter is non regulatory, and so strongly encourage you to spend most of your time on the regulatory portions of the, of the, and getting those exactly dialed in. I don't have strong feelings about adding that language. I, I think it's extra.

Ms. Thayer: Commissioner Lindsey?

Ms. Lindsey: I'm in the support of adding it. Thank you.

Ms. Thayer: Thank you. Commissioner Ward?

Mr. Ward: Thank you chair. I don't have a strong opinion. I would just question if we need it because it's, things have changed with Lahaina. We're having, you know, backlog of housing and it could be misinterpreted as a raw as a as a solid number and misconstrued as to how plans could or couldn't go forward. And I think that number's gonna fluctuate anyways over the course of the next 20 years so I, I think it could potentially set the stage for what we don't want because somebody might choose to say well the numbers at x. You don't need it when we may potentially need it. So I would, but I don't have a strong opinion either way. My thoughts on it could cause some problems potentially.

Ms. Thayer: Sorry Commissioner Deakos. Which study were you referring to again?

Dr. Deakos: The South Maui Plan Forecast Paper. So there was, there was several resource documents that they used to help Planning.

You know, e.g., the, the population increase which they referenced 37 to 6100. So in order to plan the next 20 years, you wanna have some information, some forecast information. So they provide those resources to help with this planning document. So we don't know the exact population increase, so that's why they range it from 3700 to 6100. We don't know the end exact number of homes that will be needed. So that's the range 800 to 1700. These are just planning tools based on studies that were carried out by the planning department to help. So as we reference this planning document, seems like those types of information are valuable. Just like our tables that reference, you know, number of, housing units, you know, sensitive resource areas, those kinds of things.

Ms. Thayer: Thank you. I think if I may throw in my \$0.02 to this, I feel like a plan has to be based on some kind of something that you're shooting for, even if that may change, which, you know, we've all recognized, but I would maybe suggest something to the effect of you know what Commissioner Deakos said the 800 is the 17 units based on the housing forecast study with the caveat that this was before the Lahaina fire, and so the need might be different from that. But just to acknowledge we're standing on some kind of data for the plan. Commissioner Ward.

Mr. Ward: Thank you chair. Question is actually to the planning department, what. How much workforce housing did we assume in that study would be shifting down potentially because that number would potentially increase based on what we've come up with as policy? I would imagine.

Ms. Comcowich: The population of the South Maui's actually declined, it probably would back up after the fire, but that's like the levels it was in 2020. So, population doesn't just increase.

How much did we, it's 25% of the total units will be workforce housing.

Ms. Thayer: Director.

Ms. Blystone: Yeah I mean I think it, I think it's easy for us to focus on workforce housing that's what we need, that's what we need. Only need it. But anytime we free up. Any time we build housing with the exception of I would say extreme luxury housing, we're building housing that people can move into that are local families because not everyone is, is, experiencing the need for workforce housing. Some of them are in that workforce housing and could afford more and want to move up into more, but there's not anything there. So we need the whole range of housing types. That's the only thing I'll add to that, that question.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you chair. My only question was more is in anticipating that we could actually have a higher need because the fact that people might be moving closer to work, that was where I was going, that was where I was coming from is that I think the need might be higher than what that study might show.

Ms. Blystone: Yeah, and to address the question that was brought up by one of the testifiers about why the planning director is doing this certain thing regarding number of units of housing. So effectuate, you know, with our, with our designations potentially allowing more housing than what is needed. That's part of the reason why. Because there is, we don't know which projects are gonna be approved. We don't know what hidden homeless we have. People who are couch surfing. We don't know the full breath of the, of the issue. We, you know, we lost roughly 2000 units in Lahaina and we displaced 12,000 people. That means that there's a lot of people living on top of each other and for some people, that is their jam. They want to be real close to their family, but for others it's they would like some of that freedom. And so allowing some additional units is part of the reason for that. So just to expand on your question a little bit.

Ms. Thayer: Ok. Commission Deakos.

Dr. Deakos: And I, and I, I guess I'm struggling a bit, kinda like the chair said. You need some calibration, right? Like, are we shooting for 50,000 new homes? Are we shooting for 8000? Like, why is one versus the other? There's probably there's gotta be some basis for our, you know, what we anticipate needing. So I don't have the detail. I didn't do the study of 817 hundred you know.

Like I I I'm a little struggling a bit why we we don't want any of the forecasting data like sounds like maybe even want to take the population forecasting out of there, then I I I begged the question, what is even the point of the resource studies if they're not being used for guidance?

Ms. Thayer: Director.

Ms. Blystone: Mahalo Chair. These, these studies are being used. So I want to be very, very clear, but I also want to acknowledge that we are in a portion of the document that is just setting the stage. So the population allocation that's in there, that range of

population, is what we're what we built are are things on. And it's also, we also have to add in like a factor, and this is I feel like I've had this conversation my entire career. It's like I'm sorry. I feel like I'm jumping over a lot of things. You are welcome to absolutely 100% put the housing number in there. That's wonderful if that's what the Planning Commission wishes to do. Planning Department is not strongly feelings strongly one way or the other. So if you would like to do that, we encourage you to do that and then we can move on to other items.

Ms. Thayer: The other thing we can do so we don't get stuck on a housing number is just leave that out and go with the population projection of 3700 to 600 6100 new residents because you can extrapolate housing numbers based on that number of people, which would be another way to do it. And then it's, you know, trying to accommodate actual people versus trying to conjure a number of houses.

Dr. Deakos: Okay, I I'm, this isn't a number made out. I just, it references a South Maui Plan forecast paper, so I mean we're not just pulling it out of nowhere, but if there's sounds like there's strong opposition to sort of having any projection guidance then then then it is what it is, but.

Ms. Thayer: I don't think it's strong opposition necessarily. I think what the director's saying is that it's not it doesn't affect necessarily the rest of the plan. I think I heard her say that the population projection is really what is used as the basis for figuring out, the housing stock and land use designations and everything that follows. But Director, go ahead.

Ms. Blystone: Yeah, I want to be very clear. There's not strong opposition. You can do whatever you want. It's totally fine because if you if you feel like it's clearer to put it in here and not just have it in the housing study, we support that 100%, go for it. I. The only thing I was saying is the rest of the plan matters more than this, than this part of the plan. So I just I hope that we don't get stuck here when we could be focusing on other pieces. So apologize for my impatience, but I I think that if the will of the commission is to add this language department supports that 100%.

Ms. Thayer: Ok commissioners, which way should we go? Commissioner Lindsey or Vice-Chair Thompson, you wanna weigh in? We're gonna need all five of us either way.

Ms. Lindsey: I'm voting with Commissioner Deakos.

Ms. Thayer: Okay, thank you. Vice-Chair Thompson, thoughts? Okay, share with Commissioner Deakos. Okay. Yep. We can move that way. So, Commissioner Deakos, just so staff has it clearly, can you repeat your proposed addition?

Dr. Deakos: So at the end of paragraph two on page 24, section one would read South Maui forecasts the need for 800 to 1700 new homes over the next 20 years and reference the South Maui Plan forecast paper page 22.

Ms. Thayer: You want to include something that was before the fire when a lot of people got displaced?

Dr. Deakos: Yeah, if you wanna add a sentence to that, I have NO problem.

Ms. Thayer: Sorry, I know staff is processing this.

Ms. Comcowich: Sounds good.

Ms. Thayer: Okay, alright, good, good. Next, you said you had another one Commissioner Deakos.

Dr. Deakos: Yes, and hopefully it goes quick, but we never know. How would you be strongly opposed to adding language at the end of chapter four on page 21? Sorry, I think that should paragraph four on page 21, the language would read.

Section 4.2 .3 A of the Maui Island Plan recommends a visitor to resident ratio of NO more than 33% to preserve the quality of life of its residents. Ratios were highest in 2019 exceeding 42% and continue to be above the recommended threshold.

Again, I understand the meat is in the policies and our policies are strong towards mitigating visitor impacts, but again just to anchor why that's important, it just references a target that we're trying. It is in the Maui Island Plan, not necessarily in here so I was just going to point to that here.

Ms. Thayer: I think this works hand in hand with the Maui Island Plan. So that still applies here but I think. Ms Takakura wanted to say something.

Ms. Takakura: You may want to put a caveat on there because that is the entire Maui Island population in the MIP. So, you know, if you were to separate it out by the different community plan areas, you're gonna get vastly different numbers. But, the overall average of that so there should be some caveats that, you know, we know that the West Maui and South Maui areas have the higher number of vacation units.

Ms. Thayer: Thank you for that.

Dr. Deakos: Yeah, we could add the Maui Island Plan recommends a countywide visitor to resident ratio. I'd be happy adding that.

Ms. Thayer: Director?

Ms. Blystone: Yeah, just what Jacky didn't say on the mic that is important is it's not countywide, it's island wide. So, that language is fine. It's it's fine.

Ms. Thayer: Commissioners. Commissioner Lindsey.

Ms. Lindsey: No objections chair to that. We can add it. I'm neutral in the interest of time also.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you chair. My other comment would be is maybe just reference the Maui Island Plan. It just seems like we're adding a lot of verbiage that is unnecessary. If we can say for visitor reference count reference would that would be my recommendation so that so it's there, but we you're not having a ton of extra stuff to have to read. So, but I'm not opposed to it at all.

Ms. Thayer: Okay, but just keeping it to the Maui Island Plan 33%.

Mr. Ward: Short sweet.

Ms. Thayer: Okay. Vice-Chair? Thoughts?

Mr. Thompson: Yep, keeping it in the Maui Plan, take it out of this one. It doesn't need to be here.

Ms. Thayer: Okay. Not have the reference. Okay, well, that is, I guess to find a middle ground and move forward from here. I don't know that we need the reference because it already it like this and the Maui Island Plan go hand in hand together, but hearing you want to anchor this plan, I think the middle ground in this case to achieve consensus and move forward is to just say reference the Maui Island Plan policy for 33% count, short and sweet sentence at that.

I see thumbs up from Vice-Chair and Commissioner Lindsey and Commissioner Ward.

Mr. Ward: I would just add islandwide.

Ms. Thayer: Island Wide yes, specifying that. Commissioner Deakos.

Dr. Deakos: Yeah, do you want me to rephrase it to make the.

Ms. Thayer: I think, sounds like planning staff is saying they've got it. But would you be ok with a more concise sentence.

Dr. Deakos: Sure, yeah, if we could, if somebody could read it.

Ms. Comcowich: So the Maui Island Plan recommends a ratio of one 3rd to two thirds island wide visitor to resident population.

Dr. Deakos: Did you say visitor to resident ratio? Okay.

Ms. Comcowich: Yes.

Ms. Thayer: I think for I think what he's getting at is referencing the policy itself, which is 33%, yeah. Okay, does that work for you Commissioner Deakos? To reference the exact policy?

Dr. Deakos: Yeah, sorry. Read it one more time.

Ms. Thayer: It would just reference the exact policy to say the Maui Island Plan calls for, you know, Maui Island Plan policy, whatever the number is, calls for a resident, the visitor population not to exceed 33% of the resident island population.
I think that's what we're gonna be able to get consensus on to be able to move forward.

Dr. Deakos: Yeah, I'm fine with the intent. I just wanted to hear the sentence.

Ms. Comcowich: Can I just send it to Commissioner Deakos?

Ms. Thayer: Yes. Yeah, the sentence is gonna purely reference the policy and state the policy. Commissioner Deakos.

Dr. Deakos: Ok.

Ms. Thayer: Ok. Okay, good. Anything else on section one? And making sure, oh, there's Vice-Chair, and there's Commissioner Lindsey. Okay, good. Anybody else have anything else on section one? Sorry, I have a really small word change and hopefully it's fast, but on page seven, the last paragraph about Kealaikahiki translates as the path to Tahiti, which is also the name of the channel that separates Kahoolawe and Lanai, I think a more cultural perspective would be that it connects Kahoolawe and Lanai. Okay, everybody good with that change? I see thumbs up and nodding. Thumbs up. Okay, thank you. Okay, I think that's all for section one unless anybody has anything else. Commissioner Lindsey.

Ms. Lindsey: This is why I would, I think Oiwi Resources read, I had verbal confirmation that they read this 1st section from them, which is because I had lots of changes in there initially for cultural reasons, but I trust that there that would be included. So I will leave all of those out today.

Ms. Thayer: Okay. Yeah, and I guess, you know, on that note cause we did have a lot of asks in here to, you know, add in about the Sandalwood trade because that affected the forests, which affects the runoff that we have today, you know, how much attention is given to whaling and those kinds of activities give that kind of attention to the cultural activities that happened in the region.

So, our recommendation when we get there would be to for council to incorporate comments and perspectives from Oiwi Resources to this effect for this section. Would that work for you? Okay, and department staff, you got that down for when we get to that point. Okay perfect. Commissioner Lindsey.

Ms. Lindsey: The other comment I had that about that 1st section and throughout the entire thing was like rewording a lot of the sentences to be in the like positive but we didn't get it back yet, but that covered that's throughout the whole plan. So I don't know if that was already included by the department or not. I know they commented I know they noted it, but I, I don't know how it was applied.

Ms. Comcowich: There was specific, recommendation to change one of the beginnings of the policy sections to be positive and I did note that, sorry, let me pull up that document. I did not think that applied to every sentence in the plan nor would be.

Ms. Lindsey: Yeah, that's not practical ask for sure, but just like the major, you know, references. I think I kind of said it in my comments as we're going through the 1st parts of the plan. Also so if you're writing that down then yeah. If not, I can go over it again, but I don't wanna do that.

Ms. Comcowich: Some of the parts you maybe finding as negative comments may have come directly from CPAC, and that maybe expressing how they're currently feeling. Just to put that caveat in there, there was extensive work on section one by CPAC adding sections.

Ms. Lindsey: I don't think that's what it was, but, ok. I think we I think we covered it. I think we're okay.

Ms. Thayer: Well commissioner Lindsey, if I may, the the the sentiment was regarding the, the quote unquote negative sentences that were like this one on page 31 to say where it says now transportation is not just roads and cars to switch that to transportation. It's more than roads and cars, those kinds of instances was what you brought up before. Okay.

Ms. Comcowich: So, I'll rewrite the plan, Sounds good.

Ms. Thayer: Yeah. Okay. Anything else on section one? All right, seeing none. Now section two, we had an overall, change was to move all definitions into the appendix and then updating all policies to be written in plain language like that which is being adopted by the county council. So this will be changing shall or will to must. E.g., Policy 2.1.11 for all new or redesigned intersections that trigger trigger a signal or roundabout must be considered instead, instead of shall be considered instead. So this was a blanket, change that we made by consensus. Okay. All right. So going into the policies, we made a let's see. Well, we have a synopsis of the changes that we made. Does anybody need to hear what those were just quickly or are we gonna, do you have any you wanna flag? Okay, cause we can just go to the ones we had flagged to come back to. Yes. Unless there's burning ones, there's, well, do we wanna touch upon the setback mauka of Piilani Highway? We had changed that to 50ft. Leave it as is. Commissioner Ward.

Mr. Ward: Thank you it is 50 or.

Ms. Thayer: So 2.1.9, it was proposed by CPAC as 150ft and we had voted on 50ft. We agreed by consensus, sorry we did not vote, we agreed by consensus. Commissioner Deakos.

Dr. Deakos: Yeah, I may have been the one meeting I missed. I don't remember that one, but I'm just wondering the 50ft. I know we had some discussion about what would what is standard, what's a safe separation. I did, you know, I was reading some stuff. I think they say 30 from a highway, 30ft is generally a safe separation that could also allow vegetation and then I read if you want to separate pedestrians from bicycling, you know, 10ft for each would be, would, would create that separation. So that total was 50 anyway, just wanted to know what, if there was some discussion of why, what, what 50, how it came to be.

Ms. Thayer: I don't recall an exact point, but this was over much discussion based on testimony, commissioner discussion, thinking of Commissioner Lindsey was bringing up, you know, like what is manageable to ensure that this land isn't just. You know, turning wild and becoming a fire hazard or something like that, but still providing some degree of space separation from the highway.

Mr. Ward: Chair.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you Chair. I would just add that the training for the missing middle market said that that was a tool of various tools that could be implemented to help improve more of that missing market. So I would be in support of the 50ft that was previously decided. I was not part of that conversation at that point, but I would support that utilizing that piece of data that we had from the presentation last week. That is because that's one tool that we can control versus the other ones we didn't have a lot of control over.

Ms. Thayer: So you're good with the 50ft?

Mr. Ward: Yes.

Ms. Thayer: Okay. Move on. Okay, otherwise. Sorry, I'm looking for that list of what we said we would come back to. Just had it. Oh.

Oh, here we go. Okay, let's see. The ones we flagged for more discussion and more information from county departments. We also had 2.2.16. Which was about requiring new development and redevelopment projects to incorporate interconnected greenways, and then that last sentence got moved into the action section as opportunities arise acquire parcels within cul-de-sacs.

Ms. Comcowich: This is from the August 29th meeting, yeah. So the reason why I didn't have those on the list is because we did actually address those in the month of September.

Ms. Thayer: Okay.

Ms. Comcowich: So this is one that was flagged to ask the Department of Public Works.

Ms. Thayer: And that's why we made the action based on their input. Okay.

And then we did 2.2.21. 2.2.26. That's already addressed by 2.96.

2.2.31 and 34. We had asked for input from Oihi Resources. So that's would still carry with our comments to council then.

2.2.35 and 37. We addressed on in August.

Ms. Comcowich: The 2.2.37. That was one. Is that the one you just said?

Ms. Thayer: Yeah, was that one? Did we vote on that? I have a note on my notes from 8-27.

Ms. Comcowich: Agreed by consensus.

Ms. Thayer: We agreed by the consensus to remove that one. Okay.

I just wanted to acknowledge because I think we did get testimony about this more recently. So does anybody wanna revisit that one?

Ms. Comcowich: Do you want me to read?

Ms. Thayer: Sure.

Ms. Comcowich: Upon adoption of this plan, allow NO further development unless infrastructure, public facilities and services needed to service new development are available prior to or concurrent with the impacts of new development.

Ms. Thayer: Everybody good? Okay, Vice-Chair Thompson.

Mr. Thompson: It seems a little bit ambiguous in that, I don't know how much infrastructure, but in one hand it says clearly, you can build nothing until there's a new bypass and some all kinds of new stuff, water so it looks like it's the way it's phrased there is that's a stop, that's a catch all stop everything.

Ms. Thayer: Yeah, and I think that's what we had discussed when we agreed by consensus to take it out.

Mr. Thompson: Okay, that was to remove it alright I didn't understand.

Ms. Thayer: Yeah. Okay.

Mr. Thompson: Okay, well that makes sense. Okay.

Ms. Thayer: Yes.

Dr. Deakos: Chair.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Sorry, what policy are we looking?

Ms. Thayer: That was 2.2.37.

Dr. Deakos: And the recommendation was to take it out.

Ms. Thayer: Yeah, because like what Vice-Chair Thompson brought up, it's very ambiguous, like public facilities and services, so you know that would say and then how you, the, from what I recall from the conversation, it's like, how do you assess that they are in place to service new development? You know, like, cause that takes into account Ambulances and parks and traffic signals, schools, like how do you measure that all of that is in place and functioning before developing anything new? Like it would need to be much more targeted and specific to be, you know, actionable and enforceable and accessible.

Dr. Deakos: Yeah, NO, it makes sense. I obviously the intent, and I know we touched it on various places is, you know, we've gone way past the supporting infrastructure. I know Chair and I have had this discussion where somewhere on the side of you build the infrastructure so you can handle the development I think the chair mentioned you kind of gotta shoot past it in order to have the incentive or the the push to restore the infrastructure. Perhaps we can address. I know that's an important part of this plan is that we have infrastructure in place to handle the growth, bit of a chicken and egg thing. So I understand why the the language here is is hard to enforce, but, can we talk a bit about the intent of making sure there's infrastructure in place and how that's enforced elsewhere?

Ms. Thayer: Director?

Ms. Blystone: This is another situation where this plan doesn't have to do everything. We have multiple regulations that work together to ensure that infrastructure is in place at the time of development, and I would say that in South Maui, that wasn't always the case. And so some of the frustration you're experiencing is as a result of prior decisions that didn't do the proper deeper in study to figure out what the impacts would be. And so we've kind of over the years, and I'm not gonna say that we're perfect I'm sure someone will quote me in 20 or 30 years and say that directory said she said this. But I'll I'll say that we've, we've done a lot better at figuring out what the impacts of these projects will be and then dealing with those impacts.

So that's all I wanted to say is that, you know, this policy wasn't going to change the situation. A lot of our existing regulations, are, are doing that already. So this is just extra, I don't know, I saw Jacky made a bit of a face, I don't know if you have something else to add to that, but. It was a good face, but.

Ms. Thayer: Ok. And I think, you know, to this effect, there are policies in here that get at that point of making sure infrastructure is put in prior to or concurrent with development.

I do have a question on policy 2.2.22. Since we've had the Opticos study presentation, one question I have is if we could add an action to develop missing middle housing types.

Ms. Comcowich: Let me find 1st.

Ms. Thayer: Sorry if I missed this, if it's already like captured by an action.

Ms. Comcowich: So many things open.

Ms. Blystone: While she's looking for that, if I can. I mean, I I think you could, but I also reminder that also that those actions are for us to do. So if you want the county to develop missing middle housing. That's fine. Happy to do that. In fact, the Department of Housing was active in the process of developing the missing middle housing study as well. So there, this is on their mind as well and like we said that one of the outcomes could be a pilot project. You know, I hesitate to add it though because it is kind of a bit of if it, if it's not already there, which Karen is frantically, that's not, it wasn't really discussed with the CPAC, this would just be something that kind of came up and I I don't know if it's I don't, you know, it's up to you if you want to. I'm not gonna say don't do that, but I also don't know.

Ms. Thayer: Yeah, so I was just thinking about this, you know, putting all the pieces together since we heard about the Opticos study, hearing loud and clear the testimony from South Maui residents about we need more affordable housing.

So even to have a action that and and like to put action to the study that's been done. Even if it's like develop a missing middle housing pilot project.

Ms. Comcowich: It already exists. There is missing middle in South Maui.

Ms. Thayer: Yeah.

Ms. Blystone: A lot of it is in Wailea. I would say this is another moment where this is an island wide issue and perhaps a an action like this is more appropriate for the Maui Island Plan than it would be for just this specific plan area, but if it's a if it's the will of the commission it's fine to add something like that.

Ms. Thayer: I supposing one of the, I was just thinking there wasn't one of the example sites of South Maui parcel?

Ms. Blystone: Yeah, so they they did a deep dive into South Maui, Central Maui and West Maui. Yeah yep in a little Upcountry as well.

Ms. Thayer: Yeah, so I'll put this up for consideration. I was just just thinking about that since we just had that presentation. Commissioner Ward.

Mr. Ward: Thank you Chair. From I would support it more less of it being an action for the department to do, so to speak, more to memorialize that is the desire of the community, if that makes any sense.

Ms. Thayer: Well it's already a policy, so I was just thinking about going putting in an action along with the policy. But again, for consideration, it needs to be, you know, everybody on board with that, which I'm ok.

Mr. Ward: I'm fine either way.

Ms. Thayer: Commissioners online, do you want to weigh in?
I see thumbs up from Commissioner Deakos. Thumbs up from Commissioner Lindsey. Commissioner Lindsey go ahead.

Ms. Lindsey: I think, I think a lot because there could be potential for like infill projects and then bring in the my Wailuku MRA experience with the missing middle housing and like they're kind of like, there's already existing projects that could work and just needs like financial support or county management or something so I definitely would, I'm definitely in support of that chair as an action for the county.

Ms. Thayer: Okay, thank you. I think that's 1,2,3 online. Commissioner Ward. Thumbs up, ok. Adding action. Thank you.
Any other ones commissioners that you want to revisit in section 2.2? Commissioner Deakos.

Dr. Deakos: Just to put on record, I, I know we're not gonna revisit, but I falsely stated the buffer the recommendation for a highway is 50ft plus the 20ft to create a separation from pedestrian, so that would be a 70ft buffer. So, but I just wanted to put on record that would be based on some some data.

Ms. Thayer: Sorry, and what was the source of that data?

Dr. Deakos: Just general guidance on successful distances for greenway separation pathway widths and landscaping for safety and multimodal use. So recommend depending on the the speed of the traffic, you know, 50ft would be for a highway greater than 50 mph and and 20ft, so.

Ms. Thayer: Okay, thank you. Vice-Chair.

Mr. Thompson: Thank you chair. I I think I said this section this where they talk about cul-de-sacs and through routes.

Ms. Thayer: Yeah, that was in here for connectivity purposes.

Mr. Thompson: That's, and how do we, what do we decide on that? Did we vote on that?

Ms. Thayer: Yeah, so there was policy 2.2.16 and we got input from Public Works on this. So we revised the policy to say require new development and redevelopment projects to incorporate interconnected public greenways and multi use paths throughout the project and connect to existing greenways and multi use paths where feasible greenways and paths must remain open for connectivity and must not be gated. And then we added in an action that says acquire parcels that provide opportunities to improve the connectivity of the transportation network, including greenways, all roadways, greenways, and multi-use paths.

Mr. Thompson: Okay. Yeah, my concern there was if if you ever lived on a cul-de-sac or know someone that has, the last thing they wanna do is open the road to to make it an open road and they, we did that in Lahaina up here up pretty clear It was in the paper because they want to connect it to the new thing and it's ok they're gonna have a community meeting and I'm like, well, what do you think you're gonna say? They're gonna say, heck NO, my kid's playing that street. I don't want it, you know, you open it up to a bunch of people, you know, driving around that.

So, it was just my \$.02. I don't know if we've addressed that that way or not, but I thought somehow we were trying to acquire property to eliminate those cul-de-sacs and. Just my view. I lived in 1 and I I know the kids played ball in the cul-de-sac, you know, cause the cars don't come in and all that so yeah, but I still think there should be connectivity, you know, especially bike paths and walking paths and all that. That works very well through communities.

Ms. Thayer: Yeah I think we actually did revise the language to take out cul-de-sacs specifically and just say to acquire parcels that provide those opportunities. So it doesn't actually have to be in a cul-de-sac, but it's still line for increasing connectivity.

Mr. Thompson: Yep. Okay, Roger that. Thank you. No point made.

Ms. Thayer: Thank you. Alright, so moving on to Section 2.3, then commissioners Ready and Resilient systems.

Anything to flag?

We made some changes here and added some actions.

Otherwise, we can move on to section 2.4.

And this one we, wanted to get, Department of Oihi Resources input on the introduction of this section 2.4.

So 2.4 has those policies regarding gulches which have had much debate. So specifically we've had lots of testimony on 2.42 .4 .5 A and B.

And 2.4.6, which we agreed by consensus to some changes on those but wondering with all the discussion we've had, if anybody wants to revisit these.

Ms. Comcowich: Would it be helpful if I read what you guys have proposed out loud?

Ms. Thayer: Sure. Or can you share it on screen?

Ms. Comcowich: I can.

Mr. Ward: Doesn't help me.

Ms. Thayer: But she can read it also. We're hand holding everybody along here making sure we're all quite literally on the same page.

Ms. Comcowich: Let's see. This is.

Ms. Thayer: Ooh, what's going on with your screen?

Ms. Comcowich: I don't know.

Ms. Thayer: Oh, there you go.

Ms. Comcowich: Okay, just that, ok. Okay, so the 1st one is 2.4 .5 A The Maui Planning Commission agreed by consensus to recommend the department recommended changes, which is for redevelopment gulches and drainage ways as identified in the map in figure 3.17 page 107 of this plan must remain in open space and NO new permanent structures maybe developed in or within a hundred feet of the tops of banks or identified gulches and drainage ways and less low impact development strategies are implemented to prevent storm water runoff.

So and we will adjust the pages and the figure numbers according to what happens in the plan. Yeah, the commission agreed, so for 2.4.5 B, the commission agreed to recommend the department's recommended planning commission to add Keokea after Waimahaihai and to include additional language to encourage to the extent practicable maintenance of the open space area. So for new developments and subdivisions gulches and drainage ways as identified in the map on figure 3.17 of this plan must remain an open space and NO new permanent structures maybe developed in or within a hundred feet of the tops of banks of identified gulches and drainage ways with the exception of public bridge crossings and public utilities, including but not limited to I'm not gonna read them all. This open space area and then the final sentences this open space area must be identified on the final approved subdivision maps and encourage to the extent practicable maintenance of the open space area.

Just a note on the part about being identified in the subdivision maps. That was a comment that came from our current division as far as implementing and made ensuring that it carries through.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you Chair. You said redevelopment. What about new development?

Ms. Comcowich: That is the 4.5, 2.4.5 B as new developments and subdivisions. The first one is redevelopment.

Ms. Thayer: I think that's why there's an A and B related but different.

Mr. Ward: No setback.

Ms. Comcowich: You can you can recognize as well. That's helpful.

Dr. Deakos: Chair?

Ms. Thayer: Oh, sorry Commissioner Deakos.

Dr. Deakos: Can we talk a bit about unless low impact development strategies are implemented. So what, what would that look like?

Ms. Comcowich: That is partly to avoid taking something from people who have property rights, so low impact development would be taking into consideration the natural drainage ways. Asphalt can be considered low impact as opposed to concrete. It's prioritizing natural drainage and using less impactful development practices.

Dr. Deakos: Okay, so if you really wanted an exemption, you could use asphalt, and this would apply.

Ms. Comcowich: That's one aspect. It's just the one that came in mind, sorry.

Dr. Deakos: I'm just 2.4.5 B maybe that last sentence encourage maintenance of the open space area comma to the extent back to home.

Ms. Comcowich: It's So you would like to the extent practicable at the end of the sentence instead of in the middle?

Dr. Deakos: Yeah, just it, it applies it's the way it's written it applies to encouraging like. Rather than.

Ms. Thayer: Oh, the way the emphasis is you're saying for that. Yeah Not encouraged to the extent practicable. Maintained to the extent practicable.
Commissioners, any other thoughts on these? Commissioner Ward.

Mr. Ward: Thank you Chair. For redevelopment, I'm seeing this does not have the exclusion of public bridges crossings and public utilities. Is there a reason why we would not have redevelopment have that? Because I would assume redevelopment's similar to new new development in that context.

Ms. Comcowich: Because you're, if you're redeveloping a bridge, you'd just be encouraged to do it in a little impact way. It's already there. Or if there's a roadway. It's, it's not in there because it's not necessary to be in there.

Mr. Ward: I guess I was just in my mind I'm thinking if they're doing a redevelopment, they may do it different. So, you may need to put a bridge in based on how they redesign it, but am I overthinking?

Ms. Thayer: Sorry, so are you talking about 4.58 or

Mr. Ward: 2.4.5 A does not have the exception of public bridges crossings and public utilities. New development has that.

Ms. Thayer: Oh, I see.

Mr. Ward: And I guess I'm just questioning, and maybe it's just interpretation that in a redevelopment project, they'd be potentially moving things and need to put in a bridge.

Ms. Thayer: So saying should that piece in parentheses also be incorrect? 4.5 A

Ms. Comcowich: You can put it if we want. It's fine.

Ms. Blystone: Sure, you can add it. I can't think of a reason not and I can't imagine why it wasn't just the same way. We have talked about these two policies so much internally, externally, viscerally, cerebrally, in the shower. So yeah I I think we could just add that and that's not gonna hurt anything or make anything. Yeah, it's fine.

Ms. Thayer: Okay, commissioners, are you good with adding that piece in parentheses from 4.5 B into 4.5 A?

I see a thumbs up from Commissioner Deakos. Commissioner Lindsey? Oh, that's a thumbs up. Vice-Chair Thompson, are you still with us.

Mr. Thompson: I am.

Ms. Thayer: Okay, good.

Mr. Thompson: Can you hear me or you see me?

Ms. Thayer: We cannot see you. But we can hear you and I think technically we are supposed to have to see you or else we don't technically.

Ms. Lindsey: I can see him.

Mr. Hopper: Me too, Chair.

Mr. Thompson: I've had my hand up for like 10 mins.

Mr. Hopper: Well Chair, is he not on the camera there?

Ms. Thayer: He is now.

Mr. Thompson: I am on the camera. You guys just couldn't see it but the rest of the commissioners saw it.

Mr. Hopper: I can see you commissioner online. I can see you, but I guess they're saying they couldn't see you there.

Ms. Thayer: It might have been something funky with the screen share. Yeah alright so are you guys good with adding in that. Parentheses Section 2.4.

Mr. Thompson: No, I have a question.

Ms. Thayer: Oh, sure. Go ahead.

Mr. Thompson: Yeah, I had a question. Did we incorporate any of the verbiage that Mr. Frampton and Mr. Chipchase had shared with us.

Ms. Thayer: I think that would pertain to 2.4.6, which we can get to next because this one we're just on 4.5 A and B. Well, what Mr. Chipchase with his written testimony had was changed to 4.6.

Mr. Thompson: Okay. Thank you.

Mr. Ward: If I may have one?

Ms. Thayer: Mr. Ward? Yeah Commissioner Ward.

Mr. Ward: Call me Mr. Wards.

Ms. Thayer: Commissioner Ward.

Mr. Ward: You can call me whatever you want. Just for consistency, A has to prevent storm water runoff, B does not. No, happy to say it still. Okay, so just from consistency perspective?

Ms. Thayer: Yes, I guess can we just align those two? Yeah.

Mr. Ward: Perfect.

Ms. Thayer: Everybody good? So we're, we're talking about aligning A and B so that they both pretty much have the same language, but one is redevelopment and one is new development and subdivisions. Miss Comcowich.

Ms. Comcowich: Part of the intention of the changing in the language was to actually separate them so there's separate policies it's fine.

Ms. Thayer: But so just that portions, you know, I guess, I don't know, seems like a bit more substantive parts. Okay. Alright, now vice chair, 2.4.6.

Mr. well, our language that we agreed on by consensus says during the subdivision or development process, the open space designations identified in the community plan map maybe realigned to better reflect and protect the natural drain drainage ways but may not be diminished.

The language proposed by Mr. Chipchase in his written testimony says during the subdivision or development process gulches and drainage features designated as open space maybe relocated, diminished or removed if more accurate maps of those areas are prepared and support such actions.

Mr. Thompson: So that allows for, ones that either moved or don't exist, they can be remapped. You gotta do, you still have to do a map, right? If you're going to do a development.

Ms. Thayer: Yeah, I think this is getting at, you know, kind of like ground truthing what the map is when you actually get on the ground and make like, your final plans for what's gonna happen on the ground. Cause everything else is kind of conceptual based on surveys and, you know, maps and things, but at some point you you know start actually moving earth on the ground.

Mr. Thompson: So the way we have it now, it cannot be removed or diminished and theirs is It can be moved or diminished.

Ms. Thayer: Yeah, so basically what we, what we arrived at in our consensus was realigned to better reflect and protect but not diminish. And the proposed language is basically relocate, diminish, or remove if more accurate maps are prepared.

Commissioner, oh, sorry. Do you have more Vice-Chair or can go to Commissioner Deakos and come back to you?

Mr. Thompson: Yes that's thank you please.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: I was just wondering if the department could weigh in when you get an application, I know we had extensive talk. I think it was the wetland maps, not so much the gulch maps, but if they are high resolution and there are some discrepancies, how does that unfold in this in the project application process can, maybe the director.

Ms. Blystone: I'm not sure. I mean, so I I think that we would work with the applicant, they would come in and they would show us this and we would probably bring it to your attention when we were, if you were voting on this, I mean I, I think it's just really it's

gonna be a case by case basis on how it plays out. I don't know if Jacky or Karen have any thoughts. Jacky's been around a lot longer than me.

Ms. Takakura: I would just wanna clarify if there's some standard in terms of what, what, what is an accurate map and some process but I guess that could be outside of the community plan.

Ms. Comcowich: Maybe something along the lines of does not impact natural drainage. So that's the intent of the policies is not to replace the natural drainage.

Ms. Thayer: Director?

Ms. Blystone: We'll have to develop a system by which we do this. So if it's the intention of the commission to go more this direction, we'll develop a system by which we'll, we'll do it and we'll meet the intent of the policy as we go along. I I wish I had a better answer for you, but that's my best answer for now.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Maybe I'll I'll phrase it a different way. So an applicant comes, they have a gulch or a map, it overlaps with the map gold. It's completely, you do a site visit or whatever, it's not there. There's a complete inaccuracy. Are you concerned about those types of cases?

Ms. Blystone: That let me just clarify what you're saying that our map is very, very inconsistent with what the map they would show us in the site visit would prove. Is your question?

Dr. Deakos: It sounds like the concern is this map doesn't reflect accurately my property and now you're forcing me to create a buffer around something that doesn't exist. And I'm just wondering it seems odd that that would take place and planning department say well sorry it's on a map. I know it doesn't actually exist, Sucks to be you, but it sounds like you're probably not too worried about a scenario like that happening.

Ms. Blystone: I think if you get, sorry Karen, did you have something you want to add?

Ms. Comcowich: Yeah, but you can.

Ms. Blystone: I mean, I think if if we made this change to the policy, then it would give us some wiggle room with that, right? So we would be able to say oh yeah wow, this is weird and make that adjustment, you know, and, and other places it's a requirement to do a, e.g., a wetland delineation. So the Army Corps of engineers map will say that their wetland is here and then you go in and do a delineation of the wetland is way over here. So this is a common practice to have you know, better data, better research data come in and and show alternative, you know, show, show that something a feature that we

think is in one place is in another place, and we just don't have the infrastructure or the legal infrastructure here in Hawaii to to like do that.

So this is a policy that we would just, we would have to, we would have to figure out how to enact. Karen I don't know if you have more to add.

Ms. Comcowich: I was gonna say the the reason there's the pushback is because the maps from 1998 had some weird gulches because they were hand drawn maps then from like grainy photos. These were done with high high resolution, with Lidar, with flow maps. They're not like rent, like guessing by based on black and white photo. They are very much more accurate. To be honest I would be concerned about having that much just leeway. I think it's better to have, I don't know.

Ms. Thayer: So it sounds like maybe the language that we had arrived at by consensus might work best. Commissioner Ward.

Mr. Ward: Thank you Chair. I guess I'm kind of having Commissioner Deakos question pop in my head of something's not there or if we don't have if planning doesn't have the ability to get around that, then is that necessarily fair to someone who's trying to better the community? Consuming their plan's gonna better the community it's gonna be the overarching exception. But I I mean I understand that it could open the door. It just seems like it would be so I don't know I guess if Planning could maybe share how you would get around that cause it doesn't seem like it would necessarily be appropriate to just say hey sorry it's not there.

Ms. Thayer: So the language that we got consensus on again is during the subdivision or redevelopment process, the open space designations identified in the community plan map maybe realigned to better reflect and protect the natural drainage ways, but may not may not be diminished.

Ms. Blystone: Chair and commission, this is a policy call. You can say, you can go one way or the other on it, and we'll just, you know, if you choose to say that it shall not be diminished, then we will. We will ensure that it isn't diminished even if the proposed link, you know, like the proposed map comes in and it says that the gulch is here and it's actually half the size, we'll just say, well, you got, you got what you got. Like we, well, we can move it here, but we can't change the size. That's just how we'll deal with it. So it's really, I I This is again like a place where you guys can make your decision or your recommendation. We're gonna have the same conversation at council, probably, so whatever you decide to do is is best for that moment, and that's fine. Yeah.

Ms. Thayer: Vice-Chair.

Mr. Thompson: Thank you Chair. Could it be just on a case by case basis?

Ms. Blystone: Exactly what it is.

Ms. Thayer: I think that's that by the way, the languages it would be during the subdivision or development process. So you know like as reviews are occurring anyway. Commissioner Lindsey, you have thoughts? Okay. Do we want to stick with our consensus language?

Mr. Hopper: Chair? This is Michael Hopper.

Ms. Thayer: Mr. Hopper. Go ahead.

Mr. Hopper: The only comment I'd make is that I don't know if other cases maybe I've missed them where the planning director would have the authority to actually adjust an open space mapping without going to council for a change. I mean, this would I think have to be a really deminimis situation and haven't necessarily seen this before. But generally, I mean if you wanted to have an ordinance to deal with gulch protection and give the director some some authority there, but to do it on, but to do it on a, on a map to say the director can realign the map, that's something that I'm not sure if I've seen before. So I maybe have a concern there.

Ms. Thayer: Thank you. Director.

Ms. Blystone: May I ask a question of council? I mean cause I, Mr. Hopper, I just wanna I wanna ask. I think then between the two things that we're considering, the one that would be more egregious would be diminishing, right? So adjusting wouldn't be as, as rough as diminishing.

Mr. Hopper: Well Chair, I mean an adjustment, I'm still not exactly sure what happened with the, with the map boundaries actually move. I just don't know of the case like generally we've had these situations where there's misaligned community plan maps and they've gone through the commission and then through the council and the council's made the changes to amend those maps. So I'm a little unclear on the process here. I mean maybe if the designation itself is, is flexible, but usually a designation on a map of open space is something that the legislature has to change unless unless I'm missing something here.

So, you know, in either case, yeah, I I understand making an adjustment of the total space because you've actually found that the map was inaccurate is I think makes sense could make sense in some cases you're actually talking about not really necessarily making an like changing the the map. It's just that when the map was done originally, it's it's a little off, but in other cases where we've had mapping errors that are just oh a parcel never got this designation at all, we've had to go to council for those changes. And so that's that's I'm trying to see sort of the difference here and what the intent is you know in what to deal with, but I'm I just want to be raise that issue because if it goes to council, I'd have to raise the same issue of director authority to make map, changes to a community plan designation on a map.

Ms. Blystone: Mr. Hopper, don't you think that the difference might be that in the past we haven't had a policy that's explicitly said that you could do that for a very specific

scenario? So by adopting a policy, those assume the council adopts this policy, then that becomes regulatory and I'm, you know, I or whoever is sitting in the seat is, has that ability.

Mr. Hopper: Yeah, I mean I would at this point pass what you, what you are are looking to have done and maybe we can look at a way of doing it but you know it if you know if the policy said the director could designate parcel's residential that are not currently residential or something like that, that's obviously way too broad. And so we would have to look at the you know at you know the authority that this question came up as far as director authority to realign maps and it was pretty clear the director didn't have that authority in in those cases, but you know, maybe something like that's more of a 280B type of a thing, but then are you getting into, is this a community plan amendment that is has to go through the community plan amendment process and the charter or is this just something that the, the, the, the mapping itself is saying, here's what the map means and we're just making the map conform to the actual physical characteristics, that's what we would have to target there. But I just wanted to raise the concern because it seems like we're going back and forth on director authority to make changes and I think this if allowed it would have to be pretty limited here based on those general requirements you'd have to change a community plan map on other cases.

Ms. Blystone: Chair, before Vortex opens in the center of the building with all of the legal back and forth and confusion, I I think what I heard Hopper say is that you guys should go forward with what you want and then we'll work on the, we'll work on the answers. So if you want the amended language proposed by the testifier you may or if you want to go with the one that you've already made consensus on, I think either way is fine we'll just figure it out.

Ms. Thayer: Okay, I'm wondering if, you know, hearing what Mr. Hopper said, if we work off of our language that we already agreed to, but to clarify or qualify to say maybe realign to better reflect actual on the ground conditions to make that clear that it's not willingly.

Ms. Comcowich: That's what it did say. Reflect and protect the drainage way.

Ms. Thayer: Okay, so that's so that would encompass that. I was just seeing if we needed to make it more clear that this is just to clarify, you know, what.

Ms. Comcowich: That's how I would understand.

Ms. Thayer: Okay. All right. Yeah, if that's alright, then that works.
Okay, commissioners, you good with keeping our language that we had consensus on?
I see thumbs up online.

Mr. Ward: I'll go to the majority I was not part of that soon.

Ms. Thayer: Okay, alright, we will keep what we had. Thank you. Any other policies to revisit on 2.4? Seeing none. So 2.5, I believe we asked for input from Oihi Resources also on the whole.

Ms. Comcowich: Yeah, there was NO discussion on it.

Ms. Thayer: Okay, so I don't think we actually did any changes to these, right? Cause we wanted Oihi Resources input.

Ms. Comcowich: That is accurate yes.

Ms. Thayer: Okay, so our recommendation to council would include probably something to the effect of. Yeah, Incorporate or you know make modifications based on input from Department of Oihi Resources. Okay, everybody good with that for section 2.5?

Yep, I see thumbs up, I think from everybody. All right.

Well, that's Section 2, guys. Moving right along, go team. It's been a couple of hours since our last break. Does anybody need to get up and move around? Sorry, I've been standing for the last little bit.

Need 5 mins. 5 mins. Okay, let's do 5 min. It is 04:39. Let's come back at 04:45. Thank you everybody.

Break

Ms. Thayer: Okay, Aloha Auinalā. Almost Aloha Ahiahi. Good afternoon, welcome back everybody to our Maui Planning Commission meeting. The second one of today regarding the South Maui Community Plan. We just finished Section 2. Commissioners in the interest of moving through our agenda as efficiently as possible, I am proposing to kind of take us out of order similar to what we did earlier today and skip over Section 3 cause that's gonna have probably the most meaty discussion and then go to Section 4, Section 5, and then come back and take care of Section 3. If there are NO objections, can we move forward with that? I see a thumbs up from Commissioner Ward, Commissioner Deakos, Vice-Chair, and Commissioner Lindsey. All right, thank you. So, Section 4, which we are fresh off of from today. Implementation and monitoring, so all this myriad actions for the county to take care of. Is there anything anybody wants to revisit?

On the side note, Plan Implementation Division is probably looking for good people to hire, to assist with realizing all of these dreams.

Ms. Blystone: Indeed.

Mr. Ward: Just checking my notes.

Ms. Thayer: Yep, take you some time to check your notes.

Oh, it's just a small one I saw in my notes 2.01 county lead agency is D O M.

Ms. Blystone: Oops. Wait, 2.01?

Ms. Thayer: 2.01.

Ms. Blystone: It could be Department of Management. Hold on.

Ms. Thayer: Because there's OM but it is the Department of Management, right?

Ms. Blystone: Yeah, it should be.

Ms. Thayer: So all of OM should be.

Ms. Comcowich: Whichever one you prefer.

Ms. Thayer: D M.

Ms. Comcowich: Department of Management.

Ms. Thayer: Department of Management.

Ms. Comcowich: I don't know why it was put in as O M sometimes.

Ms. Blystone: We'll make it consistent throughout.

Ms. Thayer: Okay yep ok thank you. Checking notes, checking notes.

Ms. Blystone: They just went through it.

Ms. Thayer: Yep.

Anybody? Otherwise, we can go on to Section 5.

Mr. Ward: We're looking at Goal 2.2 that says provide opportunities to live health lifestyle. That's not what's coming from 2.2. Does not ring a bell.

Ms. Thayer: I'm just letting Commissioner Ward check his notes.

Mr. Ward: We we can move on and need to come back. I'm just I'm not able to correlate one of my notes to what I'm reading on the document, so.

Ms. Thayer: Okay.

Ms. Lindsey: Commissioner Ward, I'm also checking my notes.

Ms. Thayer: Okay, yeah, we can give everybody a couple of minutes for that.

Mr. Ward: I think so. So I I have a note that it was.

Ms. Thayer: Commissioner Ward, then Commissioner Lindsey. Go ahead, go ahead.

Mr. Ward: I have a note for Goal 2.2. To have it safe provide opportunities to, to live a healthy lifestyle with a variety of affordable housing options near jobs and provide safe routes to and from home, but that's not lining up with document. So I obviously have the wrong number. So does that ring a bell to anybody?

Ms. Blystone: A Goal 2.2 or an action or a policy? Cause that doesn't seem consistent with the goal that we have.

Mr. Ward: I wrote goal, but that doesn't mean it's right.

Ms. Comcowich: It goes with the goal of safe, healthy livable communities for all. So then that was a rephrasing something in a positive way with that.

Mr. Ward: I think so.

Ms. Comcowich: Okay. Thank you. How would I make note of it and just I'll try to note if that is not phrased positively.

Mr. Ward: Okay, that's fine.

Ms. Thayer: Commissioner Lindsey.

Ms. Lindsey: 1.19 says transition buses that run on renewable energy, maybe transition public transportation cause I like there's buses, but there's also like vans or like, people on wheelchair, and there's I'm just I'm just hoping there's other more economical modes of transportation that could be included here.

Ms. Thayer: Okay, so this would say transition to.

Ms. Lindsey: Public transportation.

Ms. Thayer: Public Transportation that runs on. Okay. Yep, everybody good with that? Well, that's right. Commissioner Lindsey. You aren't here for part of that. Yes. Okay, so that'll say 1.19 says transition to public transportation that runs on renewable energy etc et cetera. Okay, everybody good? Just making sure thumbs up all around. I see nodding. Yes. Okay, go ahead Commissioner Lindsey followed by Commissioner Ward.

Ms. Lindsey: 1.02, I know that's when I signed off, but I was wondering if we could, I know it's currently at a medium priority if we could, like prioritize it a little bit more to possibly help out Lahaina.

Ms. Comcowich: That's 1.02.

Ms. Thayer: 1.02.

Ms. Comcowich: Just you know, the CPAC recommended everything for high priority, so that's it's a little challenging to have everything be a high priority.

Ms. Lindsey: Yeah, I I agree with that, but, I think at the end of the, I, my understanding is the hardware in Lahaina is gonna maybe be 5 to 10 years away, so in order to, but there's a lot more that needs to be done in order to help that.

Ms. Blystone: Have that information. No, we kept it, we kept it.

Ms. Thayer: Checking notes?

Ms. Blystone: Yeah, we kept it. I That's the one thing I have a note on. But what I, just if I may, Chair. Like you can do whatever you want. So if you want to say high priority short, you can do that, but this goes back to something I'm just gonna keep going back to what Karen said, DOT has absolutely NO intention of doing this. So, you can change it if you want to, but I I don't think it's gonna force them to do something that they weren't intending to do anyway. I understand, right? Cause this is we got feedback from DOT that they, this is not the right place for them.

Ms. Comcowich: Yeah, this is not the right place and the right time to do this transit hub.

Ms. Blystone: Which is why they recommended removal.

Ms. Thayer: Okay, so the middle ground is making it medium sort of.

Mr. Ward: Then keeping it.

Ms. Thayer: Yes. Commissioner Lindsey, having heard that?

Ms. Lindsey: Having heard that I kind of wanna change the lead agency.

Ms. Thayer: That's another way to do it.

Ms. Blystone: But it's also gonna result in the same outcome. I'm sorry. They're they're responsible for this activity.

Ms. Thayer: Okay.

Ms. Lindsey: No worries. Thank you.

Ms. Thayer: Leave it as is.

Ms. Lindsey: Yeah

Ms. Thayer: Okay Commissioner Ward?

Mr. Ward: Thank you, Chair. I was gonna say maybe the best is we leave it and maybe just make it as a recommendation to council to them to look at.

Ms. Thayer: Sorry. Did I interrupt you?

Ms. Comcowich: No, ok, I was gonna try not to speak, but just really the DOT said that they haven't heard the push for this. We didn't hear the push for this during CPAC.

Mr. Ward: That's weird finally not alone.

Ms. Thayer: Okay, Commissioner Lindsey?

Ms. Lindsey: I did have an I did have a conversation with Councilmember Johnson about this because I was just wondering about how like how they're getting their things and how they're transporting to Lanai and he said I didn't, I didn't know this was on the this was part of that. So I think there is motivation in the council, so if we can highlight it in some way, I feel like it could be reprioritized.

Ms. Comcowich: I, this is for like a bus hub, like what's in Kahului. That's what a transit hub is, like the new one by the.

Ms. Thayer: Okay, so more than making this be like a key stop, this would, calling for a transit hub would call for that whole structure and inflow, outflow parking area, everything like that.

Ms. Comcowich: Yeah.

Mr. Ward: Bus terminals.

Ms. Lindsey: Okay, that's fine. Thank you. We're good.

Ms. Thayer: Okay. Cause the the bus goes here, right? Yeah. Okay, so leave as is. Sounds like. All right. Any other actions? Commissioner Deakos?

Dr. Deakos: I just had a question. Section 4.3. There's a lot of great the monitoring and evaluation, some great language about monitoring quality of life, references, a list of core indicators that could be used anyway, several, but I don't see any of that in action. So I'm just curious.

Ms. Thayer: Sorry, I'm just trying to follow where you are referring to. 4.3?

Dr. Deakos: Page 112.

Ms. Thayer: Oh, alright, ok, got it. Well same, not, just not yet in the tables. It's the beginning of that like section of the plan. Thank you. Sorry, go ahead Commissioner Deakos, continue.

Dr. Deakos: Just a question about the, the intent here to monitor and evaluate, you know, we often you know, talk about economics, right? Well economics equals good quality of life. End of story, you know, but in reality it's, there's other metrics that actually measure quality of life. I know you guys had in one of our resource documents or actually I think it came out a few months ago. A report on the quality of life, I reviewed it. I was just curious if there's any actions to reflect the monitoring that those types of metrics or what, what's the intent to do to do a section 4.3.

Ms. Comcowich: So the quality of life survey you're talking about was something that's undertaken because of the Maui Island Plan request that so that's already contained having that quality of life survey. This section is actually about how the actions are implemented, and so it's monitoring like the plan implementation vision looks at all the actions and asks the departments if they have done them or where they are on achieving them or continuing to do them.

Ms. Blystone: Chair, if I may?

Ms. Thayer: Go ahead, Director.

Ms. Blystone: And in addition to what Karen's saying here, I think it's important to note that historically the way that we have reported this information has not been transformative in any way. It's just kind of Performative and, the new, the well, newer head of the Plan Implementation Division and I were just talking literally yesterday about ways to do a dashboard or something to show this stuff more graphically. And there's some great work being done. We looked at Las Cruces, New Mexico and you can take a look at there. So he's looking at different software and or you know like cloud based systems in order to track this stuff and then report it more graphically so that we can see it.

I also like the idea of being able to see all the places where we say the same thing seven different times. That's the thing I'm most excited about is that then we can go, oh, well, this should just be in the Maui Island Plan instead of like all of these individual community plans. So it's gonna help us see see this information more, more better. More clearly.

Dr. Deakos: Great. Thank you. Thanks Chair.

Ms. Thayer: Nope, thank you. Good point. Anything else on Section 4? I guess particularly Commissioner Lindsey since you didn't get to, you weren't here for a lot of that discussion.

Ms. Lindsey: Okay. I nothing that stands out, Chair. Thank you for asking.

Ms. Thayer: Okay, thank you. Yeah, oh this one doesn't have a priority. Okay. Yeah, ok, I guess that's all for Section 4, then moving into Section 5.

So our previous, you know, points of consensus were that we were moving all the definitions from the beginning of each section just to be in the appendix, and I believe Department of Oihi Resources is making changes to appendix E.

Ms. Blystone: Is that the language? Yes, I have confirmation of that. I spoke to Kekai about it, not, not that long ago. Deputy Director Robinson.

Ms. Thayer: Yeah Okay perfect. And so they have very capable hands for taking care of that for us. Anything else commissioners? Commissioner Ward?

Mr. Ward: Thank you. Do we want that to be included as one of the recommendations? I just want to make sure cause even though I think it's it's an assumption, just to be clear.

Ms. Thayer: Sure. Yeah, NO good point. Yeah, staff got that. I guess all the things that we want to make sure Oihi Resources' input gets in. Okay, anything else on the appendices? Hearing, oh Commissioner Lindsey.

Ms. Lindsey: I'm sorry this goes back to one of the actions which kinda had a question on but 'puuhonua' is the formal definition for a county designated place of refugee?

Ms. Thayer: Are you referring to a specific action?

Ms. Lindsey: I am, but mostly the definition here, it is, the definition on page 161 and then if that's correct, then I don't need to talk about the action.

Ms. Comcowich: That has been used at the state level as well to describe.

Ms. Lindsey: Yeah, ok so it is. So yes. Okay. Thank you, that's fine.

Ms. Thayer: Okay, thank you. Commissioner Deakos.

Dr. Deakos: Yeah, Appendix H. I know this is a touching subject. I think there was lots of testimony saying, you know, this, we have this great plan to build, you know, all these or whatever 8000 homes and structures and, but there's NO infrastructure report to, that details how we're gonna get the infrastructure in place for that or the funding's gonna come from and is that a requirement under state law that have included in there? I just, I know it came up a few times, I don't know a lot about it, the the general process, but maybe that could be addressed.

Ms. Takakura: So Appendix H was added at the last CPAC meeting and so this was just added in the way you see it from that last advisory committee meeting.

What the department is doing is we're gonna be looking more at the requirements of 280B.07 on what what's required of the community plans by code. And there is components of infrastructure and capital improvement and financing, so forth.

Mr. Ward: Jacky said.

Dr. Deakos: Okay, so what we have here is compliant with state law, and those details will be added later or how does that work?

Ms. Takakura: So what, not with state law, but with Maui County Code Chapter 280B, and what I'm working on myself, just for my own reference, and I'll include, this can be included as an appendix also, is a list of all the requirements that are in 280B.070 and where they are in the plan so that we can easily refer to, you know, whatever's, required by code and where it is in the South Maui Community Plan. And there are components of these things like infrastructure in like say the actions, you've got CIP as one of the categories and timelines and costs in the actions.

Dr. Deakos: Okay, not my area of expertise. I appreciate the response. Thank you.

Ms. Comcowich: It was included in the package.

Ms. Blystone: So we have two packages. This is the draft your draft book.

Ms. Thayer: So once, we're following up on Appendix H.

Ms. Comcowich: So as Jacky said, Appendix H was added at the last meeting. So the Appendix H you see in the plan is what was CPAC just asked us to add Appendix H And so then Appendix H that we forwarded to you is the appendix that has all the CIP projects separated out. That's that is the infrastructure planning that was done in this plan.

Ms. Blystone: So just for clarity, we're asking the commission to replace the language that was adopted by CPAC with this proposal, correct? The Appendix H that was forwarded to them.

Ms. Comcowich: Yeah. You can do it that way.

Ms. Blystone: So replace the existing Appendix H that was forwarded by CPAC with this new Appendix H, which addresses the content of Appendix H, that makes sense? So they, they, they said you need to do this. We said ok well this is what we'll do, which is we pulled out all of the CIP projects that are associated and added and changed the language slightly. This is in the material provided to them for this meeting?

Ms. Comcowich: It was provided with the original plan.

Ms. Thayer: This is dated May 2024, the copy I have.

Dr. Deakos: Is this, Chair?

Ms. Blystone: We're gonna look for it Commissioner Deakos.

Ms. Thayer: Sorry, I have a hard copy in my binder.

Dr. Deakos: It's not on the we are Maui.

Ms. Blystone: So it is, it is.

Dr. Deakos: Oh, ok.

Ms. Blystone: So if you look at we are Maui, we've got Sections 1 2 3 4 5, and then Appendix H. Do you see that? In the draft plan.

Dr. Deakos: Okay, South Maui visit the draft plan or draft plan review.

Ms. Blystone: So where it says yeah when you click draft plan review, if you scroll down, you say upcoming meetings, meeting materials past meeting. Scroll past that. View the draft plan and then Appendix H, is there.

Dr. Deakos: Okay, I got it. Thank you.

Ms. Thayer: So everybody got this. Appendix H. Yes.

Mr. Ward: I do. I was just pointing out that the intro page is marked May 2024.

Ms. Thayer: Yes.

Mr. Ward: The balance is marked as March 2023, which I think it's just a footer of and I guess I'm gonna ask the question just so it's on record that based on any changes we've made to actions today obviously will be updated, changed, included, modified.

Ms. Blystone: Yes, absolutely.

Mr. Ward: I assumed as much just yeah.

Ms. Blystone: No, NO, it's a fair question. Always good to check.

Ms. Thayer: Okay, any commissioner questions on Appendix H?
Seeing none, can we close out Section 5?

Ms. Blystone: I think, I think it would be good to supplement, correct me if you think I'm wrong guys, but it seems like it would be good to take the H that's in your draft and replace it with H that was provided.

Ms. Thayer: Oh, ok. Yeah. All right.

Ms. Blystone: So if you get the least consensus around that.

Ms. Thayer: Yep. So commissioners, can we get consensus on replacing this Appendix H that has the, that says 171 page 171, May 2024 and then the table with the footer

March 2023 and have this replace the Appendix H that's in the hard copy we got dated February 2024. Yeah, updated February 2024 on page 170. Commissioners Deakos.

Dr. Deakos: With the Footer updated.

Ms. Blystone: Yes.

Ms. Thayer: Yeah, all the footers would be updated. Yeah. I just said those out loud so we are all know which documents we're referring to.

So everybody good? We have consensus on this replacement. Commissioner Lindsey. Okay. All right. Very nice. Okay, well that closes out Sections 4 and 5 guys, then we're on to Section 3. This I will not say it. Okay, let us dive into Section 3, unless you need a quick break. Commissioner Lindsey.

Ms. Lindsey: I just need like a 10 min break to feed my animals before it gets dark. I'm sorry I would have done it in the 5 min. break, but that's not enough time.

Ms. Thayer: Nope, that's fine. We can take let's come back at 06:30. It is 05:18 right now. No, sorry, 05:30. 5:30. Sorry. Okay, it is 5:18 right now. Let us recess and reconvene at 5:30. Okay, thank you. See you then.

Recess

Ms. Thayer: I think we're into Aloha Ahihi ka kou. Good Late afternoon, early evening. Thank you for sticking with us. Appreciate you all. This is our Maui Planning Commission meeting of Tuesday, March 4th 2025, our second agenda for the day. We've just finished going through Section 4 and 5 and now we circle back to Section 3.

So commissioners, just like before, we have many decisions we've already made by consensus, but can revisit anything that you may have flagged and the department also has a synopsis of what we've gone through and decided on already. So some of our general revisions were prioritizing culture in tables and have Department of Oihi Resources review. For the sub area maps and area of change maps, we're including the surrounding land use designations with a mask so we can see how the areas of change interplay with the other land use designations.

We added the tables to the beginning of each sub area, the definition of vacant housing was added to the appendix, and that definition was adopted from DBET.

Yeah, those are the overarching changes. And then we get into specific sub area updates.

I think one change added to the Land Use once well, I don't know if we ever actually talked about consensus on this, but there's a suggestion for resort hotel to include residential because that's what the zoning allows for and the resort hotel areas include Residential forms as well. See thumbs up, thumbs up, thumbs up. Commissioner Deakos.

Dr. Deakos: Sorry, it wasn't allowing me to unmute, can maybe the department just weigh in a bit on that? I know there's concern of obviously a residential having resort use. That's not what we're doing here. You're adding residential to the Hotel designation.

Ms. Thayer: Correct.

Dr. Deakos: Maybe just expand on that.

Ms. Blystone: So to be clear that making this change is not actually going to change anything, that the zoning still allows residential use. So you'll be allowed to do residential use. What this does is just add further clarity that in fact it is allowed, so that's, that's all it's going to do.

Dr. Deakos: Yeah, thanks.

Ms. Thayer: Yep. Okay, so everybody good with just making that little addition? I think yes, alright. Anything else otherwise we can get into Section 3.3, our map, and sub areas. Ms Comcowich.

Ms. Comcowich: If you pull the map online does have all your changes and we could look at the changes you have proposed.

Ms. Thayer: We are South Maui?

Ms. Comcowich: Yes. I could share screen as well, as long as you remind me to get off of it.

Ms. Thayer: Yeah, please go ahead and share screen so we can all be all together.

Ms. Blystone: Just being mindful if we lose, ok, we lost Dale in the room. Can everyone still see Dale online? I think what we'll do is maybe turn off the testifier camera and see if it fixes that problem because we have Commissioner Ward and Commissioner Chair Thayer on the one camera. If you turn off that other camera, maybe it'll pop up. No, nope.

Ms. Comcowich: It says Dale. It's just not showing him.

Ms. Blystone: Yeah, but we have to see his face.

Ms. Lindsey: Maybe have him talk.

Ms. Thayer: Everybody online can see him?

Mr. Thompson: Yeah, I'm still here. I think it's when you do screen share it pops me off.

Ms. Thayer: Yeah. It must be. Yeah, there you are. It's just a screen share anomaly.

Ms. Lindsey: But I think turning off the Testifier camera in addition to that will help. So turn off the camera, have the three commissioners talk and then it will be there.

Ms. Thayer: Okay. We're the only people in the room anyway. So.

Ms. Comcowich: Erin's back there.

Everybody laughed

Ms. Blystone: Erin's still there. She's just behind the

Ms. Thayer: Oh hi Erin. Sorry, we don't have nobody. We have one person.

Mr. Ward: We have somebody.

Ms. Blystone: Okay, so Dale's up there. That's good.

Ms. Thayer: Oh yes. All right. See you vice chair. Okay, it all works out. Thank you everybody. Alright, we got our map online and so and sorry you said this reflects what we had gotten consensus on.

Ms. Comcowich: Any changes you've gotten to, yes. So Piilani Promenade was changed to a combination of small town center while keeping the riparian buffers.

Ms. Thayer: Sorry real fast, can you go to Maalea just to go in order.

Ms. Comcowich: Maalaea. All the same. Okay.

Ms. Thayer: Okay, we did not make any changes here.

Ms. Comcowich: Maalaea stays the same as it was recommended by CPAC.

Ms. Thayer: Okay, everybody good? With that, ok.

Ms. Comcowich: North Kihei Mauka. North Kihei Pulehunui area stays the same as recommended by CPAC.

Ms. Thayer: Oh, there was HCDA provided testimony. Is their stuff in here?

Ms. Comcowich: You're talking about the.

Ms. Thayer: Pulehunui Community Development district. There was testimony from Mr. Nakamoto, wanting to make sure that their Pulehunui Community Development District was included.

Ms. Blystone: Did he provide a map? I'm sorry, I did not see the testimony, Chair.

Ms. Thayer: I did not see a map.

Ms. Blystone: And did he define what included means?

Ms. Thayer: Oh, sorry.

Ms. Blystone: NO worries. I don't staff if we're familiar with that. I just am not.

Ms. Comcowich: Yeah, I'm not familiar with it.

Ms. Thayer: I think it was one of the later ones we got this morning. Find it again.

Ms. Blystone: Oh, so it came today.

Ms. Comcowich: Email?

Ms. Thayer: Okay, yeah, NO, it's an email. He did not provide a map. So this says HCDA is the state planning and development agency for the Pulehunui District in South Maui. The agency's mission for the district is to design and build infrastructure that supports the development of state owned land in the district. The contemplated uses in development in the district include industrial jail and a veterans affairs home. The purpose of this testimony is to ensure that these con contemplated uses and development are included in the South Maui Plan as applicable to the district area. Thank you, Craig Nakamoto, Executive Director, Hawaii Community Development Authority. Okay, we do not have a map. Okay.

Ms. Blystone: I am, I apologize Chair. I mean if he had provided a map, we could provide you a little bit more suggestion there. There's state owned lands throughout that area and I'm not sure which parts he's referring to.

Ms. Thayer: Okay.

Ms. Blystone: So. I apologize, but yeah, I I don't have a really good suggested path forward for that.

Ms. Thayer: Sure.

Ms. Blystone: I encourage HCDA to provide a map to council when they submit testimony next time.

Ms. Thayer: Okay.

Ms. Blystone: And also suggest specific designations for the Project.

Ms. Thayer: Ah yes. Alright, can we put that into our comments to council? Just to make sure that we're acknowledging the testimony.

Ms. Comcowich: It seems like he should know the process and

Ms. Thayer: Yes.

Ms. Comcowich: Participate in it. Sorry, that's not the most.

Ms. Blystone: No, I I agree, I mean, I think you have a lot of testimony in here that that you are not directly acknowledging and I think that if, if this is really important to HCDA, they can provide you, they can provide the council with the direction that they'd like to go. But the commission of course can we can add something if that's something you'd like us to do. It just seems. It then puts it on the council to reach out to HCDA and really HCDA should be reading reaching out to the county with their prefer preferred language, you know with their process.

Ms. Thayer: Ok? Commissioners, your thoughts on this? Commissioner Deakos followed by Commissioner Ward.

Dr. Deakos: I would agree with the director since there's a long process.

Mr. Ward: I would agree as well because they had CPAC plus MPC so it's good two and a half, three years.

Ms. Thayer: Commissioner Lindsey, you look like you're thinking about this. Go ahead.

Ms. Lindsey: Was this also part of Leilani Pulmano's testimony? She provided a map. Are those two related?

Ms. Thayer: I think they are separate.

Ms. Lindsey: Okay.

Ms. Thayer: This is talking about a state parcel and what Leilani Pulmano was referring to was, I don't think state. It's, you know, in this like vicinity, but I don't, I don't think they're the same thing.

Ms. Lindsey: Okay, thank you. I agree with my fellow commissioners who spoke earlier.

Ms. Thayer: Okay. Hopefully they are listening. Ok alright, anything else we can go back to your map so everybody can follow along.

Ms. Blystone: Stop sharing and reshare. Keep the testifier to have your camera off, mostly because I don't want him to be not or not seen.

Ms. Thayer: I guess we can Okay. Magical.

Ms. Comcowich: Ok, so an area that the planning commission designated for change was the Piilani Promenade from Residential to Small Town Center with the green space buffers. That's where we had just left off.

And then you kept, you maintained the CPAC designations except for changing the open space with the SLR-XA to their original designations and adding a policy to not develop in the SLR-XA.

Ms. Thayer: Can you pause here?

Ms. Comcowich: Yes.

Ms. Thayer: So commissioners, anything you want to revisit in this area?

Ms. Comcowich: Talking about this area or subject matter.

Ms. Thayer: Subject matter. I guess you're, you're just reviewing the changes that we made to the map, right? Yeah. Okay.

Ms. Comcowich: Okay, so if we go down to Wailea is the next change. It is down at the Shops at Wailea. There's a small little tiny parcel. Okay, it's actually pretty big parcel. The Shops at Wailea was changed from small town center to resort hotel. And now I will zoom back out. The next change was for the Christian Chan Chance to align with Christian Chan's testimony to redesignate all of the why or the golf course as a mix of neighborhood center and residential based on practice and what the decisions have been so far, we did include the gulches just so you guys can see that on there and it also goes up to right here. There's a little more neighborhood center. So all the way from here, any of the open parcels right here, this one and then residential. And everything else you maintain CPACs designations for.

Ms. Thayer: Okay, thank you. So commissioners, having seen the changes that we've made and what we've kept the same, anything to revisit? Commissioner Deakos.

Dr. Deakos: So Piilani Promenade. I know it was described why it should be small town center, didn't quite didn't quite make sense to me, but I won't rehash that, but I just want to make sure 3.5.8 which addresses the 80/20, that is still a policy alive and well, correct?

Ms. Thayer: 3.5.8 I believe is in here. Yeah.

Ms. Comcowich: That was one that was changed at the meeting to keep that in the, we had originally recommended as the department to remove it because it was residential and it was not small town center. When you you elected to change it to small town center, we made the verbal recommendation to change it. And you as a body changed from three to four parcels, so it says as the four parcels shall be mixed use pursuant to the small town center definition and shall not be less than 80/20 residential and commercial. This shall be measured in residential building footprint, square foot commercial buildings square footprint square foot as appropriate. If the project is done in phases, then each phase must meet the 80/20 rule.

Dr. Deakos: Okay, yeah, I must have saw an old recommendation to delete it. That's what I was concerned about. Okay I'm good. Thank you.

Ms. Thayer: Okay, thank you. Commissioner Ward.

Mr. Ward: Thank you chair. Based on testimony from Cal Chipchase, I would propose for 670 to just adopt the phase two map that the commission, I was not part of at the point, as per his request.

Ms. Thayer: Okay, so just making sure the community plan maps aligns with the phase two approved site plan map, ok? I see thumbs up from Commissioner Lindsey, Vice-Chair Thompson. Commissioner Deakos?

Dr. Deakos: So remind me that's.

Ms. Thayer: So, Honua'ula, formerly known as Wailea 670, so just it would be our recommendation would be to make sure that the map and designations in the community plan align with the approved phase two site plan because there are a couple of small discrepancies between the two, so just making sure they're in alignment.

Dr. Deakos: Like the beak that.

Ms. Thayer: Yes. Yes. Yep. Okay. All right, good. One thing I wanna make sure we touch on is since we agreed by consensus to include that Keokea Industrial area to include the, look at including the policies that were agreed upon between KCA and the project land owner. And I found these in the, this is dated January 8th, 2025, the written testimony from Rory Frampton that includes the project specific policies.

I think it's from the January 14 meeting agenda. There are six policies proposed. Making sure everybody has these. Commissioner Deakos.

Dr. Deakos: Can you. Is it in the testimony status?

Ms. Thayer: Yeah, if you go to the January 14 meeting agenda, I believe it is the documents received after posting new testimony. And it's a 34 page PDF that hopefully comes up when you click on it.

Ms. Comcowich: Do you want me to share it?

Ms. Thayer: Yeah, please.

Dr. Deakos: South Maui meeting on the 14th.

Ms. Thayer: Correct. Oh, so we have it shared on screen now.

Ms. Comcowich: Online people tell me when to scroll up because.

Ms. Thayer: We'll just start with number one for now, and I know the department hasn't had a chance maybe to weigh in on these, but if I may ask your eye on this, I think maybe based on input you've given on other policies, we could probably, there, well, I think

reading through these, there's some adjustments that could be made to, you know, make them work from your end.

So the documents received after page 22. So commissioners, do you have this before you? I think this is worthwhile to consider cause it's, you know, multiple parties discussed and got consensus. This is any coming.

Ms. Comcowich: Am I correct?

Ms. Thayer: Go ahead.

Ms. Comcowich: Since this is a recommendation to council we just recommend they review and include these policies rather than going through them one by one.

Ms. Thayer: Yep, ok. I just want to make sure everybody knows what they're adding.

Ms. Blystone: Yeah, Chair. So, I am uncomfortable with this without having an opportunity to spend a little time with, with these guys.

Could you give us a, could you move on to another topic and then circle back?

Ms. Thayer: Sure. So you can look over it.

Ms. Blystone: So we can take a look at them and see if there's anything.

Ms. Thayer: Sure.

Ms. Blystone: Perhaps this might be worthwhile, but I'll I'll look at it right now.

Ms. Thayer: Okay perfect.

Okay, commissioners in the meantime, do you guys need time to look over these also? Yeah. Okay, the department is looking over them as well. Director.

Ms. Blystone: Actually I do have strong feelings. I I don't think that you should adopt these and mostly because of the last sentence under project specific policies where it says we have continued dialogue blah blah blah. It should be noted that these policies will be further defined and incorporated as conditions during the district boundary amendment and change in zoning process. That maybe a more appropriate location for this kind of thing. They can continue to work on them. My worry is that I don't want to have a mismatch between what's in the community plan and what's in, in these other in the DBA in this change in zoning. So it's not really, they're not necessary.

It it makes me, it just makes me a little nervous to add them kind of in this last, we, we just went through something where, you know, CPAC added something at the very last minute, so that's my only concern.

Ms. Thayer: Sure. And I think some of these get addressed by existing policies anyway. Maybe not all directly, but like you know number five about the project area shaded with canopy trees, promoting the use of R1 water, thinking about flow along, you know,

intersections with Piilani Highway, there are policies for a comprehensive drainage plan, low impact design. So get it already, I think get at these concerns.

Ms. Blystone: I agree Chair. And I also think this kind of deep dive onto an individual project is more appropriate for the, the other processes that are yeah so I I would recommend not including these.

Ms. Thayer: Yeah and I think in general everything that these policies are getting at are captured in some way, shape or form by the overarching policies that are in Section 2. But commissioners online, welcome your thoughts and Commissioner Ward too. Commissioner Ward.

Mr. Ward: Thank you chair. I'll go since they're not. I would agree that I think that the policies that we put in place cover most of this. I see this more as a collaboration between parties and it looks great, but I don't think it necessarily needs to be in our document. They have their personal agreement. Comparing it to the settlement if you have a settlement with someone, that doesn't go into our plans, so I I would, Though I support the idea and and applaud the collaboration? I don't think I would say put them in specific cause then every project will then start submitting individual things which could be a nightmare.

Ms. Thayer: Yeah. Although we do, I just want to acknowledge we have specific ones for other projects. Although this is, as we said, late in the game that this is coming up, yeah. Okay. Vice-Chair, sorry were you raising your hand? Okay. All right. Anything else to revisit? Commissioner Ward.

Mr. Ward: I make sure I understand what I'm gonna be suggesting, so we had testimony today and received it in print.

Are I guess it's a question to the department because they're not they're not specific numbers. The referred to policies in the testimony, have those been the one has were those updated into our documents that we just went through and they're not. This is new. Okay.

Ms. Blystone: Sorry for the commissioners online, though this is new, we need to add both the policy and if you want to make the change, we strongly recommend that you make the change to transient oriented center or corridor. Sorry. Along with the Policy.

Mr. Ward: I'm just looking.

Ms. Thayer: So the Department of supportive supportive.

Ms. Blystone: Absolutely. And I, if I may, I very much thank the folks at Lipoa for sitting down with us and having this conversation and we went over maps, we talked about their concerns, we hashed it out. There were uncomfortable moments crying, throwing of furniture, and eventually we ended up, NO, I was just kidding. Eventually we ended up coming to this, this consensus on on this between the two parties that, that, you know,

the policy that's being proposed provides some clarity. There's some certainty for, for Lipoa and the and the team there, but it also it's just a fact like it's, it's going to be the way that we're doing it anyway, but it, it records that. I think the question that commission has to grapple with is whether we keep the park as is identified in the plan or in our proposal or remove it. You know, I think that one of the concerns that was expressed to us is that kind of that question of, that we were grappling with earlier where Mr. Hopper jumped on and said, Well, what if it's a little different? And we've already had this experience with some with some zoning stuff that was slightly different and they're concerned about that. I'm not as concerned about that because their zoning is still gonna still gonna carry the day, but you know I think you could go either way it really is up to the commission what they decide to do. Our recommendation is to keep the parks in because the community, I mean I I think I don't know Karen if you wanna speak to anything on regarding the community in parks or Commissioner Ward who was there. But those are your, those are your things that you can do. We just very much, I I don't know if it was really clear by everything I said did and explained when we were talking about this last time, that special purpose district is not the appropriate designation for this space. So transit oriented center or corridor, it should be a center. Transit oriented corridor is where we landed and I I thank these folks for listening and and coming to this resolution.

Mr. Ward: And just if I may, just confirm that the documents that were we received today, you guys have read, you have approved, you're good, so other than the question about the parks.

Ms. Comcowich: It is part of the department recommendation from March 4th.

Ms. Thayer: So yes.

Ms. Comcowich: So yes. Except for the parks and open space, which there's that little triangle which is identified as a retention basin.

Ms. Thayer: Okay.

Mr. Ward: So I would oppose to accept plans As Is with my opinion I think having the parks, even though they may not be a hundred percent accurate, anybody flipping through the plans will at least see parks versus seeing just the red. And I understand that the zoning is there and that's what you guys would be following. I think some of the visual optics, someone not understanding the process would look and say it's all red and go to the wrong place. So I would recommend going with the park for that reason only that some people may not understand and just think it's gonna be totally TOC.

Ms. Takakura: On a comment that parks are allowed in TOC.

Mr. Ward: It's for me it's it's just an optics thing for people. It's very difficult.

Ms. Blystone: It's very difficult with people with red green colorblindness though to see that's train right looking at it now, I'm like, whoa, but I I think that like I said, we could go either way because parks are allowed in TOC, and as we said with the policy that the where there's discrepancies the the zoning will will carry the day. So either way.

Mr. Ward: Which I'm fine by the way as well it's, again, I'm looking at from a general person looking at it's reducing some panic and things of that nature. But I I would I'd be happy going either way.

Ms. Thayer: Vice-Chair.

Mr. Thompson: Thank you chair. So, in their, if they're all TOC, they still have to do the parks, but they can designate where the park goes instead of the county plan that has that prescriptive already. Does that make correct? Am I correct on that?

Ms. Blystone: So chair, they have a, they have a vice chair, they have a, controlling plan and the controlling plan, the zoning will dictate where those parks go. If they wanna move around where the parks go, they'd have to make changes to that plan. So either, like I'm saying, either way, whether you leave the parks center, leave them out, that zoning will dictate the zoning that they have will dictate where those those parks are.

Ms. Comcowich: These, the parks.

Mr. Thompson: and they were desires of being all TOC.

Ms. Blystone: That's what their testimony wants to.

Ms. Comcowich: The parks and open space on here are as designated in their zoning. It's just matching their current zoning.

Ms. Thayer: Part of me is wondering if we start pulling out parks and it's like, why don't you pull out the residential areas and then why don't you pull out these, you know, pieces of the zoning and then we get back into, you know, making piecemeal land use designations when the TOC encompasses the whole thing. And then in a sense I'm thinking about, you know, like this is a kind of a comprehensively planned area and then you know that kind of relays that if the whole thing is one designation that includes all of these different kinds of uses and it's like, ok, this whole area is planned all together. One perspective. Vice chair, you have a thumbs up. Thumbs up from Commissioner Lindsey. Commissioner Deakos.

Dr. Deakos: I'm confused. Were you in alignment with Commissioner Ward supporting the parks in or are you saying take them out of that?

Ms. Thayer: I guess I was saying just make the whole thing transit oriented corridor because that includes parks as uses it presumably, you know, it includes the whole mixed medium to high density residential as well, you know, so I'm I'm just, you know,

concerned about if you're pulling out parks, why don't you pull out the residential areas too, and then we get into like piecemeal land use designations all over again. That's, you know, down that road but if everybody wants to pull out the parks just for visibility then I'm ok with that, but I'm wondering if somebody's gonna look at like the line and be like, why is that line just that line, you know? Cause I think materially it doesn't make a difference one way or the one way or another. Because any development they do, it'll have to make sure all the layers jive with each other and transit oriented corridor is gonna allow all the layers to jive with each other. But I I hear, you know, Commissioner Ward with the optics, so.

Mr. Ward: Chair again, I'm I'm flexible either way I'm look I'm trying to put myself into the perspective of someone that hasn't sat through all these meetings, had all the discussion and then looking at it, you it could panic. I don't disagree that having it as all TOC makes sense, but what I was just looking at is, is there a way we can maybe note in the Section 3 for the area in the verbiage saying that it will include parks and.

Ms. Thayer: Yeah, sure.

Mr. Ward: Maybe doing it that way.

Ms. Thayer: Yes.

Mr. Ward: Because most people aren't gonna look at red and go, what's in, oh, I know what's in red. But you know we spend enough time we understand it.

Ms. Thayer: Yeah, like acknowledge the controlling plan.

Mr. Ward: Right.

Ms. Thayer: Which I know director then you get like acknowledging that for like all of these parcels.

Ms. Blystone: Yeah, I just don't, please don't. I I I hear what you're saying. I know it can be overwhelming, but that's our responsibility. Like it's our job just like we sat down with these guys and said, No, this really is your designation guys. Trust me, it really is your designation. It it's up to us to explain to the community better going forward, what that that parks are allowed and because they're used to big fat blobs saying this is only commercial, but that's not what that is. This is, this is a intensity, it's not a use. So I want to be clear about that, sorry.

Ms. Thayer: Commissioner Lindsey. Followed by Commissioner Deakos.

Ms. Lindsey: Yeah, I feel like we're just kind of complicating it so for everyone because then we're going really like, ok, where is it on the map? And it's like going back into the problems that we had with the funny kind lines on the map anyway. So I think it would

be easier for the department to figure it out this way. We, we love you guys, so we want you it to be easier for you.

Ms. Thayer: Okay, so are you saying the whole entire thing TOC. Okay. Commissioner Deakos.

Dr. Deakos: Okay I think, I think planning said they prefer to leave the parks in, but I guess my question would be, does the

Ms. Thayer: Planning is saying just put it all TOC.

Dr. Deakos: All TOC. Okay, ok. Okay. So my question is...

Ms. Thayer: Cause TOC encompasses parks. Don't want to put words in your mouth.

Ms. Blystone: No, let me be, let me let me just be clear on this. Our recommendation is to keep the parks in, but it also just doesn't matter. So you could do either way and still as long as you adopt this policy, which you need to do as well, the controlling plan will control it. So if you put it all into TOC fine. If you put it in parks, then we get to see the parks. Also fine. And we don't have to kill this one. I believe in us.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Okay, so just to reiterate, they said they recom their recommendation to keep parks in. I guess my question was, they're allowed to do parks if if given it given, if those park areas are removed, can, do they have an obligation to do the same amount of park and open space? They just reorient where that is?

Ms. Thayer: There's NO reorientation. It is, it is laid out in their zoning. They have a controlling plan and zoning that delineates exactly where the parks are, and that is where the department recommendation is coming from that shows the green within the red.

Ms. Comcowich: However, Zoning does depend on looking at the community plan. That's one of the factors.

Ms. Blystone: So just to be clear, if they were going to change their zoning, they would have to be consistent with the community plan. So, that would mean if they were wanting to change where the parks were, then it would be easier for them to do that if it was all TOC.

Dr. Deakos: So, I I would support the department's recommendation and align with Commissioner Ward just leave them in even though makes NO difference, it makes me more comfortable.

Ms. Thayer: Okay, Commissioner Lindsey and Commission Vice-Chair Thompson? I think we have Commissioner Ward and Deakos saying that the department recommendation to include the parks. Vice-Chair?

Mr. Thompson: Yeah, we might be going over something that's not a real big issue, but they did come and testify, they made a point to come into many meetings to testify. So, and apparently for good reason and it took them forever just to do what they got there. So, you know, we're arbitrarily changing something. I don't know that it matters or not, but it's still, like I said, they are our community, they, They all came and spoke and Erin was there. I don't know how many meetings to, you know, echo that and so anyway. Ms. Thayer: Okay.

Mr. Thompson: I'll go either way, but like I said, it obviously they came they made a special time, you know, come and testify and made some special point of that.

Ms. Thayer: Thank you. Appreciate the mana`o. Commissioner Lindsey and then Commissioner Deakos.

Ms. Lindsey: I feel though the same way as Commissioner Thompson. I think they came with maps and reasons, good reasons why they didn't, couldn't do the other one and it was just unclear and too much like gray areas that didn't really make sense and they have a plan already that's finished. So I, I think we should leave it entirely in transit oriented corridor.

Ms. Thayer: Okay, thank you. Commissioner Deakos and then Commissioner Ward.

Dr. Deakos: And not to beat this to death as we near the finish line, but if I recall, there were two testimonies. I think their push was for, you know, designating it all all tra in the end, all transient. It wasn't it and rather than having what the department originally recommended, which was parcels, I think one testifier didn't even talk about the parks was asked what they, how they felt about leaving the parks in and out. They didn't it didn't matter to them. I think 2nd one wanted the Parks out, so I don't think their big push was the parks. It was the the main designation is what I recall.

Ms. Thayer: Yes. Okay. So we moving towards entirely TOC. Commissioner Ward.

Mr. Ward: Thank you chair. I was gonna say I I think we're overcomplicating this.

Ms. Thayer: Yes.

Mr. Ward: I simply was going with the recommendation from the department because from a visual perspective it made sense to me. I I think we're spending too much time on something that doesn't make a difference because their zoning is going to rule it.

Ms. Thayer: Right.

Mr. Ward: So I will happily shift to have go all red or the all TOC. I don't have any issue with that it was just me it was more of the visual thing, but so happy to happy to support both sides, but I will make it formally the happily go TOC.

Ms. Thayer: Okay, let's go TOC. Everybody good? All TOC. Commissioner Deakos. Okay, alright. Brilliant. Thank you everybody. Moving along, any other items to revisit in Section 3?

If there's NO more mapping land use designations and there are gulches. So sorry director?

Ms. Blystone: I just want to make sure we understand the will of the commission. It's not just the map change, we also need the policy.

Ms. Thayer: Oh yes, so sorry that you went I think we were good with the policies. Oh yes, everybody's good with the policies, right?

I think so. Yeah hollow. Nope yep, close it out. Okay, are we good with all the other land use designations? Can we go into gulches, which is I think the one thing we didn't go all the way into today?

We did spend a bit of time on the policies, so now we get to the map.

Ms. Comcowich: Would you like me to share the map?

Ms. Thayer: Sure, that would be wonderful.

Ms. Comcowich: So this is the map that was originally developed by 1st GIS guy Mike Napier, then it was edited by Johann, and it wasn't I wouldn't call it edited. It was confirmed by Johann with slight changes maybe to refine based on the the LIDAR layers and the flow. Let's see, let me take up all the other layers.

Do you want to start north to south?

Ms. Thayer: Can you share a screen?

Ms. Comcowich: I'm gonna share it but I was gonna get ok up to where I ok oh yeah sure North. I'll keep you guys all dizzy.

Ms. Blystone: Let me ask a question.

Ms. Thayer: Sure.

Ms. Blystone: What is that issue for the gulches? I, I just would love for clarity before we walk north to south and look at every individual goal.

Ms. Thayer: Yeah, sorry. I don't think that we need to go over every single individual little one. I think the the issue at hand is, you know, hearing all the talk from the commissioners, testifiers across the board is like, how were these identified and are we good with the ones that are shown on the map, is there any edits to make to the methodology? Cause I don't think we're gonna go through and pick and choose this one, that one, this one, that one. And so it's more getting at like how these are identified is the only way we're gonna do a fair shot out across all of them. Commissioner Ward.

Mr. Ward: Thank you chair. So, from my recollection, one of the big concerns was that not all gulches are equal and how we've drafted some of the policies it makes them all equal, so, I don't think going one by one makes any sense at all, but if I guess my question would be I guess to the planning department, so figure 3 1.17, some have stated is not accurate. Yeah. Right or wrong. Then we earlier we talked about Policy 2.4.6 and kept it with what was originally drafted, but the commission.

Ms. Thayer: Permissions edits.

Mr. Ward: Edits that was not part of. Does that, from a planning's perspective, does that policies give you the flexibility with the 3.1.17 map, taking into account the testimony. I know it's really long winded, I'm just trying to taking into account does that resolve for you or the concerns that we heard that not all the gulches are equal? Does that make sense?

Ms. Blystone: So to clarify, you're talking about the policy that I believe you, you adopt, well, you know, you recommended that says that we have some flexibility as far as if they can prove to us that, that gulch isn't where it is.

I mean I yes, to me that satisfies it. I don't staff, I don't know if you have any strong feelings. I think it's important to acknowledge these things and in in some other places they have very serious critical areas ordinances that say steep slopes, NO can, wetlands, NO can. Lahar and inundation zones and things like that, NO can. So, but we don't have that here and so in in West Maui we went down this path of saying let's map these suckers. In South Maui we even like improved the way that we went about it. We had even better data when South Maui.

So nothing's perfect, right? But I think, yeah, the policy to me, if we can get past the thing that Mr. Hopper was talking about, kind of gets to the concerns around gulches.

Mr. Ward: Thank you. That's, I just wanted to clarify that to make sure because there's been a lot of content and that was what I understood, but I just wanted to make sure that that was a clarified so that.

Ms. Thayer: Sure, so ok. Thank you. Commissioners online, thoughts? Okay, that's up from Commissioner Deakos and Vice-Chair. Commissioner Lindsey. Okay, so good as is. Anything else anybody wants to revisit for Section 3?

Mr. Ward: For Section 3.

Ms. Thayer: Commissioner Ward?

Mr. Ward: Thank you chair. I do have something in my notes about the 1st parcel past Makena Beach. That's a park designation versus an R3 residential. I didn't get the TMK unfortunately.

Ms. Thayer: I think that came up in discussion before. Ms. Comcowich.

Ms. Comcowich: I will it is a parcel that currently has parked designation in the existing plan. It was bought and sold with that designation. It's a little different than changing a designation to somebody who already has a residential designation. It's also outside the growth boundaries.

Ms. Thayer: Okay. It was sold and purchased with with the park designation. Okay. Okay. It's a yep.

Mr. Ward: Just wanted to note that I noted that.

Ms. Thayer: Give everybody a chance to check their notes.

Mr. Ward: That's all I got.

Ms. Thayer: Okay, well commissioners. If there are NO further edits, then we can work on crafting item C Item C item C Yes yep moving on to item C of our agenda, so working on our recommendation to Council. So, I think we are doing some combination of providing our, you know, putting forth the plan as we have edited it thus far, but adding in comments to council, to incorporate the input from Department of Oihi Resources especially for all of those sections and policies that we have flagged and thank you department staff for tracking all of those items.

Mr. Ward: Is it possible to.

Ms. Thayer: Yeah.

Mr. Ward: Just have them run through them real quick?

Ms. Comcowich: The ones for Department of Oihi Resources?

Mr. Ward: No, NO NO. The just all of the the comments that we were of our recommendations is a lot. Only reason I was asking is is if if we missed one, I don't but I'm gonna hear you that that we probably give you a lot.

Ms. Comcowich: So it will be the complete record of all the recommendations you had, but then the specific recommendations from today were to have the recommendation for the Department of Oihi Resources to review Section 2.4 and 2.5, plan section one and Appendix E of the plan and to recommend that their changes are incorporated into the plan.

I'm looking through, where and then to incorporate the industrial area by Keokea as a updated designation and the other ones are actual individual designator recommendations that I would have to go through all the policies today.

Mr. Ward: Just again, I know it's been a lot so having nice and neat would be nice, but I'll trust the notes.

Ms. Thayer: Okay.

Ms. Blystone: The very last thing we want is for some commissioners to show up and say, that's not what we said at council. So we're gonna work very, very hard to make sure that everything that you've said is captured under your transmittal to council.

Mr. Ward: And if there's a change, we obviously have the opportunity to have to council.

Ms. Blystone: Yeah, the council has another, another crack.

Ms. Thayer: Okay, is there any other comments commissioners that you want to include with our recommendation package to council?

Commissioner Ward?

Mr. Ward: Can I just make a joke. We say. Good luck, have fun.

Ms. Blystone: Good Night and Good luck.

Ms. Thayer: Okay, well if there is nothing else to add, we, oh, do we have a recommendation?

Ms. Blystone: Well, we need to, we need a motion.

Ms. Thayer: Yeah, yeah. Yeah. No, so I was gonna just say, do we have a motion to this effect or we just talked about, yeah. Anybody? So this would be a motion to council to recommend the changes that we have agreed upon by consensus and also to incorporate the input from Oiwi Resources on those sections that we have called out.

Ms. Lindsey: So moved.

Ms. Thayer: So moved by Commissioner Lindsey and second by Commissioner Ward. Would you like to speak to your motion Commissioner Lindsey.

C. MAUI PLANNING COMMISSION RECOMMENDATIONS: FINAL MOTION FOR APPROVAL

It was moved by Ms. Lindsey, seconded by Mr. Ward, then

VOTED: *To recommend the changes that MPC have agreed upon by consensus and also to incorporate the input from Oiwi resources that MPC discussed.*

(Assenting: M. Deakos, A. Lindsey, B. Ward, D. Thompson, K. Thayer

(Motion carries.)

Ms. Lindsey: It's amazing how much people have put into this and I applaud everyone who did anything, any little part of this. This is long and strenuous work and thank everybody for that and please excuse, you know, any shortcomings that may have happened on our part because I know the South Maui Community has been working on it for years. And we've been working on it for, it feels like a year, but but we know that there's been a lot of people who've been involved and I appreciate everyone who has been there, thank you.

I look forward to this not taking another 30 years also.

Ms Thayer: Commissioner Ward?

Mr. Ward: I would echo Commissioner Lindsey's comments.

Especially coming from being on the CPAC. It's actually a pleasure to be on the this side to be able to kind of help move things forward. One thing that I think we need to add to the motion is that we're asking Planning to transmit our approval.

Ms. Blystone: We'll include that.

Mr. Ward: That way I just remember that from CPAC where we were told we need to include it. We were asking them to transmit it. So if.

Ms. Comcowich: We got that.

Mr. Ward: Okay. Perfect. Yep. But yeah, again, I applaud everybody's time because it's a lot of work and hopefully we'll get other people interested involved in other community plans.

Ms. Thayer: Yes.

Mr. Ward: I, I would just encourage for those people that do provide verbal testimony, which is great. The written is actually really helpful as you're, as least for myself as preparing because I have the time to digest it and interconnect it. It is challenging sometimes trying to multitask and listen and listen for intents and stuff like that. So, I think the role is great, but I would encourage make sure that there's written as well to so we have documented.

Ms. Thayer: Thank you. Commissioner Deakos? Vice-Chair next.

Dr. Deakos: I guess real quick I'll just add, I know lots of testimon, a lot of work goes into that two years CPAC, and I think a lot of the concerns was the community puts all that work in and then it gets diluted at the end, you know, our level and then diluted again at the, you know, that was the constant fear and thoughts that I heard from the community. I hope we mitigated that as much as we could. You know, we didn't.

That didn't feel like we softened the ton of language, so I'm hoping the community feels that this didn't get its legs cut out and that they're, they're happy with some of the, most of the stuff that they originally put in there remains, so, yeah, let's hope the council can do the same. Thank you Chair.

Ms. Thayer: Thank you. Vice-Chair Thompson.

Mr. Thompson: Thank you. So I think we're we're a hundred percent winners now you can ever have a hundred percent of winners and we worked hard to make sure that everybody, you know, got a seat at the table and got their \$0.02 in and and hopefully a good plan. That's what we're here for. It's just a, you know, a good working plan for for

everybody and there's compromises and God knows we did them, you know, and hours and hours. Today will be NO exception. It will be a 10 hour day.

But thanks for all the members that were here, you know, just the public We work for free. So, you know, it's not easy thousands of pages of stuff and not everybody's happy with you and you know, it's it's not an easy task, but we're here to make the community better for everybody. That's all I have to say.

Ms. Thayer: Thank you. And, you know, kudos to you Vice-Chair. You've been through two community plan processes, so hats off. Yes, that is, that is NO small undertaking. Yeah, and I would like to, you know, echo my fellow commissioners. It's been a pleasure of serving with you and thank you very much to all the community members out there who have put, I'm sure blood sweat and tears into this plan over many many months and years and there's still more to go. So thank you to all the community members who have contributed their time and energy to this. It's a visionary document and it's very exciting to think about the potential for the future and hopefully we see a beautiful, tree lined, smart, planned community down there with NO traffic and wonderful streets and public spaces and obviously. Good drainage, NO more flooding, you know, all the good things. So, yeah. Let's call for the vote.

Ms. Blystone: Alright. Commissioner Deakos.

Dr. Deakos: Ay

Ms. Blystone: Commissioner Lindsey.

Ms. Lindsey: Ay

Ms. Blystone: Commissioner Ward.

Mr. Ward: Ay.

Ms. Blystone: Vice-Chair Thompson.

Mr. Thompson: Ay

Ms. Blystone: Sorry. Chair Thayer.

Ms. Thayer: Ay.

Ms. Blystone: Chair. That is five votes to move this forward to the county council. And if I may just briefly, I want to thank the South Maui Community for showing up. We started this project during COVID. We were doing all of our public engagement online for the, for the 1st part of this and they showed up and they turned out and they participated online in person in real li in real time and at weird hours depending when they're available, so we could not have done this without the South Maui community.

I also want to thank the Long Range team. This team worked so hard and endured so many changes to get to this point and Karen, you're handling this project very, very well and I'm so proud of everything that you guys have done. Thank you so much.

Ms. Takakura: I double that. Yeah, Karen is the coordinator and yeah organizer and all this. Yep.

Ms. Blystone: Yep, she's rocking it and and the team that's behind her, she also has, there's a bunch of people that you don't see that are out there helping that were helping with this. Now they've moved on to central. So your next plan is gonna be central. But I I just, and then the last, I wanna thank. Thank you guys so much. I wanted to strangle you multiple times, but just But that's out of NO it literally everyone. But that's out of love. You guys are working so hard on this and you're trying to balance a bunch of things and for us, some things may seem really simple and straightforward for you. You're balancing a lot of different things and I thank you for taking that time and we are done before 07:00 and it makes me so happy I could cry. So thank you guys so much. Thank you everybody.

Ms. Thayer: Thank you.

Mr. Ward: And I apologize to Karen for all the changes that I've done through not just here, but in CPAC as well.

Ms. Blystone: Yeah, you have more work to do.

Ms. Thayer: Appreciate you all. Thank you very much. Meeting a joint and we'll see you next Tuesday for our regular planning commission meeting. Yes, go team Love you all.

Ms. Comcowich: Thank you guys.

Mr. Ward: Thank you.

Ms. Blystone: Thanks for taking.

D. ADJOURNMENT

Meeting Adjourned @ 6:38 P.M.

Respectfully Submitted by,

RICHELE LESA
Secretary I to Long Range Division
GENO QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present:

Kim Thayer, Chairperson – in person
Dale Thompson, Vice-Chairperson – via Webex
Brian Ward – in-person
Andrea Kealoha – via Webex (left meeting at 3:00 PM)
Mark Deakos – via Webex
Ashley Lindsey – via Webex

Excused Absence:

Mel Hipolito Jr.

Others

Kate Blystone, Planning Director, in person
Jacky Takakura, Planning Program Administrator, Long Range Division, in person
Karen Comcowich, Staff Planner
Michael Hopper, Deputy Corporation Counsel, Webex
Geno Quemado, Secretary to Boards and Commissions II, Current Planning Division – in-person
Leilani Ramoran-Quemado, Secretary to Boards and Commissions II, Current Planning Division – in-person

K:\WP_DOCS\Planning\MINUTES\MPC\MPC_2025\030425 SMCP MPC Meeting Minutes_rhl.docx

DRIP Committee

From: PH Char <phc.98112@gmail.com>
Sent: Monday, September 14, 2026 5:27 AM
To: DRIP Committee
Subject: South Maui Community Plan Comments for September 14 and 15 hearings
Attachments: 2026 Community Plan statement.docx; 1970 KCDPlan p 45 re Wailea.pdf; 1970KCDPlan p 35 map.pdf; Land Court description Ekahi II and III.pdf; 1970 KCDPlan p 48-50 environmental.pdf; Land Court description Ekahi.pdf; 1970 KCDPlan p 74-79 Wailea plan.pdf; Ordinance 548 apartment zoning.pdf; Ordinance 286 motel hotel definitions.pdf

You don't often get email from phc.98112@gmail.com. [Learn why this is important](#)

Dear Committee: Attached is a statement, with attachments, for consideration in connection with review of the Draft South Maui Community Plan. As a South Maui property owner, I appreciate the work you are doing to ensure the future of our community. Thank you for your consideration.

Aloha,
Pat Char

This statement opposes the Draft South Maui Community Plan designation that does not recognize hotel use for Wailea Ekahi, phases I, II and III (“Ekahi”). See attached Land Court description of the property located at 3300 Wailea Alanui. The draft plan, specifically the community plan map for Subarea 4: Wailea, pages 71 and 79, should be modified so that this property is designated Resort/Hotel, rather than Residential.

First, it should be noted that a portion of Ekahi that is proposed to be “Residential” in the draft plan is currently zoned H-1 and is currently used for transient vacation rentals. The section of Ekahi III that borders Wailea Alanui and is mauka of a gully shown on zoning maps is in an H-1 zoning district. The proposed plan change to “Residential” land use, instead of “Resort/Hotel, fails to acknowledge the current zoning and permitted use.

Second, the Planning Commission and the Maui County Council should take into consideration the historical development of the Wailea area since the late 1960s and early 1970s. Before it was constructed, the Wailea Resort was part of Kihei and was described in the Kihei Civic Development Plan (1970) (“KCDP”) as undeveloped wilderness that the community hoped would “become a resort destination **unique** in the world.” KCDP p. 74 (emphasis added).

Maps in the 1970 Kihei Civic Development Plan show that all ocean front properties in Wailea Resort (other than business commercial or open space) were to be available for hotel use. KCDP p. 35 and 74 to 75. Property that became Ekahi, on the north end of the ocean front, was shown entirely as “Hotel.”

Even though the property was planned for hotel use, Ekahi was developed so that it would not look like a 1970s traditional high-rise hotel. The unique concept under which it was built resulted in an apartment property in which hotel amenities and uses were available. Some individual apartment units even had separate spaces that could be blocked off and rented like hotel rooms. The design and configuration of all buildings on the property was consistent with the Kihei Civic Development Plan environmental objective of having low density buffer zones between high rise hotels and residential areas. The adopters of the plan did not want buildings and shadows of high rises to loom over residences and the beachfront. KCDP p. 58.

The zoning of the Ekahi property in the 1970s also was consistent with the Kihei Civic Development Plan calling for construction of properties with a lower physical profile than Waikiki type hotels. A portion or possibly all Ekahi was developed under a revised Maui code provision for planned unit developments – allowing construction on property with mixed zoning of hotel and apartment, permitting uses from both zoning categories throughout the entire property, and resulting in lower heights for hotel property.

Most important, transient and tourist rentals were permitted within A-1 zoned districts on Maui, even before construction began in the 1970s for Ekahi. (Maui Ordinances 548 (1968) and 286 (1960)). In line with the original zoning governing Ekahi, Maui County's subsequent modifications of its zoning ordinances all permitted transient vacation rentals at Ekahi, until Ordinance 5909 was enacted in 2025.

As of the date of this statement, parts of Ekahi remain zoned A-1 and other parts are zoned H-1. Recently, the Maui County Council has considered Resolution 26-111. If enacted, future ordinances may change the zoning for parts of Ekahi from A-1 to H-3 and will allow transient vacation rentals to continue. It is hoped that proposed ordinances also will specify a community plan designation for Ekahi to "Resort/Hotel."

When the County adopts its South Maui Community Plan, regardless of the status of re-zoning Ekahi A-1 to H-3, it should not ignore the vision from the 1970 Kihei Civic Development Plan. Ekahi was intended to be and was, in fact, constructed and operated as a property available for both residents and tourists.

Ekahi is part of what was envisioned and has become a special, unique resort destination. Taking Ekahi out of the Hotel land-use designation would destroy the original concept for this resort property and lead to future reduction in County revenues that could have supported other priorities such as building housing and infrastructure. There is no certainty that taking this property currently designed and used for transient rentals will materially increase housing for residents. Consistent with the original plan for the Wailea resort, the land use designation for Ekahi should allow both residential and hotel use.

Respectfully submitted,

Patricia H. Char

Wailea Ekahi, 3300 Wailea Alanui

ORDINANCE NO. 548

BILL NO. 9 (1968)

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ARTICLE 1 OF CHAPTER 8 OF THE PERMANENT ORDINANCES OF THE COUNTY OF MAUI 1966, BY AMENDING SECTION 8-1.6 THEREOF, RELATING TO APARTMENT HOUSE DISTRICTS, IN ITS ENTIRETY.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MAUI, STATE OF HAWAII:

SECTION 1. The Comprehensive Zoning Ordinance, Article 1 of Chapter 8 of the Permanent Ordinances of the County of Maui 1966, is hereby amended by amending Section 8-1.6 thereof, relating to Apartment House Districts, in its entirety, to read as follows:

"Sec. 8-1.6. Apartment Districts.

Description and purpose. Multiple-family apartment districts are generally established outside of the high density core of the central portion of a town. It is applicable to areas where multiple-family units are indicated; yet, the areas have not reached a transitional stage wherein public, semi-public, institutional and other uses are desirable.

Apartment districts shall consist of two (2) types: A-1 apartment district and A-2 apartment district.

(a) Permitted uses. Within the A-1 and A-2 apartment districts, the following uses shall be permitted:

1. Any use permitted in the residential and duplex districts.
2. Apartment houses.
3. Boarding, rooming and lodging houses.

4. Bungalow courts.
5. Court apartments.
6. Motels.
7. Townhouses, under the provisions of conditional permit.

(b) Area regulations. Within the A-1 and A-2 apartment districts, the minimum lot area shall be 10,000 square feet and the minimum lot width shall be 70 feet.

(c) Height regulations. No building shall exceed two (2) stories or thirty (30) feet in height in the A-1 apartment district and four (4) stories in the A-2 apartment district.

(d) Lot coverage. Total ground area occupied by all buildings shall not exceed twenty-five per cent (25%) of the lot area in the A-1 apartment district and thirty-five per cent (35%) in the A-2 apartment district.

(e) Floor area-lot area ratio. The gross floor area of all buildings shall not exceed forty per cent (40%) of the lot area in the A-1 apartment district and ninety per cent (90%) in the A-2 apartment district.

(f) Yard spacing. Within the A-1 and A-2 apartment districts there shall be a front yard of fifteen (15) feet for one (1) and two (2) story buildings, and twenty (20) feet for three (3) and four (4) story buildings; side yards of ten (10) feet for one (1) and two (2) story buildings, and fifteen (15) feet for three (3) and four (4) story buildings; and a rear yard of fifteen (15) feet for one (1) and two (2) story buildings, and twenty (20) feet for three (3) and four (4) story buildings."

SECTION 2. All lands presently classified as A-2 duplex district shall hereafter be designated D-1 duplex district, and all lands presently classified as A-3 apartment house district shall hereafter be designated A-2 apartment district.

SECTION 3. Effective Date.

This ordinance shall take effect from and after its final passage by the Board of Supervisors.

THE BOARD OF SUPERVISORS OF THE
COUNTY OF MAUI, STATE OF HAWAII.

By *Samuel F. Canales*
Its Chairman and Executive Officer

ATTEST:

[Signature]
County Clerk

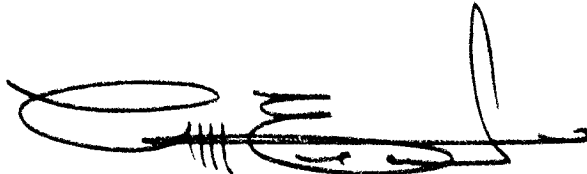
I, G. N. TOSHI ENOMOTO, County Clerk of the
County of Maui, State of Hawaii, DO HEREBY CERTIFY
that the foregoing BILL NO. 9 (1968)
passed FIRST READING at the meeting of the Board of
Supervisors of the County of Maui, State of Hawaii,
held on the 1st day of March, 1968,
by the following aye and no votes:

AYES: Supervisors Richard I. C. Caldito, Soon
Oak Lee, Marco M. Meyer, Lanny H. Morisaki,
Wilfred M. Tavares, Bernard H. Tokunaga,
Yoneto Yamaguchi and Chairman Elmer F. Cravalho.

NOES: None.

EXCUSED: Supervisor Goro Hokama.

Dated at Wailuku, Maui, Hawaii, this 4th day
of March, 1968.

A handwritten signature in black ink, appearing to read 'G. N. Toshi Enomoto', with a large, stylized flourish extending from the end of the signature.

G. N. TOSHI ENOMOTO, COUNTY CLERK,
COUNTY OF MAUI,
STATE OF HAWAII.

ORDINANCE NO. 548

BILL NO. 9 (1968)

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ARTICLE 1 OF CHAPTER 8 OF THE PERMANENT ORDINANCES OF THE COUNTY OF MAUI 1966, BY AMENDING SECTION 8-1.6 THEREOF, RELATING TO APARTMENT HOUSE DISTRICTS, IN ITS ENTIRETY.

I, G. N. TOSHI ENOMOTO, County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing Ordinance No. 548 (Bill No. 9 - 1968) passed SECOND AND FINAL READING at the meeting of the Board of Supervisors of the County of Maui, State of Hawaii, held on the 15th day of March, 1968, by the following aye and no votes:

Ayes: Supervisors Richard I. C. Caldito,
Goro Hokama, Soon Oak Lee, Marco M. Meyer,
Lanny H. Morisaki, Bernard H. Tokunaga,
Yoneto Yamaguchi and Chairman Elmer F. Cravalho.

Noes: None.

Excused: Supervisor Wilfred M. Tavares.

Dated at Wailuku, Maui, Hawaii, this 18th day
of March, 1968.



G. N. TOSHI ENOMOTO, COUNTY CLERK,
COUNTY OF MAUI,
STATE OF HAWAII.

Introduced and passed First Reading: Mar. 1, 1968

Effective Date: Mar. 15, 1968

Copies of the foregoing ordinance are on file in the Office of the County Clerk, County of Maui, for use and examination by the public.

HONOLULU STAR-BULLETIN

Issue of:

ORDINANCE NO. 286
BILL NO. 6 (1960)

THE COMPREHENSIVE ZONING ORDINANCE
OF THE COUNTY OF MAUI
STATE OF HAWAII

COMPREHENSIVE ZONING ORDINANCE

A COMPREHENSIVE ORDINANCE ESTABLISHING ZONES WITHIN THE COUNTY OF MAUI; ESTABLISHING CLASSIFICATION OF LAND USE IN SUCH ZONES; DIVIDING THE COUNTY OF MAUI INTO USE ZONE DISTRICTS FOR SUCH PURPOSES; ADOPTING MAPS OF SAID COUNTY SHOWING BOUNDARIES AND THE CLASSIFICATION OF SUCH USE ZONE DISTRICTS; DEFINING TERMS USED IN SAID ORDINANCE; PROVIDING FOR THE AMENDMENT AND THE ENFORCEMENT THEREOF; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

BE IT ORDAINED by the Board of Supervisors of the County of Maui, State of Hawaii:

SECTION 1. TITLE AND PURPOSE

A. This ordinance shall be known as and may be cited and referred to as "The Comprehensive Zoning Ordinance for the County of Maui". It is hereby adopted:

1. In order to regulate the use of buildings, structures and land as between industrial, business, residential, agricultural and other purposes;

2. In order to regulate location, height, bulk and size of buildings and structures, the size of yards, courts and other open spaces—the percentage of the lot which may be occupied by a building or structure;

3. For said purposes, the County of Maui shall include the districts of Wailuku, Makawao, Lahaina and Hana, but shall exclude the districts of Molokai and Lanai as described in Section 10-1 of the Revised Laws of Hawaii 1955.

B. Such regulations are deemed necessary in order to:

1. Encourage the most appropriate use of land;
2. Conserve and stabilize the value of property;
3. Provide adequate open space for light and air;
4. Prevent undue concentration of population;
5. Lessen congestion on streets and highways;
6. Promote health, safety and general welfare.

SECTION 2. DEFINITIONS

For the purpose of this ordinance, unless it is plainly evident from the context that a different meaning is intended, certain terms and words are herewith defined as follows:

ISLAND OF MAUI—shall mean the Districts of Wailuku, Makawao, Lahaina and Hana.

COUNTY—shall mean the County of Maui as described in Section 144-1, Revised Laws of Hawaii 1955.

COMMISSION—shall mean the Planning and Traffic Commission of the County of Maui.

ACCESSORY BUILDING—A portion of the main building or a detached subordinate building located on the same lot, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land.

ACCESSORY LIVING QUARTERS—Living quarters within an accessory building, such quarters and building having no kitchen (cooking, refrigeration, sink or similar facilities), for the sole use of persons employed on the premises and not rented or otherwise used as a separate independent unit.

ADMINISTRATOR—The person who holds the office of Director and/or Executive Secretary or authorized representative of the Commission.

ALLEY—Any right-of-way or public easement less than twenty (20) feet but not less than twelve (12) feet in width which has been dedicated or deeded to the public for public use as a secondary means of access to abutting property.

APARTMENT—A portion of a building consisting of a room or suite of rooms with complete living facilities, such as space for sleeping, recreation, cooking, laundering and sanitary facilities, and which is intended or designed to be occupied by one family.

APARTMENT HOTEL—A building or portion thereof used as a hotel as defined herein and containing the combination of individual guest rooms or suites of rooms with apartments or dwelling units.

APARTMENT HOUSE—see definition "Dwelling, Apartment House".

AUTOMOBILE TRAILER AND EQUIPMENT SALES AREA—An open area other than a street used for the display, sale or rental of new or used automobiles or trailers or other equipment where no repair work is done except minor incidental repair of automobiles or trailers to be displayed, to be sold, or to be rented on the premises.

AUTOMOBILE WRECKING ESTABLISHMENT—The business of dismantling or wrecking of used motor vehicles or trailers.

BASEMENT—A portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from the grade to the floor below is more than the vertical distance from grade to ceiling.

BOARDING HOUSE—A building having not more than five (5) guest rooms where lodging and meals are provided for no more than five (5) persons for compensation.

BUILDING—Any structure built for the support, shelter, housing, occupancy, storage, or enclosure of persons, animals, chattels, or property of any kind.

BUILDING HEIGHT—The vertical distance from finished "grade" to the highest point of the finished roof surface of a flat roof or to the deck line of a mansard roof or to the average heights of a pitch or hip roof; provided, however, that where buildings are set back from the street line, the height of the buildings may be measured from the average elevation of the finished lot grade at the front of the building.

BUREAU OF CONVEYANCES—Wherever it appears herein, Bureau of Conveyances shall include the Bureau of Conveyance and the Office of the Assistant Registrar of the Land Court of the State of Hawaii.

CAMP, PUBLIC—Any area or tract of land used or designated to accommodate two or more automobiles, house trailers, or two or more camping parties.

CAMP, TRAILERS—Same as "Camp, Public".

CAR PORT—Any structure or portion of a building or structure, other than an attached or detached garage, used for the shelter of self-propelled vehicles.

CEMETERY—A land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, mausoleums, mortuaries and crematories (provided it has the approval of the Department of Health, Commission and Board of Supervisors when operated in conjunction with and within the boundary of such cemetery).

COMMERCIAL PURPOSE—Shall mean the growing, processing, or manufacturing of products primarily for sale to others.

COURT—An open, unoccupied space other than a yard on the same lot with a building and bounded on one (1) or more sides by such building or buildings.

COURT, APARTMENT—One or more multi-family dwelling, any of which may be more than one (1) story in height and arranged around one (1) or more sides of a court or place from which said court or place any dwelling unit therein has its principal means of access. A court apartment shall be deemed to include those multi-family dwellings which contain the principal means of access to any dwelling unit therein from a court or place or side yard.

COURT, BUNGALOW—Two or more single family detached dwellings arranged around one, two or three sides of a court which opens onto a street.

CURB LEVEL—The elevation of the established curb in front of the building measured at the center of such front. Where no curb level has been established, the County Engineer of the Department of Public Works of the County of Maui shall establish such curb level or its equivalent for the purpose of this ordinance.

DAY-CARE NURSERY—Premises where young children are cared for during the day with or without compensation with facilities approved by the State Department of Health, State Department of Social Services, State Department of Education, and Building Superintendent of the County of Maui.

DRIVE-IN RESTAURANT—A restaurant business where food is served to a person or persons in their automobiles or vehicles.

DWELLING—A building or portion thereof designed exclusively for residential occupancy but not including hotels, tenements, boarding or lodging houses as defined herein.

DWELLING UNIT—Any building or any portion thereof which is designed or intended for occupancy by one family or persons living together or by a person living alone and providing complete living facilities within the unit for sleeping, recreation, eating, sanitary and laundering facilities, including installed equipment for only one kitchen.

DWELLING, SINGLE FAMILY—A building consisting of only one dwelling unit designed for or occupied exclusively by one family.

DWELLING, TWO-FAMILY OR DUPLEX—A building consisting of only two dwelling units designed exclusively for occupancy by two families living independently of each other.

DWELLING, APARTMENT HOUSE—A building or portion thereof, one or more than one story in height designed for occupancy by three or more families living independently of each other but under one roof.

DWELLING, MULTIPLE FAMILY—A building or portion thereof consisting of three or more dwelling units and designed for occupancy by three or more families living independently of each other.

EDUCATIONAL INSTITUTIONS—Kindergartens, elementary schools, intermediate schools and colleges supported wholly or in part by public or private funds giving general academic

instructions as prescribed and approved by the State Department of Education.

ENGINEER—shall mean the County Engineer of the County of Maui or his duly authorized representative.

FAMILY—An individual living alone or a group of two or more persons related by blood or marriage and their legal issues living together as a single housekeeping unit such as a dwelling unit.

FRONTAGE—All the property abutting one (1) side of a street between two intersecting or intercepting streets, or between a street and public or private right-of-way, end of dead-end street or city boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

FRONT OF LOT—The front boundary line of a lot bordering on the street, and in the case of a corner lot, may be either frontage.

GARAGE—A building or portion thereof wherein automobiles or other self-propelled vehicles or where other such vehicles are serviced or equipped for operation, repaired, or housed and stored for remuneration, hire or sale.

GARAGE, PRIVATE—A detached accessory building or portion of a main building for the parking or temporary storage of automobiles of the occupants of the premises.

GARAGE, PUBLIC—A building or structure, other than a private garage, used for the housing, storage, or care of automobiles or other self-propelled vehicles or where other such vehicles are serviced or equipped for operation, repaired, or housed and stored for remuneration, hire or sale.

GARAGE, STORAGE—Any premises except those described as a private or public garage used exclusively for the storage of self-propelled vehicles.

GRADE, CURB—The elevation of the top of the face of the curb as fixed by the County of Maui.

GUEST—Any person other than the family occupying or hiring a room for living or sleeping purposes.

GUEST HOUSE—Living quarters within a detached accessory building located on the same premises with the main building for the use by temporary guests of the occupants of the premises, such quarters having no kitchen facilities (sink, refrigeration or cooking facilities) and not rented or otherwise used as a separate dwelling.

HOTEL—A building designed for occupancy as the more or less temporary abiding place of transient individuals who are lodged with or without meals, in which there are more than twenty (20) guest rooms, which rooms may be equipped with cooking facilities.

JUNK YARD—A lot or portion thereof or tract or parcel of land used for the business of storage, keeping, or abandonment of junk or waste materials, including scrap metals or other scrap material or the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

KENNEL—Any premises, building or structure in which four (4) or more dogs or cats at least six (6) months old are harbored.

KINDERGARTEN—A school for young children of pre-elementary school age with facilities and studies as prescribed by the State Department of Education.

LIVING QUARTERS—One or more rooms in a building designed for occupancy by one or more persons for living or sleeping quarters.

LOADING SPACE—A space or berth or area of land outside the boundaries of a street, alley or other public right-of-way and situated on the same lot with the building to be served, or contiguous to a group of buildings for the purpose of providing temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which is readily accessible to vehicular traffic by means of a street, alley or other appropriate access.

LODGING HOUSE OR ROOMING HOUSE—Any building or group of buildings or portion thereof having twenty (20) or less sleeping rooms for hire or rent where lodging and meals are provided.

LOT—A parcel of land considered as a unit and enclosed within defined boundaries or a building site having the required area for certain use or occupied or intended to be occupied by a building or a group of buildings and accessory buildings in compliance with the requirements in each zone.

LOT AREA—The total horizontal area within the lot lines of a lot, exclusive of portions subject to easements or rights-of-way for ingress and egress in favor of other lots or land, but including portions subject to easements for water, sewer and other public utility purposes.

LOT COVERAGE—The amount of a lot stated in terms of percentage that is covered by all buildings and/or structures located thereon. This shall be deemed to include all buildings,

porches, harbors, patios, roofs and the like—whether open box-type or lath roofs or fully roofed, but shall not be deemed to include fences, walls or hedges used as fences or swimming pool.

LOT DEPTH—The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

LOT WIDTH—The frontage of a lot along the street or road rights-of-way or the horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines, whichever is the least.

LOT LINE, FRONT—A line separating the lot from the streets or place; and in the case of a corner lot; a line separating the narrowest street frontage of the lot from the street.

LOT LINE, REAR—A lot line which is opposite and most distant from the front lot line.

LOT LINE, SIDE—Any lot boundary line not a front lot line or a rear lot line.

LOT, THROUGH—A lot having frontage on two parallel or approximately parallel streets.

LOT, CORNER—A lot situated at the intersection of two or more streets and at an angle of intersection of not more than one-hundred and thirty-five degrees (135°).

LOT, REVERSED CORNER—A corner lot, the rear of which abuts upon the side of another lot.

LOT, INTERIOR—A lot other than a corner lot.

LOT, KEY—The first interior lot to the rear or a reversed corner lot.

MOTEL—A group of attached or detached buildings containing dwelling units or apartments, designed for or used temporarily by automobile tourists or transients, with garages attached or parking space conveniently located to each unit, including auto court, tourist court or motor lodge.

NON-CONFORMING BUILDING—A building or structure or portion thereof that does not conform to the height and the area regulation of the zone in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments which may be incorporated into this Ordinance.

NON-CONFORMING USES—Any use, whether of a building, other structure, lot or tract of land which does not conform to the use regulation of this Ordinance for the district in which such non-conforming use is located, either at the effective date of this Ordinance or as a result of subsequent amendments which may be incorporated into this Ordinance.

NURSERY SCHOOL—An Agency engaged in educational work with pre-school children. Children enrolled are not necessarily in need of supplemental parent care.

OCCUPANCY—The purpose for which a building is used or intended to be used. Change of occupancy is not intended to include change of tenants or ownership.

PARKING AREA, PUBLIC—An open area, other than street or alley, used for the parking of automobiles and available for public use whether free, for compensation, or as an accommodation for clients or customers.

PARKING SPACE, AUTOMOBILE—Space within a public parking area or a building, exclusive of driveways, ramps, columns, office and work area for the temporary parking or storage of one (1) automobile.

PERSON—A natural person, known or unknown, his heirs, executors, administrators or assigns, and also includes a firm, partnership, corporation, society or association, its or their successors or assigns, or the agent of any of the aforesaid.

PROPERTY OWNER—The person owning the fee title or the person in whose name the legal title to the property appears by deed duly recorded in the Office of the Bureau of Conveyances, or Assistant Registrar of the Land Court, or Tax Office in the County of Maui, and the person in possession of the property or buildings under claim of or exercising actions of ownership over the same for himself or as the executor, administrator, trustee, or guardian of the property.

SCHOOLS, ELEMENTARY, INTERMEDIATE AND HIGH—An institution of learning which offers instructions in the several branches of learning and study required to be taught in the public school by the State Department of Education.

SERVANTS' QUARTERS—Living quarters within a detached accessory building located on the same premises or within the main building, for use by household servants of said main buildings. In the case of a detached accessory building, it shall not exceed 500 square feet in floor area, nor shall it exceed a maximum dimension of twenty (20) feet in width, nor shall it be more than one story in height, and provided, further, that such building shall have no kitchen facilities, except in the case where individuals owning lots of ten thousand (10,000) square feet or more, desire kitchen facilities for their household servants.

SETBACK LINE—The line beyond which the main wall of a building or structure shall not project.

STORY—That portion of a building included between the

upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than six (6) feet above grade, such basement or cellar shall be considered a story.

STREET, PRIVATE—Open passage land or right-of-way not less than twelve (12) feet in width suitable or intended for pedestrians and vehicles, the fee of which is vested in the owner or owners of land abutting said open passage land or right-of-way.

STREET, PUBLIC—A public thoroughfare, including public roads, streets, highways, easements dedicated or deeded to the public for public usage and which affords principal means of access to abutting property.

STRUCTURE—That which is built or erected which requires location on the ground or is attached to something having location on the ground, but not including fences or walls used as fences.

TOURIST COURT—A group of attached or detached buildings containing individual living or sleeping units designed or used temporarily by automobile tourists or transients with garage attached or parking space conveniently located to each unit, including auto courts, motels or motor lodges.

USE—The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

YARD—An open space on a lot unoccupied and unobstructed from the ground upward by any structure except as otherwise provided in this Ordinance. Wherever in this Ordinance, a front yard, rear yard or side yard of a stated number of feet is required, such expression shall be deemed to mean that such yard shall have a minimum depth of the number of feet so specified.

YARD, FRONT—A yard extending across the full width of the lot, the depth of which shall be the least distance between the front lot line and the front of the main building.

YARD, REAR—A yard extending across the full width of the lot between the main building and the rear lot line. The depth of the required rear yard shall be measured from the nearest part of a main building at a ninety (90) degree angle from said building to the nearest point of the rear lot line.

YARD, SIDE—A yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard or rear lot line. The width of the required side yard shall be measured from the nearest point of the side lot line toward the nearest part of the main building.

SECTION 3. USE ZONE DISTRICTS

A. The County of Maui is divided into the following use zone districts:

1. Residential Districts
 - a. Class R-1 6,000 square feet
 - b. Class R-2 7,500 square feet
 - c. Class R-3 10,000 square feet
2. Apartment Districts
 - a. Class A-2 Two-family district (duplex district)
 - b. Class A-3 Apartment house district (multiple family)
3. Hotel District
4. Business Districts
 - a. B-1 Neighborhood business district
 - b. B-2 Regional business district
 - c. B-3 General business district
5. Industrial Districts
 - a. M-1 Light Industrial District
 - b. M-2 Heavy Industrial District
6. Airport District
7. Agricultural District
8. Farming District
9. Off-street Parking and Loading
10. Civic Improvement District

B. Maps and Boundaries. The following areas of the County of Maui described as follows, and shown more particularly on maps identified hereinafter on file in the Office of the County of Maui Planning and Traffic Commission, signed by the Chairman of said Commission, which maps together with all explanatory matters thereon shall be deemed to accompany, and are hereby made a part of this ordinance and may be amended in the same manner as any other part of this ordinance:

1. LAND ZONING MAPS NO. 1 AND NO. 2 SHOWING EASTERLY PORTION OF KAHULUI AND SURROUNDING AREAS, as bounded by the following coordinates:

- | North Latitude | West Longitude |
|----------------|----------------|
| a. 20° 54' 14" | 156° 28' 58" |

- | | |
|----------------|--------------|
| b. 20° 54' 34" | 156° 26' 14" |
| c. 20° 52' 23" | 156° 25' 56" |
| d. 20° 52' 03" | 156° 28' 40" |

PROVIDED HOWEVER, that notwithstanding any provision contained in this ordinance as to those areas of the County of Maui not shown on said maps, the provisions of Ordinance No. 267 of the County of Maui, as amended, or as may hereafter be amended, entitled "An Ordinance of the County of Maui to Regulate the Use of Property within the Districts of Wailuku, Makawao, Lahaina and Hana, and to Provide Penalties for the Violation thereof" shall govern and have precedence over this ordinance.

C. Interpretation of District Boundaries. Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following rules shall apply:

1. Where Boundaries Approximately Follow Streets, Alleys or Highways. Where district boundaries are indicated as approximately following the center line or street line of streets, the center line or alley line of alleys, or the center line or right-of-way line of highways such lines shall be construed to be such district boundaries.

2. Where Boundaries Parallel Street Lines, Alley Lines or Highway Right-Of-Way Lines. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, the center lines or alley lines of alleys, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.

3. Where Boundaries Approximately Follow Lot Lines. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries.

4. Where the Boundary Follows a Railroad Line. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.

5. Where the Boundary Follows a Body of Water. Where the boundary of a district follows a stream, watercourse or other body of water said boundary line shall be construed to be the centerline of such stream, watercourse, or body of water. If the boundary follows the Pacific Ocean, it shall be construed to be along the high water mark.

6. Submerged Areas Not Included in District. All areas within the corporate limits of the County of Maui which are under water and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water area. If the water area adjoins two or more districts the boundaries of each district shall be construed to extend into the water area in a straight line until they meet the other district.

7. District Regulations Apply to Schools, Parks, etc. Any areas shown on the zoning maps as park, playground, school, cemetery, water, street, or right-of-way, shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulations of the most restricted adjoining district shall govern.

8. Vacation of Public Ways. Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended districts.

SECTION 4. RESIDENTIAL DISTRICTS

Description and Purpose: The most restrictive of residential districts composed chiefly of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood.

A. Use Regulations. Within the residential districts R-1, R-2 and R-3 as established under procedures set forth in Section 144-95 of the Revised Laws of Hawaii 1955, and Ordinance No. 246 of the County of Maui, no buildings or land shall be used and no building or structures shall be hereafter erected or structurally altered, replaced or enlarged except for one or more of the following uses:

1. One-family dwellings.
2. Greenhouses, flower and truck gardens and nurseries used only for the propagating and cultivating of plants; provided, further, that there shall be no retailing or transacting of business on the premises.
3. Parks and playgrounds—community, public or privately operated. Recreation, refreshment, amusement and service buildings or structures may be permitted in public parks and playgrounds when under the supervision of government agency

charged with the duties and responsibilities of maintaining and operating the parks and playgrounds.

4. Golf courses; except miniature courses, driving tees or ranges and other similar uses for commercial purposes.

5. Churches and dwellings of the clergy connected therewith as an incidental use to that of the church.

6. Schools—elementary, intermediate, high, college and universities, public or privately owned, which may include on the campus dormitories. Trade schools may be premitted with the approval of the Commission.

7. Day-care centers, nurseries, pre-schools, kindergartens and other like facilities designed exclusively for child care services, whether operated separately or as a unit or units of some other function and whether publicly or privately operated; provided, further, that the premises and the buildings intended for the use set forth in this paragraph meet the requirements of the State Department of Health, State Department of Social Services, the State Department of Education, and the Building Ordinance of the County of Maui. The Commission shall have the authority to issue a special use permit for a day-care nursery, center, or pre-school or kindergarten exceeding five children, after favorable recommendation and approval have been received from the governmental agencies listed above.

8. Hospitals (excluding such facilities for contagious, mental or drug or liquor addict cases) provided, however, that the written consent of seventy-five (75) per cent of the property owners within a radius of five-hundred (500) feet from the property to be used for such purposes has been obtained.

9. Nursing or convalescent homes and domiciliary facilities operated and maintained to provide nursing care and/or supportive care to individuals who are not in need of hospital care; provided, however, that the premises and the buildings thereon intended for the uses set forth in this paragraph meet the requirements and standards of the State Department of Health, Fire Marshal of the State of Hawaii and the Building Ordinance of the County of Maui; provided further that said uses of nursing and convalescent homes shall be further subject to the following provisions:

a. The minimum lot area for such use shall be 20,000 square feet with an average lot width of one hundred (100) feet.

b. Yard Spacing. Any building including accessory buildings shall be located not less than twenty (20) feet from all lot boundaries.

c. Building Height. No building shall exceed two (2) stories. There may be the usual necessary buildings in connection with any such dwellings including a private garage of such size as may be necessary for the occupants of each dwelling. Such accessory buildings shall include buildings used for servants quarters provided that the front yard, rear yard and other legal requirements are in compliance.

10. Substations used by Public Utilities for the purpose of furnishing electricity, gas or telephone services, which are not and will not be hazardous, dangerous or a nuisance to the surrounding areas.

11. Buildings or premises used by the Federal, State or County government for public purposes that are authorized by law.

12. Accessory Buildings. There may be accessory buildings located on the same lot or premises, the use of which is customary and incidental, usual or necessary to that of the main building, or to the use of the land. These may include servants quarters or guest house and a private garage of such size as may be necessary for the occupants of the premises. The servants quarters or guest house shall not contain any kitchen facilities except in the case where the lot area is more than ten thousand (10,000) square feet, and in no event shall the quarters be rented or used as a separate dwelling when not occupied by servants or guest. The servants quarters or guest house shall not have a floor area of more than five-hundred (500) square feet, nor shall it exceed twenty (20) feet in width, nor shall it be more than one (1) story in height if constructed as a detached unit from the main building.

13. The renting of rooms or the furnishing of table board for not more than five persons if any such dwelling may be permitted when such use is incidental only to the legal owner's occupancy.

B. Height Regulations

No main building shall exceed thirty-five (35) feet in height

C. Area Regulations

1. R-1 Residential District. Within any R-1 Residential District only those uses enumerated in Section 4 shall be permitted and no building or structure for such uses shall be constructed on any lot having a width of less than sixty (60) feet and an area of less than six thousand (6,000) square feet. There may be more than one single family dwelling on any lot, provided there is not less than six thousand (6,000) square feet of lot area for each dwelling. The six thousand (6,000) square

feet area requirement shall not apply to the building of a single family dwelling on a lot less than six thousand (6,000) square feet in an area where the existing boundaries of such lots were actually established and of record in the Bureau of Conveyances and/or the Tax Office of the State of Hawaii prior to the enactment of the Ordinance establishing the use zone district.

2. R-2 Residential District. Within any R-2 Residential District only those uses enumerated in Section 4 shall be permitted and no building or structure for such uses shall be constructed on any lot having a width of less than sixty-five (65) feet and an area of less than seven thousand five hundred (7,500) square feet. There may be more than one single family dwelling on any lot, provided there is not less than seven thousand five hundred (7,500) square feet of lot area for each dwelling. The seven thousand five hundred (7,500) square feet area requirement shall not apply to the building of a single family dwelling on lots of less than seven thousand five hundred (7,500) square feet in an area where the existing boundaries of such lots were actually established and of record in the Bureau of Conveyances and/or the Tax Office of the State of Hawaii prior to the enactment of the Ordinance establishing the use zone district.

3. R-3 Residential District. Within any R-3 Residential District only those uses enumerated in Section 4 shall be permitted and no building or structure for such uses shall be constructed on any lot having a width of less than seventy (70) feet and an area of less than ten thousand (10,000) square feet. There may be more than one single family dwelling on any lot provided there is not less than ten thousand (10,000) square feet of lot area for each dwelling. The ten thousand (10,000) square feet area requirement shall not apply to the building of a single family dwelling on lots of less than ten thousand (10,000) square feet in an area where the existing boundaries of such lots were actually established and of record in the Bureau of Conveyances and/or the Tax Office of the State of Hawaii prior to the enactment of the Ordinance establishing the use zone district.

4. Front Yard. There shall be a front yard of not less than ten (10) feet in Class R-1 and R-2 Residential Districts and not less than fifteen (15) feet in Class R-3 Residential District from any setback line for street widening purposes; and if no such line exists, then from the main street boundary or front boundary. An attached garage, car port or other permitted accessory use shall provide and maintain the same front yard setback as required for the main building. A detached accessory building any portion of which is located to the side or front of the main building, shall not be less than five (5) feet from such main building and not nearer to the side lot line than the width of the front yard required for the main building.

5. Side Yard. There shall be a side yard on each side of a main building of not less than five (5) feet for a minimum floor area of one thousand (1,000) square feet. An additional six (6) inches shall be required for each additional one hundred (100) square feet of floor space. In the case of a two-story single family residence not exceeding thirty-five (35) feet in height, minimum side yard space shall be ten (10) feet. An attached garage, car port or other permitted accessory use shall provide and maintain the same side yard spacing as required for the main building.

6. Rear Yard. There shall be a rear yard of not less than fifteen (15) feet in a Class R-1 and R-2 Residential Districts and not less than twenty (20) feet in a Class R-3 Residential District from any common boundary line. A detached permitted accessory building, any portion of which is located to the rear of a main building, shall be located not nearer than five feet to such main building; provided, however, that this construction shall not reduce the depth of the rear yard to less than fifteen (15) feet in the Class R-1 and R-2 Districts or to less than twenty (20) feet in the Class R-3 District.

SECTION 5. CLASS A-2 TWO-FAMILY DISTRICT (DUPLEX DISTRICT)

Description and Purpose: A duplex district shall provide most of the desirable residential characteristics attributed to single family districts. It has useful application as a buffer zone along major streets and bordering neighborhood shopping centers.

A. Use Regulations. Within the Class A-2 Two-Family District, no building, structure or premises shall be used and no building or structure shall hereafter be erected, structurally altered, replaced or enlarged except for one or more of the following uses:

1. Any use permitted and as regulated in the R-1, R-2 and R-3 single family districts.

2. Two-family dwelling (duplex).

B. Height Regulations

No main building shall exceed thirty-five (35) feet in height.

C. Area Regulations

1. Within any A-2 Two-Family District, no building or structure shall be constructed on any lot having a width of less than sixty five (65) feet and an area of less than seven thousand five hundred (7,500) square feet. There may be more than one two-family (duplex) dwelling on any lot, provided there is not less than seven thousand five hundred (7,500) square feet of lot area for each two-family dwelling (duplex). This lot width and area requirement shall not apply to the building of a two-family dwelling on lots of less than seven thousand five hundred (7,500) square feet in area where existing boundaries of such lots were actually established and of record in the Bureau of Conveyances and/or Tax Office of the State of Hawaii prior to the enactment of the Ordinance establishing the use zone district.

D. Yard Spacing
1. Front Yard. There shall be a front yard of not less than fifteen (15) feet in a Class A-2 Two-Family District from any setback line for street widening purposes; and if no such line exists, then from the main street boundary or front boundary. An attached garage, car port or other permitted accessory use shall provide and maintain the same front yard setback as required for the main building. A detached accessory building, any portion of which is located to the side or front of the main building, shall not be less than five (5) feet from such main building and not nearer to the side lot line than the width of the front yard required for the main building.

2. Side Yard. There shall be a side yard on each side of the main two-family (duplex) dwelling of six (6) feet. In the case of a two-story two-family (duplex) dwelling not exceeding thirty-five (35) feet in height, the minimum side yard space shall be ten (10) feet. An attached garage, car port or other permitted accessory use shall provide and maintain the same yard spacing as required for the main two-family (duplex) dwelling.

3. Rear Yard. There shall be a rear yard of not less than twenty (20) feet in an A-2 Two-Family (duplex) District from the common boundary line. A detached permitted accessory building, any portion of which is located to the rear of a main two-family (duplex) building shall be located not nearer than six (6) feet to such main building provided, however, this construction shall not reduce the depth of the rear yard to less than twenty (20) feet.

SECTION 6. CLASS A-3 APARTMENT HOUSE
(MULTIPLE FAMILY)

Description and Purpose: There is a trend to provide for multiple family apartment districts generally located outside of the high density core of the central portion of the City or County. It is applicable to areas wherein multiple family apartments are indicated; yet the area has not reached a transitional stage wherein public, semi-public, institutional and other transitional uses are desirable.

A. Use Regulations. Within the Class A-3 Apartment House District for multiple family, no building, structure or premises shall be used and no building or structure shall hereafter be erected, structurally altered, replaced or enlarged except for one or more of the following uses:

- 1. Any uses permitted in the R-1, R-2 and R-3 and A-2 districts.
- 2. Apartment houses (multiple family dwellings).
- 3. Boarding, rooming and lodging houses.
- 4. Bungalow courts.
- 5. Court apartments.
- 6. Mote's.

B. Height Regulations. No main building shall exceed four (4) stories or fifty (50) feet in height, and the maximum height of any building shall be limited by the total floor area which shall not exceed in square feet ninety per cent (90%) of the total lot area upon which the building is to be built.

C. Area Regulations. Every lot within a Class A-3 Apartment District shall have a minimum lot area of ten thousand (10,000) square feet and have a minimum lot width of seventy (70) feet, provided that the area requirement shall not apply to lots where the existing boundaries were actually established and of record in the Bureau of Conveyances and/or the Tax Office of the State of Hawaii prior to the effective date of the Ordinance establishing the use zone district.

D. Yard Spacing. Minimum yard spacing shall be provided in accordance with the following table:

No. of Stories	Side Yard	Minimum Yard Spacing in Feet	
		Front and Rear Yards	
1	10 ft.	$\frac{1}{2}$ the height of the building	
2	10 ft.	with a minimum of fifteen (15)	
3	15 ft.	feet measured from any setback	
4	15 ft.	line for street widening purposes,	
		and if no such line exists, then	
		from the main street boundary or	

front boundary for the front yard;
and from the common boundary
line from the rear yard.

SECTION 7. HOTEL DISTRICT

Description and Purpose: A hotel district is a high density multiple family area of high land values bordering business district and ocean front. This zone includes public and semi-public, institutional and accessory uses. This zone is basically residential in character and as such should not be spotted with commercial enterprises.

A. Use Regulations. Within the hotel districts no buildings, structure or premises shall be used and no building or structure shall hereafter be erected, structurally altered, replaced or enlarged except for one or more of the following uses:

- 1. Any uses permitted in R-1, R-2, R-3, A-2 and A-3 districts.
- 2. Hotel as defined herein.
- 3. Apartment-hotels consisting of more than 20 apartment units.
- 4. Auditoriums and theaters.
- 5. Automobile parking lot and building.
- 6. Bona fide non-profit clubs and lodges.
- 7. Golf courses - privately or publicly owned.
- 8. Non-profit museums, libraries and art galleries, and philanthropic institutions.
- 9. Accessory uses:
 - a. Barber shops.
 - b. Beauty parlors.
 - c. Dancing and hula studios.
 - d. Flower shops.
 - e. Gift and curio shops.
 - f. Haberdasheries.
 - g. Massage studios.
 - h. News and magazine stands.
 - i. Pharmacies and/or drug stores.
 - j. Restaurants and/or restaurants with night club facilities.
 - k. Sandwich or coffee shops.
 - l. Tour service agencies, air line, ship and other travel ticket offices.
 - m. Wearing apparel shops.
 - n. Other accessory, business or service establishment which supplies commodities or performs services primarily for the hotel guests, provided, however, such uses shall be approved by the Commission as conforming to the intent of this ordinance.
- 10. Restrictions on accessory uses:
 - a. All such hotel and/or apartment hotel buildings in which such accessory uses shall be permitted and allowed shall contain more than ten (10) rooms and such accessory uses shall be permitted and allowed only as an adjunct to and as a part of the main building and no other; such building shall be constructed in compliance with the Building Code requirements and with other ordinances, regulations and laws then existing and applicable to business uses.
 - b. All such personal service shops and business shall be operated primarily as a service to and for the convenience of the tenants and occupants of the building in which such services are located.
 - c. Where the lot area is in excess of twenty thousand (20,000) square feet, doors and entrances to such shops and business may be allowed fronting a public street or the interior lot. Further, the shops and business may be constructed as separate buildings provided the location of such shops and business shall have been approved by the Commission.
- B. Height Regulations. The maximum height of any building in a hotel district shall be limited by the total floor area, which shall not exceed in square feet one hundred eighty per cent (180%) of the total lot area upon which the building is to be built.
- C. Area Regulations. Every lot within a hotel district shall have a minimum lot area of not less than ten thousand (10,000) square feet and an average lot width of seventy (70) feet; provided that this requirement shall not apply to lots where the existing boundaries were actually established and of record in the Bureau of Conveyances and/or the Tax Office

of the State of Hawaii prior to the effective date of this Ordinance.

D. Yard spacing. Minimum yard spacing shall be provided in accordance with the following table:

No. of Stories	Side Yard	Minimum Yard Spacing in Feet	
		Front & Rear Yards	
1	10 ft.	$\frac{1}{2}$ the height of the building	
2	10 ft.	with a minimum of fifteen (15)	
3	15 ft.	feet measured from any setback	
4	15 ft.	line for street widening purposes,	
5	20 ft.	and if no such line exists, then	
6	20 ft.	from the main street boundary or	
7	25 ft.	front boundary for the front yard;	
8	25 ft.	and from the common boundary line	
9 & over 30 ft.		for the rear yard.	

SECTION 8. B-1 NEIGHBORHOOD BUSINESS DISTRICT

Description and Purpose: A neighborhood shopping district is one wherein retail business or service establishments supply commodities or perform services to meet the daily needs of the neighborhood.

A. Use Regulation. Within the B-1 Neighborhood Business District no buildings, structure or premises shall be used and no building or structure hereafter be erected, structurally altered, replaced or enlarged except for one or more of the following uses:

1. Bakery goods store.
2. Barber or beauty shops.
3. Book, stationery or gift store.
4. Clothes cleaning agency or pressing establishment.
5. Day-care center and nursery.
6. Delicatessen store.
7. Drug store.
8. Grocery store and meat market.
9. Laundry agency or self-service laundry.
10. Parks, playgrounds and community center, publicly or privately owned and operated.

11. Other similar retail business or service establishment which supplies commodities or performs services primarily for residents of the surrounding neighborhood, provided, however, such uses shall be approved by the Commission as conforming to the intent of this ordinance.

12. Living and/or sleeping quarters shall be permitted but only when constructed above the ground floor of a business building; further, no living and/or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot to the rear of any building.

B. Required Conditions

1. All business, service or processing shall be conducted wholly within a completely enclosed building except for day care centers, nurseries, parks, playgrounds, automobile parking and/or off-street loading.

2. All goods produced on the premises, whether primary or incidental, shall be sold at retail and only on the premises where produced.

C. Height Regulations. No building shall exceed thirty-five (35) feet in height.

D. Area Regulations. Every lot within a B-1 Neighborhood Business District shall have a minimum lot area of not less than six thousand (6,000) square feet and an average lot width of sixty (60) feet.

E. Yard Spacing

1. Front Yard. There shall be a front yard of not less than ten (10) feet from any setback line for street widening purposes, and if no such line exists, then from the main street or front boundary.

2. Side Yard

a. Where the side of a lot in the B-1 Neighborhood Business District abuts upon the side of a lot in any "R" and "A" district, there shall be a side yard of not less than five (5) feet.

b. In all other cases a side yard for a business building shall not be required.

3. Rear Yard

a. In the case where the rear of a lot in a B-1 Neighborhood Business District abuts upon the boundary of a lot in any "R" and "A" district, there shall be a rear yard of not less than fifteen (15) feet, provided further, that where a public alley separates the rear of a lot in the B-1 Neighborhood Business district and a lot in any "R" and "A" district, there shall be a rear yard of not less than ten (10) feet.

b. In all other cases a rear yard for a B-1 Business building shall not be required.

c. When living and/or sleeping quarters are constructed above the ground floor of a business building, there shall be a rear yard to the rear of such building as required in the R-1 and R-2 district at the floor level of the first story.

SECTION 9. B-2 REGIONAL BUSINESS DISTRICT

Description and Purpose: A regional business district as distinguished from a neighborhood business district provides for the sale of commodities or performance of service for a larger segment of population than the average neighborhood.

A. Use Regulations. Within the B-2 Regional Business District no buildings, structures or premises shall be used and no building or structure hereafter erected, structurally altered, replaced or enlarged except for one or more of the following uses:

1. Any use permitted in a B-1 Neighborhood Business District; however, no living or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot.

2. Amusement enterprises including billiard or pool halls.

3. Antique shops.

4. Art galleries.

5. Auditorium and theater.

6. Automobile parking lot and/or building.

7. Automobile service station with or without auto repairing, provided all auto repairing operations are conducted in enclosed building (not to include tire rebuilding or battery manufacturing).

8. Banks.

9. Baseball or football stadiums and other sport activities and amusements.

10. Bath house - commercial (plunge)

11. Baths - Turkish and the like including masseurs.

12. Bird store.

13. Bowling alley.

14. Business offices and agencies.

15. Catering establishments employing not more than five persons.

16. Charity relief.

17. Clinic - medical or dental.

18. Confectionery store.

19. Custom dressmaking or millinery shop.

20. Dance halls.

21. Dancing studio - hula studio.

22. Dressmaking shop.

23. Dry goods and/or department stores.

24. Haberdashery and women's apparel.

25. Hardware and garden supplies stores.

26. Hotels.

27. Jewelry stores or fine art shops including interior decorating.

28. Library.

29. Miniature golf course.

30. Museum.

31. Music conservatory or music instruction.

32. News and magazine stands.

33. Nurseries - flower or plant, provided that all incidental equipment and supplies including fertilizer and empty cans are kept within the building.

34. Nursing and convalescent homes for human beings.

35. Parcel delivery stations.

36. Pet shop not involving the treatment or boarding of cats or dogs.

37. Photographers.

38. Physical culture.

39. Private club or fraternal organization.

40. Private school or business college operated as a commercial enterprise.

41. Professional building.

42. Religious, benevolent, philanthropic societies or functions.

43. Restaurants, cafe or bar.

44. Shoe store.

45. Tailor, clothing or wearing apparel.

46. Any other retail business or commercial enterprise which is similar in its character of rendering sales of commodities or performance of service in the larger segment of population than the average neighborhood and not detrimental to the welfare of the neighborhood; provided, however, that such uses shall be approved by the Commission as conforming to the intent of this ordinance.

B. Height Regulations. No building shall exceed forty eight (48) feet in height.

C. Area Regulations. Every lot within a B-2 Regional Business District shall have a minimum lot area of not less than six thousand (6,000) square feet and an average lot width of sixty (60) feet.

D. Yard Spacing

1. Front Yard

a. Where all the frontage between intersecting streets is located within business districts or industrial districts, no front yard shall be required.

b. Where the frontage of a lot in a B-2 Business District is located abutting a residential district, there shall be a front yard of not less than ten (10) feet from any setback line for street widening purposes; and if no such line exists, then from the main street or front boundary.

2. Side Yard

a. Where the side of a lot in a B-2 Regional Business District abuts upon the side of a lot in any residential district, there shall be side yard of not less than five (5) feet.

b. In all other cases a side yard for business building shall not be required.

3. Rear Yard

a. In the case where the rear of a lot in a B-2 Regional Business District abuts upon the side or rear yard of a lot in any residential district, there shall be a rear yard of not less than fifteen (15) feet; provided, further, that where a public alley separates the rear of any lot in the B-2 Regional Business District and a lot in any "R" and "A" district, there shall be a rear yard of not less than ten (10) feet.

b. In all other cases a rear yard for a B-2 Regional business building shall not be required.

c. No accessory building or buildings shall be allowed in the required rear yard area of any lot occupied by any building containing business uses except for off-street parking purposes.

SECTION 10. B-3 GENERAL BUSINESS DISTRICT

Description and Purpose: This district is applied to the Central Business District and permits all types of general commercial enterprise. Its distinguishing feature is the greater height limit permitted in the area. Manufacturing and nuisance industries are excluded in this zone.

A. Use Regulations. Within the B-3 General Business District no building, structure or premises shall be used and no building or structure hereafter erected, structurally altered, repaired or enlarged except for one or more of the following uses:

1. Any use permitted in a B-1 Neighborhood Business District and B-2 Regional Business District.

2. Apartments, hotels, boarding or lodging houses or dormitories.

3. Auctioneer establishment.

4. Automobile parts store.

5. Automobile repair shop and garage if all operations are conducted within a completely enclosed building.

6. Automobile sales rooms.

7. Automobile storage garage.

8. Automobile upholstery shop.

9. Awning or canvas store.

10. Block printing establishment.

11. Drive-in business including refreshment stands, restaurants and the like.

12. Equipment—rental and sales yard.

13. Feed store.

14. Gymnasiums.

15. Ice cream manufacturing plant and milk depot employing not more than three (3) persons.

16. Ice distributing station and milk depots.

17. Mortuary, subject to approval of the Commission.

18. Plumbing shops conducted wholly within a completely enclosed building and employing not more than five (5) persons.

19. Printing, lithography or publishing shops.

20. Public parking area.

21. Radio transmitting and television stations.

22. Rescue mission and temporary revival churches.

23. Retail poi shops.

24. Retail stores or businesses.

25. Sanitariums.

26. Second-hand store if conducted wholly within a completely enclosed building.

27. Sign painting shop if conducted wholly within a completely enclosed building and employing not more than five (5) persons.

28. Skating rink.

29. Storage building for household goods.

30. Trade school.

31. Used-car lots, provided any repair of automobiles or trailers shall be conducted entirely within a completely enclosed building.

32. Warehouses and yards as an adjunct and part of the operation of the permitted uses listed above and provided, further, that such uses are to be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six (6) feet in height; provided further, that no goods, materials or objects shall be stacked higher than the fence or wall so erected.

33. Wholesale business.

34. Other wholesale stores and distributors in a completely enclosed building not involving the processing or treatment of goods or products and containing not more than 6,000 square feet of gross floor area.

The following uses are hereby expressly prohibited in the B-3 General Business District:

1. Automobile repair, painting or steam laundry.

2. Hatchery.

3. Lumber yard.

4. Machine shop.

5. Plumbing shop employing more than five (5) persons.

6. Storage yard.

7. Trucking and truck storage.

8. Warehouses.

B. Height Regulations. The maximum height of any building in a B-3 business district shall be limited by the total floor area which shall not exceed in square feet five hundred per cent (500%) of the total lot area upon which the building is to be built.

C. Area Regulation. Every lot within a B-3 General Business District shall have a minimum lot area of not less than five thousand (5,000) square feet having an average lot width of fifty (50) feet.

D. Yard Spacing

1. Front Yard

a. Where all the frontage between intersecting streets is located within business districts or industrial districts, no front yard shall be required.

b. Where the frontage of a lot in a B-3 General Business District is located abutting a residential district, there shall be a front yard of not less than ten (10) feet from any setback line for street widening purposes; and if no such line exists, then from the main street or front boundary.

2. Side Yard

a. Where the side of a lot in a B-3 General Business District abuts upon the side of a lot in any residential district, there shall be side yard of not less than five (5) feet.

b. In all other cases a rear yard for a B-3 General Business building shall not be required.

3. Rear Yard

a. In the case where the rear of a lot in a B-3 General Business District abuts upon the side or rear yard of a lot in any residential district, there shall be a rear yard of not less than fifteen (15) feet; provided, further, that where a public alley separates the rear of any lot in the B-3 General Business District and a lot in any residential district, there shall be a rear yard of not less than ten (10) feet.

b. In all other cases a rear yard for a B-3 General Business building shall not be required.

c. No accessory building or buildings shall be allowed in the required rear yard area of any lot occupied by any building containing business uses except for off-street parking purposes.

SECTION 11. M-1 LIGHT INDUSTRIAL DISTRICT

Description and Purpose: This district is designed to contain mostly warehousing, distribution types of activity, and permits most compounding, assembly or treatment of articles or materials with the exception of heavy manufacturing and processing of raw materials. Residential uses are excluded from this district.

A. Use Regulations. Within the M-1 Light Industrial District, no building, structure or premises shall be used and no building or structure hereafter erected, structurally altered, replaced or enlarged except for one or more of the following uses:

1. Any use permitted in a B-1 Neighborhood, B-2 Regional or B-3 General Business Districts provided, however,

that no building, structure or portion thereof shall be hereafter erected, converted or moved onto any lot in an M-1 district for dwelling purposes including hotels and motels, except living quarters used by watchmen or custodians of industrially used property.

2. Animal Kennels.
3. Carpet cleaning plants.
4. Cold storage plants.
5. Commercial laundry.
6. Craft, cabinet and furniture manufacturing.
7. Assembly of electrical appliances, radios and phonographs including the manufacture of small parts only such as coils, condensers, crystal holders and the like.
8. Farm implement sales and service.
9. General food, fruit and vegetable processing and manufacturing plants.
10. Ice cream and milk producing manufacturing and storage.
11. Laboratories—experimental, photo or motion picture, film or testing.
12. Light and heavy equipment and product display rooms, storage and service.
13. Machine shop or other metal working shop.
14. The manufacture, compounding or treatment of articles or merchandise from the following previously prepared materials: Aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, shell, tobacco and wood.
15. The manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and food products except the rendering or refining of fats and oils.
16. The manufacture, dyeing and printing of cloth fabrics and wearing apparel.
17. The manufacture of musical instruments, toys, novelties and rubber and metal stamps.
18. Manufacture of pottery and figurines or other similar ceramic products.
19. Milk bottling or central distribution stations.
20. Plumbing shops having more than five (5) employees.
21. Poultry or rabbit slaughter incidental to a retail business on the same premises.
22. Radio transmitting and television stations, provided that towers are of the self-sustaining type without guys.
23. Replating shop.
24. Retail lumber yard including mill and sash work, except that mill and sash work shall be conducted within a completely enclosed building.
25. Small boat building.
26. Soda water and soft drink bottling and distribution plants.
27. Tire repair operation including recapping and retreading.
28. Vocational and trade schools giving general instruction as prescribed by the State Department of Education.
29. Warehouse, storage and loft buildings.
30. Wearing apparel manufacturing.
31. Wholesale business, storage buildings, non-explosive goods and warehouses.

The above uses are to be conducted wholly within a completely enclosed building, or within an area enclosed on all sides except the front of the lot, by a solid fence or wall or cyclone fence at least six (6) feet in height.

B. Height Regulations. No building or structure nor the enlargement of any building or structure shall be erected or maintained to exceed four stories or forty-eight (48) feet in height, provided, however, that the height of such building or structure shall not exceed one and one-half times the width of the widest street which it fronts.

C. Area Regulations. Every lot within a M-1 Light Industrial District shall have a minimum lot area of not less than seven thousand five hundred (7,500) square feet, having an average lot width of sixty five (65) feet.

D. Yard Spacing

1. Front Yard

a. Where all the frontage between intersecting streets is located within business districts or industrial districts, no front yard shall be required.

b. Where the frontage is located abutting the residential district, there shall be a front yard of not less than ten (10) feet from any setback line for street widening purposes; and if no such line exists, then from the main street or front boundary.

2. Side Yard

a. Where the side of a lot in a M-1 Light Industrial District abuts upon the side or rear of a lot in an agricultural, farming, hotel, apartment, duplex or any type of residential district, there shall be a side yard of not less than ten (10) feet.

b. In all other cases a side yard for light industrial building shall not be required.

3. Rear Yard

a. In the case where the rear of a lot in a M-1 Light Industrial District abuts upon the side or rear of a lot in any residential, agricultural, farming, hotel, apartment or duplex district, there shall be a rear yard of not less than ten (10) feet.

b. In all other cases a rear yard for M-1 Light Industrial building shall not be required.

c. No accessory building or buildings shall be allowed in the required rear yard of any lot occupied by any building containing light industrial business use except for off-street parking purposes.

SECTION 12. M-2 HEAVY INDUSTRIAL DISTRICT

Description and Purpose: Those uses which include the manufacture or treatment of goods from raw materials are permitted in the heavy industrial district. Those uses which are listed under Section 12-A-28 cannot be automatically included in the heavy industrial district because of their hazardous or offensive nature. Provision is made whereby the location and conduct of these uses is subject to review and approval of the Commission and Board of Supervisors of the County of Maui as conforming to the intent of this ordinance.

A. Use Regulations. Within the M-2 Heavy Industrial District, no building, structure or premises shall be used and no building or structure hereafter erected, structurally altered, replaced or enlarged except for one or more of the following uses:

1. Any use permitted in the B-1, B-2 and B-3 Business Districts and M-1 Light Industrial district, provided, however, that no building, structure or portion thereof shall be hereafter erected, converted or moved onto any lot in a M-2 district for dwelling purposes, including hotels and motels, except living quarters used by watchmen or custodians of industrially used property.

2. Alcohol manufacture.
3. Automobile wrecking, if conducted within a building.
4. Brick, tile or terra cotta manufacture.
5. Boiler and steel works.
6. Canneries, except fish canneries.
7. Chemical manufacture.
8. Concrete or cement products manufacture.
9. Factories.
10. Foundries.
11. Freight classification yard (railroad).
12. Junk establishment used for storing, depositing or keeping junk or similar goods for business purposes, provided such establishment shall not be nearer than eight (8) feet from any other property line for the storage of said junk or similar goods except in buildings entirely enclosed with walls.
13. Lime Kilns which do not emit noxious and offensive fumes.
14. Lumber yard.
15. Machine shops.
16. Oil storage plants.
17. Oilcloth or linoleum manufacture.
18. Paint, oil (including linseed) shellac, turpentine, lacquer or varnish manufacturer.
19. Petroleum products manufacture or wholesale storage of petroleum.
20. Planing mill.
21. Plastic manufacture.
22. Railroad repair shops.
23. Rolling mills.
24. Ship works.
25. Soap manufacture.
26. Sugar mills and refineries.
27. In general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration and the like and not allowed in any other district, provided, however, that any use not specified herein shall be approved by the Commission as conforming to the intent of this ordinance.
28. All of the following uses are declared to be special uses and a Use Permit shall be obtained from the Commission with approval of the Board of Supervisors of the County of Maui for the location and operation thereof in the M-2 Heavy Industrial District:

- a. Acetylene gas manufacture or bulk storage.
- b. Acid manufacture.
- c. Ammonia, bleaching powder or chlorine manufacture.
- d. Asphalt manufacture or refining and asphaltic concrete plant.
- e. Blast furnace or coke oven.
- f. Cement, lime, gypsum, or plaster of paris manufacture.
- g. Crematories.
- h. Creosote treatment plants.
- i. Explosives manufacture or storage.
- j. Fertilizer manufacture.
- k. Fish canneries.
- l. Garbage, offal or dead animals reduction or dumping.
- m. Gas manufacture.
- n. Glue manufacture.
- o. Quarry or stone mill.
- p. Rock, sand or gravel or earth excavation, crushing or distribution.
- q. Petroleum refinery.
- r. Saw mill.
- s. Slaughter of animals.
- t. Stock yard or feeding pens.
- u. Tannery or the curing or storage of raw hides.

B. Height Regulations. No building or structure, and no enlargement of any building or structure, except smoke stacks or chimneys, shall be hereafter erected or maintained so as to exceed six (6) stories.

C. Area Regulations. Every lot within an M-2 Heavy Industrial District shall have a minimum lot area of not less than ten thousand (10,000) square feet with a minimum lot width of seventy five (75) feet.

D. Yard Spacing

- a. There shall be a front yard of not less than ten (10) feet from any setback line for street widening purposes; and if no such line exists, then from the main street or front boundary.

2. Side Yard

- a. Where the side or rear of the lot in a M-2 Heavy Industrial District abuts upon the side or rear of a lot of any residential, duplex, apartment, hotel, agricultural or farming districts, there shall be a side yard of ten (10) feet.

- b. In all other cases a side yard for a heavy industrial building shall not be required.

3. Rear Yard

- a. No rear yard spacing shall be required except where the M-2 Industrial District abuts upon an agricultural, farming, residential, duplex, apartment, hotel district, in which case there shall be a rear yard of not less than fifteen (15) feet.

SECTION 13. AIRPORT DISTRICT

A. Permitted Uses. Within an area designated as an Airport District no land, building, structure or any portion thereof shall be used, and no building or structure shall be erected, constructed, enlarged or altered, except for the following uses:

- 1. Runways, taxiways, cleared safety areas, aircraft parking and loading aprons, terminal buildings, control towers, fire stations, airport maintenance shops and warehouses, landscaped areas, vehicular roads, auto parking lots, service stations, transient auto garages, airport postoffices, restaurants and cocktail lounges, soda fountains, flower shops, gift shops, boot black stands, photo shops, lei stands, newsstands, haberdasheries, drug stores, banks, wireless offices, transient hotels, miscellaneous concessions to serve the travelling public, postal transfer stations and bases of operations for airport ground transportation.

- 2. Offices for passenger reservations, ticketing, flight operations, dispatching and communications; flight kitchens; aircraft maintenance facilities; aircraft servicing facilities; aircraft parking areas; aircraft hangars; air freight facilities and air mail handling facilities.

- 3. Facilities for the processing of passengers arriving from foreign ports by Federal agencies, meteorological facilities for the U. S. Weather Bureau and communication and landing aid facilities for the U. S. Federal Aviation Agency.

- 4. Aviation fuel storage and dispensing, freight warehouses, refrigeration facilities for handling of perishable air freight, electro-plating shops, flying schools, flying clubs, Civil Air Patrol, aircraft charter operations, aircraft sales, aircraft parts sales, aircraft tool distribution, utility relays or distribution, aeronautical radio facilities, facilities for contract maintenance of aircraft component parts, air freight pickup and delivery service, airline catering, U-drive business, tour operators and agencies, cold storage plants, animal or veterinary hospi-

tals or kennels, agriculture (other than animal husbandry, poultry and fowl hatcheries), housing for airport personnel, parks, aircraft tire service, aircraft show rooms, bowling alleys, insurance offices, international terminal services, steam bath and massage, trade schools, truck terminals, warehouse storage and loft buildings.

5. Recreational facilities, provided that permission for such recreational facilities shall be first obtained from the Planning Commission.

B. Restrictions on Use. Use of land within an Airport District shall be subject to the following requirements:

- 1. Area Regulations. Each lot shall have an area of not less than twenty thousand (20,000) square feet and an average lot width of not less than one hundred (100) feet.

- 2. Height Regulations. No building shall exceed the height limitation established by the State Airport Zoning Board for the area in question; provided, however, that heights of buildings used for airport terminal and accessory uses shall be as prescribed by the Hawaii Aeronautics Commission.

3. Yard Spacing

- a. Front Yard Spacing. A lot fronting on a major thoroughfare or boulevard shall have a front yard, hereinafter called "front yard spacing," with a depth of not less than twenty (20) feet from the property or setback line and along the thoroughfare or boulevard, which shall be devoted to planting except for portions thereof devoted to vehicle and pedestrian access.

"Major thoroughfare or boulevard" shall mean a street having a minimum width of ninety (90) feet.

- b. Side Yard Spacing. Where the side of a lot in the airport districts abuts upon the side or rear of a lot in an agricultural, farming, hotel, apartment, duplex or residential district, there shall be a side yard of not less than ten (10) feet. In all other case a side yard shall not be required.

- c. Rear Yard Spacing. In the case where the rear of a lot in the airport district abuts upon the side or rear of a lot in any residential, duplex, agricultural, farming, hotel, apartment district, there shall be a rear yard of not less than ten (10) feet. In all other cases a rear yard shall not be required. No accessory building or buildings shall be allowed in the required rear yard of any lot except for off-street parking purposes.

SECTION 14. AGRICULTURAL DISTRICT

Description and Purpose. This is to provide areas for agricultural development which would be in keeping with the economic base of the County.

A. Use Regulations. Within the agricultural district no building, structure or premises shall be used and no building or structure shall be erected, reconstructed, replaced, structurally altered or enlarged except for agricultural uses as follows:

- 1. All forms of animal husbandry.

- 2. All forms of agricultural uses incidental to or in conjunction with the production, cultivation, growing or harvesting of all products of the soil—whether agricultural or horticultural—and of all domestic animals, livestock and poultry, field and truck crops, sugar cane, pineapple, flower and nursery products, fruits, vegetables and nuts. The processing of any of the foregoing or preparation of same for market in the operation, management, maintenance and development of a farm, plantation, ranch or other enterprise engaged in agricultural, horticultural, husbandry including slaughter houses.

- 3. One stand for the display and sale of only those products produced upon the same premises, provided that it has a floor area not in excess of two hundred (200) square feet and is located not nearer than twenty (20) feet to any street or highway, and provided further that the plan for the construction of such stand is approved by the Department of Buildings as conforming to the intent of the Building Ordinance.

- 4. Any other similar uses or enterprises customarily carried on in the field of general agriculture and not obnoxious or detrimental to the public welfare, subject to the approval of the Commission as conforming to the intent of this ordinance.

- 5. Single family dwellings and accessory buildings incidental thereto.

- 6. Churches.

- 7. Golf courses.

- 8. Parks and Playgrounds, privately or publicly owned and operated.

- 9. Schools of all types.

B. Area Regulations

1. Minimum lot area shall be five (5) acres and minimum lot width shall be two hundred (200) feet where the property is used for the raising or keeping of livestock or other domestic animals for commercial purposes.

2. Minimum lot area of not less than one (1) acre and minimum lot width of one hundred (100) feet shall be used for the raising or keeping of poultry, or fowl hatcheries for commercial purposes.

3. A minimum lot area of at least one-half ($\frac{1}{2}$) acre and minimum lot width of one hundred (100) feet shall be provided for each single family dwelling; however, this lot area requirement shall not apply to the building of a single family dwelling on a lot of less than one-half ($\frac{1}{2}$) acre where the boundaries of each lot were established and of record in the Bureau of Conveyances and/or Tax Office of the State of Hawaii prior to the zoning for agricultural district; provided, further, that where single family dwellings are constructed for full-time employees of the agricultural plants of such operation, there shall be not less than six thousand (6,000) square feet of lot area for each dwelling, or in the case of a common housing project to house employees, a special permit shall be obtained from the Commission and the Superintendent of Buildings of the County of Maui as conforming to the intent of this Ordinance and the Building Ordinance.

C. Yard Spacing

1. Front Yard. Where all the frontage between intersecting streets is located within agricultural districts or abuts an industrial or business district, no front yard shall be required. Where an agricultural district abuts any residential district, there shall be a front yard of not less than twenty (20) feet when buildings are constructed in said agricultural district.

2. Side Yard. There shall be no side yard requirement where the side of a lot abuts an agricultural, business or industrial district; however, where it abuts a residential district, there shall be a side yard of not less than ten (10) feet in the case where buildings are constructed.

3. Rear Yard. In the case where buildings in an agricultural district abut upon the side or rear yard of a lot in any residential district, there shall be a rear yard of not less than fifteen (15) feet. In all other cases the rear yard for agricultural buildings shall not be required.

SECTION 15. FARM DISTRICT

A. Use Regulation. Within the farm districts no building, structure or premises shall be used and no building or structure shall hereafter be erected, structurally altered, replaced or enlarged except for one or more of the following uses:

1. Any use permitted in the agricultural district.

2. Accessory Buildings—including a private garage, accessory living quarters, greenhouses, bathhouse, barn, corral, pen, coop, kennel and other buildings incidental to and part of the farm operations.

B. Area Regulations. Every lot within a farm district shall have a minimum lot area of not less than one (1) acre, and a minimum lot width of one hundred (100) feet; provided that for the raising and keeping of poultry and fowl hatcheries for commercial purposes and/or for residential purposes, a minimum lot area of one-half ($\frac{1}{2}$) acre and a minimum lot width of one hundred (100) feet shall be used.

1. Only one (1) single family dwelling may be constructed on one-half acre of land, but accessory buildings necessary for and incidental and ancillary to the farm operations may also be constructed thereon; provided, however, that where single family dwellings are constructed for occupancy for full-time employees for the farm operations and are situated on the same premises as such operations, there shall be not less than six thousand (6,000) square feet of lot area for each dwelling.

C. Yard Spacing

1. Front Yard. Where all the frontage between intersecting streets is located within agricultural districts or abuts an industrial or business district, no front yard shall be required. Where a farm district abuts any residential district, there shall be a front yard of not less than twenty (20) feet when buildings are constructed in said farm district.

2. Side Yard. There shall be no side yard requirement where the side of a lot abuts an agricultural, business or industrial districts; however, where it abuts a residential district, there shall be a side yard of not less than ten (10) feet in the case where buildings are constructed.

3. Rear Yard. In the case where buildings in an agricultural district abut upon the side or rear yard of a lot in any residential district, there shall be a rear yard of not

less than fifteen (15) feet. In all other cases the rear yard for farm buildings shall not be required.

SECTION 16. OFF-STREET PARKING AND LOADING

A. Unless otherwise provided hereinafter in this Section 16, accessible off-street parking facilities for the parking of self-propelled motor vehicles shall be provided on a public or private property in connection with the erection or increase by units or dimensions of any building or structure, to the extent and in the respective quantities hereinafter specified.

1. Residences. For single family residences and two-family dwellings one parking space for each dwelling unit.

2. Apartment District (Multiple Family). One parking space for every living unit.

3. Boarding and Lodging Houses. At least one parking space for every two guest rooms.

4. Hotels. One parking space for every three guest rooms or suites. Where restaurants and bars are maintained, additional parking area of not less than forty per cent (40%) of the total floor area occupied by the restaurant and/or bar shall be provided.

5. Motel, Auto Court and Tourist Court. One parking space for each guest room.

6. Hospitals, Nursing and Convalescent Homes. For hospitals, nursing and convalescent homes, no less than one off-street parking space shall be provided for each three (3) beds.

7. Welfare Institutions and Orphanages. One parking space for every eight (8) beds.

8. Private Clubs or Lodges. For private clubs or lodge buildings where restaurants or bar services are maintained, no less than forty per cent (40%) of the total land area occupied by the buildings shall be provided for off-street parking purposes.

9. Auditoriums, Amphitheatres, Stadiums, Conference Halls, Assembly Halls, Race Tracks, Athletic Fields and Other Places of Public Assembly. No less than one off-street parking space shall be provided for every six (6) seats.

10. Churches and Places of Worship and Mortuaries. One parking space for every ten (10) seats except in the case of churches where 33 $\frac{1}{3}$ per cent of any available and authorized curb parking space within a distance of five hundred (500) feet from the nearest point of the church property may be deducted from the total off-street parking facilities required for churches under this section, provided further that where said curb parking spaces fall within five hundred foot radius of two or more churches, the total number of curb parking spaces shall be pro-rated among the churches.

11. Libraries. For library buildings no less than one off-street parking space shall be provided for every five hundred (500) square feet of floor area in said buildings available for use of patrons, and in addition to the foregoing requirements, where the total number of square feet of said floor area is not divisible evenly by the multiple of five hundred (500), then no less than one off-street parking space shall be provided for floor area in excess of such even division.

12. Business Districts

a. B-1 Neighborhood Business. For business buildings constructed after the effective date of this ordinance, no less than forty (40) per cent of the total area of the lot shall be provided for off-street parking.

b. B-2 and B-3 Regional and General Business Districts.

(1) For business buildings with a total floor area not exceeding two hundred per cent (200%) of the lot area, parking area equal to forty per cent (40%) of the lot area shall be provided for off-street parking.

(2) For business buildings with a total floor area greater than two hundred per cent (200%) of the lot area, a parking area equal to twenty per cent (20%) of the total floor area of the building shall be provided for off-street parking.

13. Light Industrial (M-1) and Heavy Industrial (M-2). For industrial buildings within M-1 and M-2 Districts, constructed after the effective date of this ordinance, no less than forty per cent (40%) of the total area inclusive of front yard spacing shall be provided for off-street parking purposes; provided, however, that an off-street parking area which is less than forty per cent (40%) of the total area but equal to at least one (1) parking space for each permanent employee may be provided for the following accepted uses if there are no retail businesses in the same building or premises: lumber yards, junk yards, metal or plastic fabrication shops, clay or brick manufacturing plants, boat

building or ship repair shops, sugar mills, screening, quarrying or concrete mixing plants, warehouses or storage facilities, machine shops, plumbing shops, fruit, food and candy manufacturing or canning plants, clothes or garment manufacturing plants, poultry or animal slaughter houses or general manufacturing plants.

14. Airport District. No less than forty per cent (40%) of the total area of each lot inclusive of front yard spacing shall be devoted to off-street parking; provided, however, that areas actually devoted to side and rear yard planting strips may be included as part of such off-street parking area. If a lot be used predominantly for storage purposes with no retail or commercial activities, the parking requirements shall be one (1) space for each employee.

15. Substation Used by Public Utilities and Governmental Departments and Agencies.

For substations used by public utility companies for the purpose of furnishing electricity, gas or telephone service to the public or used by governmental departments or agencies in furnishing and maintaining water, sewer and other such services to the public, no less than one (1) off-street parking space shall be provided for each sub-station.

B. General Requirements and Limitations

1. The size of each required off-street parking space shall be of not less than eight (8) feet in width and not less than twenty (20) feet in length, exclusive of any lanes, aisles, or driveways giving access thereto.

2. In computing any off-street parking requirements based on areas, the necessary space for driveways, aisles and lanes shall be included.

3. Every required off-street parking space or area other than for residential use shall be paved with asphaltic or concrete surface or equivalent.

4. Parking areas shall be used for vehicle parking only, and no sales, dead storage, repair work, dismantling nor servicing of any kind shall be conducted on such areas.

5. If lighting is provided, it shall be arranged to reflect away from the residential area or from any public street or highway.

C. Location of Off-Street Parking Facilities

1. Every required off-street parking space or area shall be located on the same lot with the building or structure it serves or on other lots within four hundred (400) feet of the nearest point of said lot and approved by the Commission except as hereinafter provided. Nothing in this section shall be construed to prevent a central location of off-street parking spaces or areas for two or more buildings or uses; provided, however, that the total number of spaces or areas of such combined off-street parking area shall be not less than the aggregate sum of the requirements for each of the buildings or uses computed separately.

D. General Provisions

1. Existing off-street parking facilities shall not be eliminated or reduced to an amount less than that required for new buildings.

2. Ingress and egress to and from required off-street parking space or areas shall be provided with entrances or driveways opening on public streets and said entrances or driveways shall not exceed twenty five (25) feet in width along the curb line of such street; construction of all curb cuts and drops and all driveway specifications and requirements shall be in compliance with standards and requirements of the Ordinances of the County of Maui.

3. Every required off-street parking space and area shall be provided and maintained upon such lot or property so long as the use for which such facilities are designed to serve continues and exists.

4. Whenever any buildings are increased in size, whether by units or dimensions, or moved from one to another lot, the following shall apply:

a. Parking based on units. Any building which is remodelled, altered or enlarged so as to provide more units shall be required to provide and maintain off-street parking facilities for said additional units, unless said units constitute less than twenty (20) per cent of the original total units in which case no additional parking facilities shall be required.

b. Parking for buildings or structures moved from one lot to another. Any building or structure which is moved from one lot to another shall provide parking in the amount required by this ordinance for a new building or structure.

c. Parking based on percentage of total area. For business or industrial buildings constructed prior to the ef-

fective date of this ordinance which are enlarged, altered or remodelled so as to use additional land area, an area equivalent to no less than forty per cent (40%) of such additional area shall be set aside for off-street parking purposes; provided, however, that where no less than forty per cent (40%) of the total area will remain available for off-street parking purposes after such enlargement, said additional off-street parking area shall not be required.

5. When units or measurements determining the required parking space result in requirements of a fractional space, any fraction less than one-half shall be disregarded and fractions of one-half or over shall require one (1) parking space.

E. Substitution. Minimum off-street parking space and land area requirements herein shall be construed to allow for substitution for such parking space and land area requirements of equivalent multi-deck, basement, roof or other parking facilities.

SECTION 17. CIVIC IMPROVEMENT DISTRICT

Civic Improvement Districts are hereby authorized and may be established by the Planning Commission and/or the Board of Supervisors for the purpose of encouraging, securing and maintaining the orderly and harmonious appearance, attractiveness and esthetic development of structures and developments in such districts in order that the most appropriate use and value thereof be determined and protected and that the public health, safety and general welfare be preserved.

A. Precise Plan. A precise plan of any such civic improvement district may be adopted by an ordinance of the Board of Supervisors upon the recommendation of the Commission, prescribing the area included, together with standards as to design and site locations of building. Said standards as to design shall be in conformity with all applicable requirements of the Building Department of the County of Maui and other governmental agencies.

B. Advisory Committee

1. The Chairman of the Board of Supervisors, with the approval of the Board of Supervisors, shall appoint an advisory committee of five members consisting of one member of the Commission who shall be chairman of this advisory committee, one member of the Board of Supervisors and three citizens. In addition, the Planning Director shall be an ex-officio, non-voting member of the Advisory Committee. The three citizen members of the Advisory Committee shall hold office for four (4) years or until their successor has been appointed. The duties of the Advisory Committee are as follows:

a. Review of Plans. No building permit shall be issued for any new building or structure or for the remodelling of the exterior of any building or structure in any civic improvement district heretofore or hereafter established unless or until approval therefor has been given as follows:

(1) The applicant shall submit plans of the proposed building or structure or the remodelling of an existing building or structure to the Planning Director. The Planning Director shall then transmit such plan and other data as may be required to the Advisory Committee. Said Committee shall inspect such plans so as to determine whether such plans comply with the standards as to design and location specification in the precise plan of the Civic Improvement District in which the property is located. Approval or review of the plan so submitted shall take place within thirty (30) days from the date of filing with the Planning Director, unless a longer period is agreed upon with the applicant.

(2) The Committee shall present its findings to the Commission which shall thereupon take necessary and appropriate action. Any action of the Commission, whether granting or denying the precise plan for Civic Improvement District, shall be referred to the Board of Supervisors for its approval; provided, however, that if any such action of the Commission shall not be approved by the Board of Supervisors, the Board may override such action of the Commission and either grant or deny the precise plans, as the case may be, by an affirmative vote of a majority of the members of the Board of Supervisors.

SECTION 18. TYPE OF CONSTRUCTION

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained unless it complies with the type of construction requirement within the Building Code of the County.

SECTION 19. NON-CONFORMING USES

A. Any lawful use of land and/or buildings or structure existing or under construction at the time this ordinance was adopted may be continued although such use does not conform to the provisions of the zone in which it is located. A non-conforming building or structure may be maintained or structurally altered to keep a building or structure in sound condition. No non-conforming use may be enlarged within the building it occupies nor shall it be enlarged or increased to occupy a greater area of land than that occupied by such use at the time this ordinance was adopted. Further, should any permissible non-conforming use of land and/or building or structure become vacant and remain unoccupied for a continuous period of one (1) year, the lot, building or structure shall not thereafter be occupied except by use which conforms to the use regulations of the zone in which it is located. Further, no such non-conforming use shall be changed to a different non-conforming use. Nothing in this ordinance shall be deemed to prevent the restoration or use of a building partially destroyed by fire, flood, wind, earthquake or other casualty or public enemy, provided such destruction does not exceed fifty per cent (50%) of the reasonable value of the building and provided such restoration is started within a period of one (1) year and is diligently prosecuted to completion.

SECTION 20. CHANGE IN ZONING

The Board of Supervisors of the County of Maui may from time to time on (a) its own motion, (b) the recommendation of the Commission, or (c) petition of the property owners, and in all such cases after report by the Commission and public hearings held thereon, amend, supplement or change the regulations and districts herein or subsequently established.

Whenever the owners of seventy five (75) per cent or more of the area of all properties within a distance of seven hundred fifty (750) feet from the nearest point of any area proposed to be changed shall present to the Commission a petition duly signed and accepted by them requesting any such amendment, supplement or change in regulations prescribed for such district or part thereof, the Commission shall act upon such petition within sixty (60) days after the filing thereof. No amendment, change or supplement of the regulations or of the boundaries of districts herein established shall be made except by majority vote of the Board of Supervisors and at the time of the hearing thereon, if a protest against such amendment, supplement or change is presented, duly signed and accepted by owners of fifty five per cent (55%) or more of the frontage of property which will be directly affected by the proposed amendment, supplement or change or by the owners of fifty five per cent (55%) of the frontage of property which is immediately adjacent thereto either in the rear or the sides or across the street, no such amendment, supplement or change shall be adopted except by three-fourths ($\frac{3}{4}$) vote of the Board of Supervisors.

SECTION 21. VARIANCES

In any particular case where strict compliance with the provisions of this ordinance would cause practical difficulty or unnecessary hardship, the owner or lessee (holding under recorded lease the unexpired term of which is more than five (5) years from the date of filing this application) of the property affected, may file a written application with the Commission for a variance from the restrictions imposed setting forth therein the description of the property, the regulations affecting it and the conditions justifying such a variance. The application shall be accompanied by a fee of thirty-five (\$35.00) dollars to cover the cost of the hearing including publication of a notice of public hearing. Published notice and public hearing shall be in conformity with the practice of the Commission. The term "published notice" whenever used means notice by publication in a newspaper of general circulation in the County of Maui for two publications, the first of such publication to be at least ten (10) days prior to the date of the hearing so noticed.

Upon finding by the Commission at the completion of the hearing that the application presents a situation wherein strict enforcement of any provision of this ordinance would involve practical difficulty or unnecessary hardship, and further, that desirable relief may be granted without being detrimental to the public interest, convenience and welfare, a variance permit may be issued to such applicant on such terms and conditions for such period of time as the facts may warrant.

Where the relief requested is for a variance from lot size requirements, the foregoing provisions as to notice and hearing need not be followed and the Commission may vary such requirements, provided: (a) that the applicant's situation involves difficult or unnecessary hardship; and (b) that the relief granted will not be detrimental to the public interest, con-

venience and welfare.

Any action of the said Commission, may be appealed whether granting or denying the relief applied for, to the Board of Supervisors within a period of fifteen (15) days from the date of notice to the applicant. The Board of Supervisors may override such action of the Commission and either grant or deny relief, as the case may be, by an affirmative vote of a majority of the Board of Supervisors.

SECTION 22. SPECIAL USE PERMITS

In any particular case where relief is requested from strict compliance with the ordinance regarding the raising and keeping of livestock and other domestic animals and the raising and keeping of poultry and fowl hatcheries for commercial purposes or otherwise, the property owner or lessee may file a written application for a Special Use Permit setting forth therein the description of the property and the relief requested.

Upon findings of the Commission that relief may be granted without being detrimental to public interest, convenience and welfare, a Special Use Permit may be issued to such applicant on such terms and conditions and for such period of time as the facts may warrant.

Such permits may be revoked by the Commission after due hearing if such action shall be necessary to effectuate the purpose of this Ordinance.

All such Special Use Permits shall be issued without charge.

SECTION 23. ACTION OF THE COMMISSION AND BOARD OF SUPERVISORS

The Commission shall act on all matters pertaining to this ordinance and either approve or disapprove requests within forty-five (45) days after the time of filing of said requests. The time of filing shall be taken to mean when all required data is received by the Planning Director who shall so indicate the date of filing on the application. When the requests presented requires public hearing, notice of which shall be given in a newspaper of general circulation published in the County of Maui, action by the Commission shall be within sixty (60) days after the time of filing of said requests.

In the event the Commission fails to act during the period so specified, such requests shall be deemed to have been approved and a certificate to that effect shall be issued by the Commission. The Commission may, however, with the consent of the applicant, waive the requirements and extend the period for any action by the Commission.

All periods of time for action and other requirements of this Section shall be applicable to action by the Board of Supervisors on matters referred to said Board pertaining to this ordinance, except that the time of filing shall be deemed the date when such matter is transmitted to the Board by the Commission.

SECTION 24. INTERPRETATION, PURPOSES AND CONFLICT

In the interpretation and application of the same, provisions of this ordinance shall be held to have been enacted for the purpose of promoting the safety, health, convenience or general welfare of the community. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreement between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon heights of buildings or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or easements, covenants or agreements, the provisions of this ordinance shall govern.

SECTION 25. ENFORCEMENT

It shall be the duty of the Building Official or his duly authorized representative to enforce any portion of this ordinance relative to building construction and occupancy and it shall be the duty of the Commission, through its Planning Director or other authorized officer, to enforce all other provisions of this ordinance pertaining to land use.

SECTION 26. PENALTY

Any person, firm or corporation violating any provision of this ordinance or who disobeys, omits or refuses to comply with its provisions shall be deemed guilty of misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding five hundred (\$500.00) dollars.

The continuance of any such violation after conviction shall be deemed a new offense for each day of such continuance.

SECTION 27. SEVERABILITY

If any section or part of the section, clause or provision of this ordinance be declared by the Court to be invalid, the same shall not effect the validity of the ordinance as a whole or any part thereof other than the part so declared invalid.

SECTION 28. EFFECTIVE DATE

This ordinance shall take effect from and after its final passage.

THE BOARD OF SUPERVISORS OF THE
COUNTY OF MAUI, STATE OF HAWAII
By /s/ EDDIE TAM
Its Chairman & Executive Officer

ATTEST:

/S/ BONIFACE ESPINDA
DEPUTY COUNTY CLERK, COUNTY OF MAUI,
STATE OF HAWAII.

I, BONIFACE ESPINDA, Deputy County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing Ordinance No. 286 (Bill No. 6 - 1960) passed Second and

Final Reading at the meeting of the Board of Supervisors of the County of Maui, State of Hawaii, held on the 3rd day of June, 1960, by the following aye and no votes. Ayes: Supervisors Richard P. Caldito, Goro Hokama, Harry N. Kobayashi, Soon Oak Lee, Marco M. Meyer, Lanny H. Morisaki, and Acting Chairman Tom Tagawa. Excused: Supervisor Toshi Ansai and Chairman Eddie Tam. Noes: None.

Dated at Wailuku, Maui, State of Hawaii, this 9th day of June, 1960.
(SEAL)

/S/ BONIFACE ESPINDA
DEPUTY COUNTY CLERK, COUNTY OF MAUI,
STATE OF HAWAII

LAND COURT STATE OF HAWAII LAND COURT APPLICATION 1804

CONSOLIDATION OF LOTS 32, 33, 34 AND 35
AS SHOWN ON MAP 5 AND RESUBDIVISION
OF SAID CONSOLIDATION INTO LOTS 39 AND 40
AND
DESIGNATION OF THE FOLLOWING EASEMENTS:
EASEMENTS 1 AND 2 AFFECTING LOT 39
EASEMENTS 3, 4, 5, 6 AND 7 AFFECTING LOT 40

HONOLULU, MAUI, HAWAII

450 KASHIMANU AVENUE
KOHALA, MAUI, HAWAII
OCTOBER 20, 1974

ALEXANDER & BELOWIN, INC.
Properties Group

Nicholas M. Chandra
Registered Professional Land Surveyor
Certificate Number 1488 - S
Land Court Surveyor Certificate 150

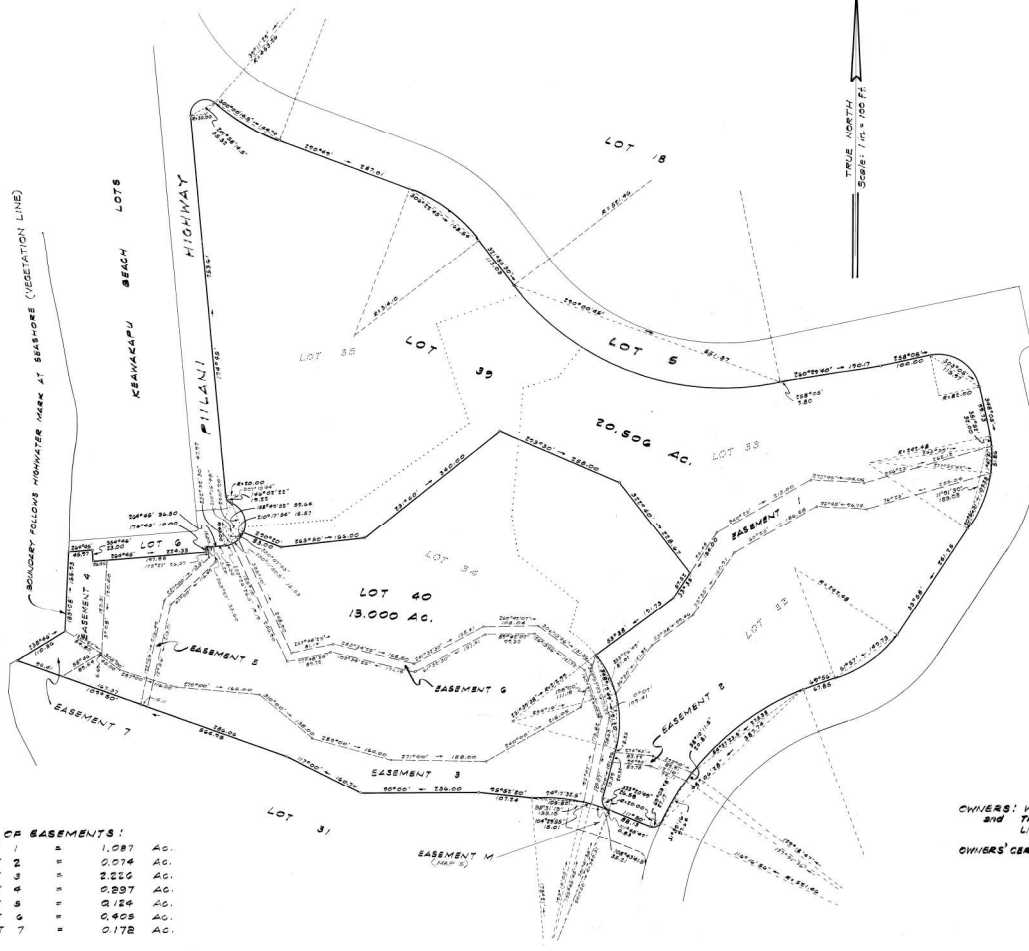
OWNERS: HAILBA LAND CORPORATION
AND
THE NORTHWESTERN MUTUAL
LIFE INSURANCE COMPANY
OWNERS' CERTIFICATE OF TITLE: 156,589

AUTHORIZED AND APPROVED BY ORDER OF THE
JUDGES OF THE LAND COURT DATED NOVEMBER 15, 1974.
BY ORDER OF THE COURT.

Richard K. Espinosa
REGISTRAR OF THE LAND COURT

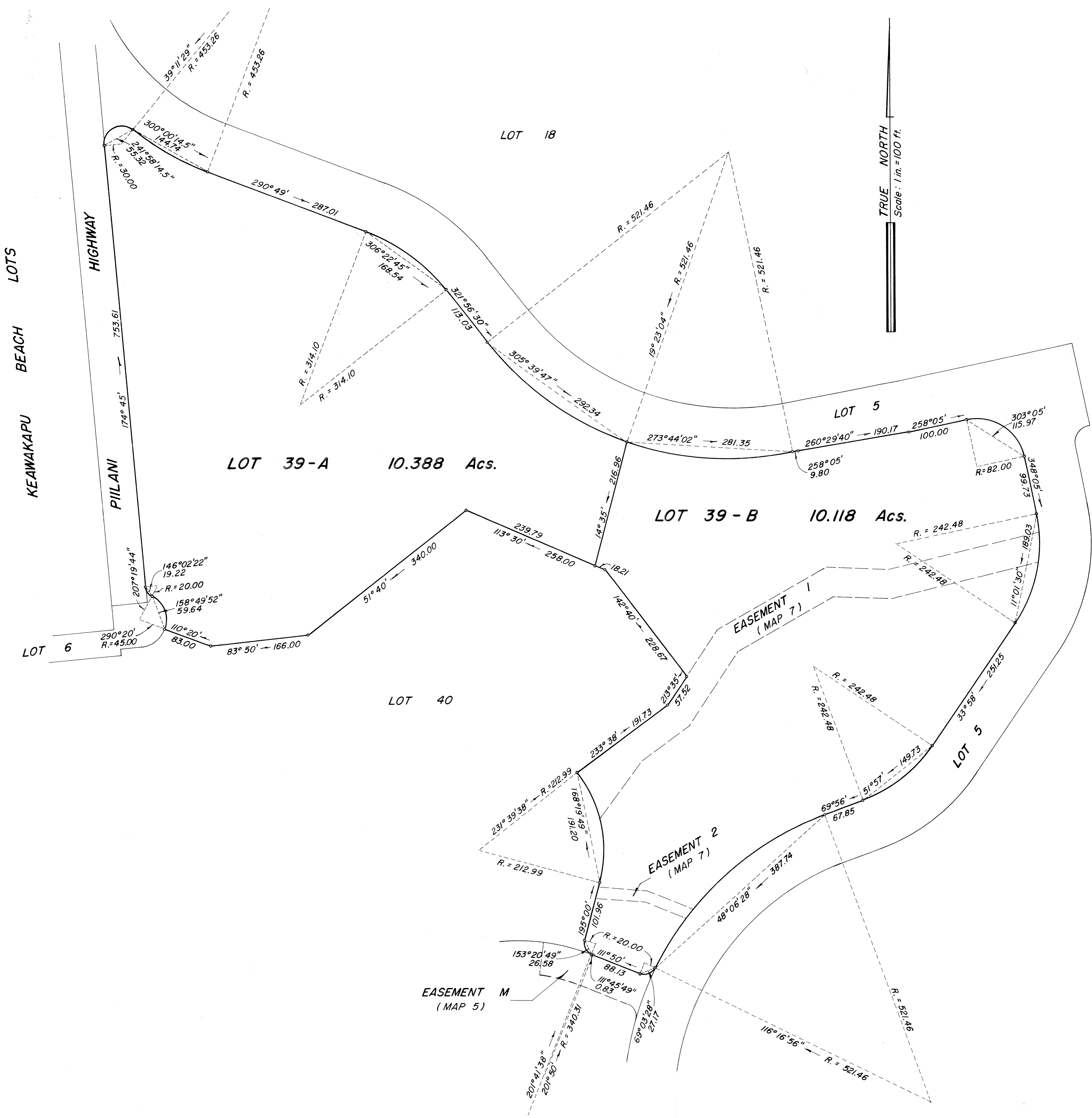
Filed November 4, 1974 Paul G. Gifford
11" x 35" = 4.57 58.58

S
E
A



NOTES:

AREA OF EASEMENTS:		
EASEMENT 1	=	1.087 AC.
EASEMENT 2	=	0.074 AC.
EASEMENT 3	=	2.226 AC.
EASEMENT 4	=	0.897 AC.
EASEMENT 5	=	0.124 AC.
EASEMENT 6	=	0.408 AC.
EASEMENT 7	=	0.178 AC.



LAND COURT
STATE OF HAWAII
LAND COURT APPLICATION 1804

SUBDIVISION OF LOT 39 AS SHOWN ON MAP 7
INTO LOTS 39-A AND 39-B

HONUAULA, MAUI, HAWAII

450 KAAHUMANU AVENUE
KAHULUI, MAUI, HAWAII
JANUARY 14, 1975

ALEXANDER & BALDWIN, INC.
PROPERTIES GROUP

By: *Michio M. Okuda*
Registered Professional Land Surveyor
Certificate Number 2488-S
Land Court Surveyor Certificate 160



OWNERS: WAILEA LAND CORPORATION
and THE NORTHWESTERN MUTUAL
LIFE INSURANCE COMPANY

OWNERS' CERTIFICATE OF TITLE: 156,986

AUTHORIZED AND APPROVED BY ORDER OF THE
JUDGE OF THE LAND COURT DATED MAY 21, 1975.
BY ORDER OF THE COURT.

Rudolph K. Espinda
REGISTRAR OF THE LAND COURT
James A. Smith
Deputy Registrar
Filed May 13, 1975

1804 MAP 10

Land Ownership

Alexander & Baldwin, Inc., owner of the Wailea land, owns 49% of the lands zoned for urban use in the Kihei planning area. The rest of the ownership is scattered, although the Makena-La Perouse area is surrounded by the lands of Ulupalakua Ranch Co. For the 20-year period of this planning study, land availability is adequate, and a desirable land ownership condition is seen. A particularly favorable condition is the substantial acreage of beach front properties owned by the government and set aside in the plan for public recreational use.

LAND OWNERSHIP

-  ALEXANDER & BALDWIN, INC.
-  GOVERNMENT (STATE, COUNTY AND FEDERAL)
-  HALEAKALA RANCH CO.
-  HAWAIIAN HOMES LANDS (STATE OF HAWAII)
-  KAONOULU RANCH CO.
-  ULUPALAKUA RANCH CO., LTD.
-  WAILUKU SUGAR CO.
-  MISCELLANEOUS OWNERS



WALEA

A Introduction

Wailea is set apart in the planned region, a 1,500 acre district, the sole owner of which will devote its considerable financial and management resources to the creation of what is hoped to become a resort destination area unique in the world. Today it is an undeveloped wilderness.

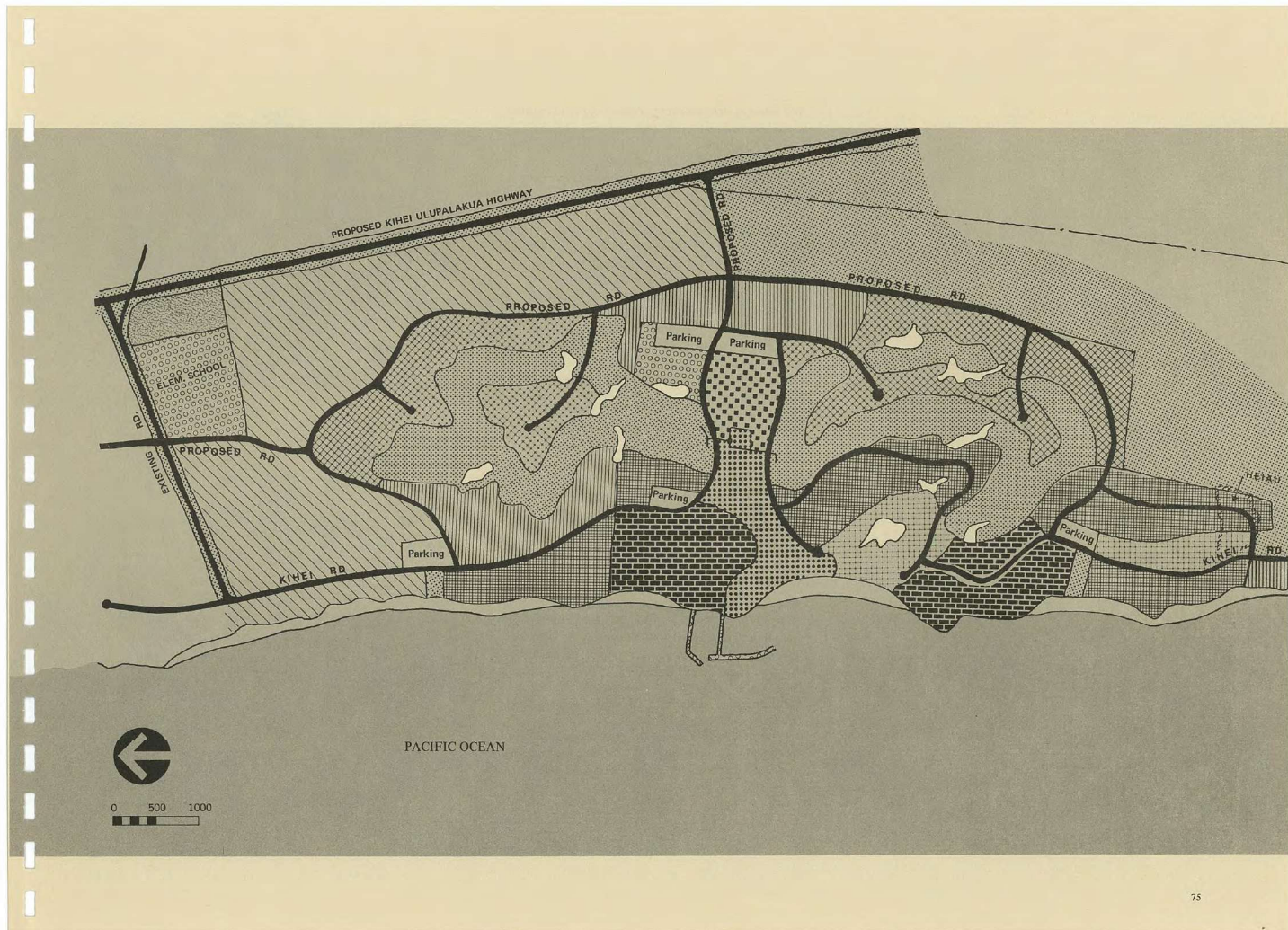
Out of this wilderness, Alexander & Baldwin, Inc., in partnership with a resort planning and construction firm, or several of them, plans to construct about 3,000 hotel units by 1975.

The ultimate investment is estimated to approach \$1 billion in private and public funds, to establish in Wailea a permanent population of 50,000 persons deriving their living all or in part from the resort, which is expected to create 12,500 jobs, in every income range.

The resort complex will be served by the proposed Kihei-Ulupalakua Highway from Kihei and from Ulupalakua and Kula.



	Residential District
	Low Density Apartment District
	Medium Density Apartment District
	Low Density Hotel District
	Medium Density Hotel District
	High Density Hotel District
	Resort-Commercial District
	Business District
	Light Industrial District
	Public Use District
	Park Area
	Open Space
	Rural District
	Agriculture District
	Drainage Canal
	Highway-Street-Road



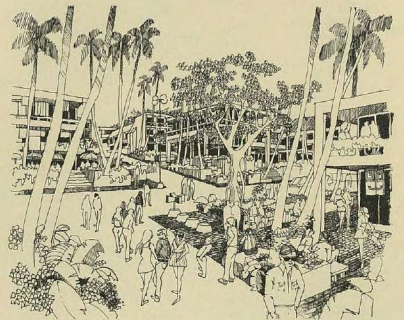
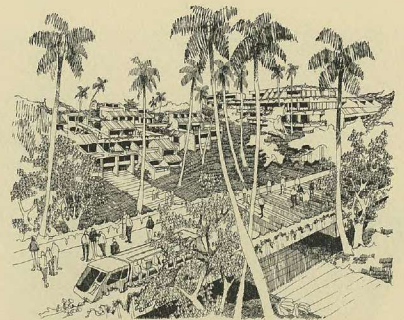
The resort is sited on three of the finest sand beaches in the planned region, along a two mile shoreline. Sloping hills rise from the shore to an elevation of 300 feet, providing a topographical variety not found elsewhere in the planned region except at its opposite end in Maalaea.

No high-rise buildings are planned, but rather a melding of construction with the sloping land and the many small knolls and hills characteristic of the property. The owner is calling the proposed complex "Wailea — City of Flowers". This theme is to be realized throughout the development, by an abundant use of flowering plants — flower-filled plazas, flower-bordered walkways, hanging gardens of flowers. The use of pools and of a variety of other landscaping techniques will produce a blending of the entire resort city into a harmonious whole that it is hoped will spread before the arriving visitor an enchanting vista of a Hawaiian tropical paradise the dream of which has lured him to travel across the Pacific.

Low density construction, together with an 18-hole golf course, will insure openness. The project includes 450 acres for apartment and home use, including appropriate housing for permanent employees of the resort.

B Transportation

No automobile traffic will be permitted within the center of the new city. Internal vehicular traffic will be limited to a system of miniature electric trains or mini-busses, and bicycles. Cars, busses and trucks will enter the resort from the proposed Kihei-Ulupalakua Highway, but will penetrate only the fringes, being distributed there for parking or loading and unloading in heavily screened parking areas. There will be an emphasis on pedestrian traffic inside the resort, with broad and narrow walkways meandering through the complex so as to entertain the walker with a constantly changing adventure in scenic surprise.



C Business Districts

A 50-acre core area commercial center is planned. Here will be the restaurants, shops, cafes, and places of amusement and cultural stimulation.

D Hotel Districts

Two high-density hotel zones will be located on the rocky shoreline of the complex. A low-density hotel district lies off the central beach, bordered by the resort-commercial district to the north and a high-density hotel district to the south. Other hotel zones are distributed so as to provide the resort with variety and corridors of relatively open space.

E Apartment Districts

The Wailea plan provides two medium-density apartment districts, one clustered at the entrance to the project, the other mauka of the northern-most hotel zone. The rest of the apartment zones are for low-density use, around the golf course. When fully developed, the apartment districts will accommodate 5,420 units.

F Residential Districts

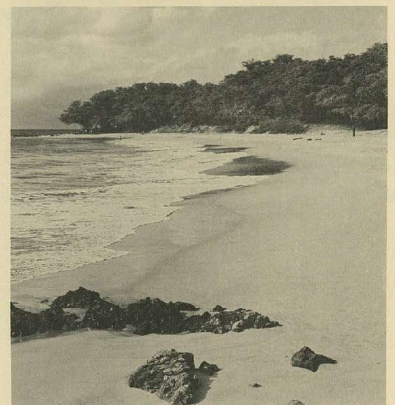
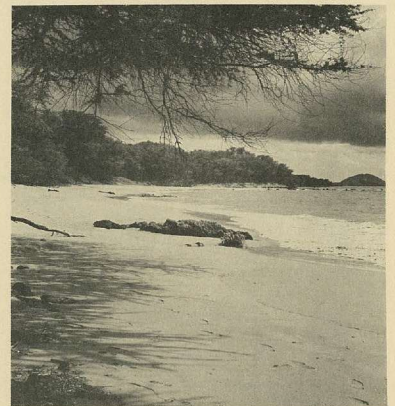
About 1,400 residential units will be accommodated in the project, as indicated in the precise plan illustration.

G Parks and Open Spaces

No sizeable public parks are provided, rather the project is designed to have an overall parklike aspect. Two beach rights-of-way are provided, at the ends of the shoreline sprawl of the complex.

H Public Works

Because of the anticipated population to be established at Wailea, it will tend to be self-sufficient in public services, with its own tire station, police station, post office, branch library and school. The school also will serve the adjoining Kamaole District. A sewage treatment plant will be necessary. Here also, a storm drainage system will protect the project from runoff damage during winter storms.





Conclusion

Wailea is a huge resort town catering primarily to the tourist who wants to escape from the noise and hustle of city traffic. Architecture in this complex will be simple and unobtrusive, woven into the terrain and landscaping. From the sea, the development, when completed, will blend into the terrain and provide a

quiet relaxed setting for visitors and residents alike. It will be "modern" in every sense but without the high-rise buildings usually associated with a resort area.

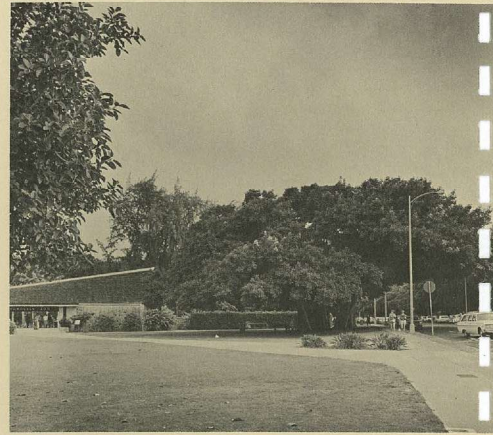
It will also be a healthy and restful community because of the absence of automobile traffic within the built-up areas.



Continuous, high density lateral coastal sprawl forming a barrier between the ocean and the land must be discouraged. The potential for such a coastwise sprawl is most critical between Wailea and Makena, due to the pressure for expansion that may come from the huge Wailea resort project now contemplated.

The danger is less between the other community clusters. Long beach parks separate these clusters from the sea and from each other.

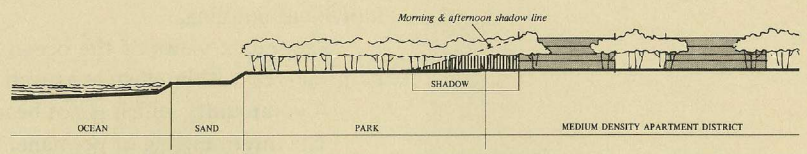
To prevent encroachment of the hotel zones on the beach front, or their looming over residential zones behind and beside them, low and medium density buffer zones are planned. The construction of large buildings should be discouraged in hotel and apartment zones adjacent to or physically and environmentally contiguous to park lands and residential zones. Parks should be kept free of the shadow of tall buildings in the morning and open to the tradewinds. Sunshine is one of the most important features of parks in Hawaii. Low density corridors should be provided adjacent to parks when the parks are located between higher density hotel and apartment districts, to insure visual corridors to the ocean and to further discourage lateral sprawl. In general, the plans call for 200-foot corridors and buffer zones.



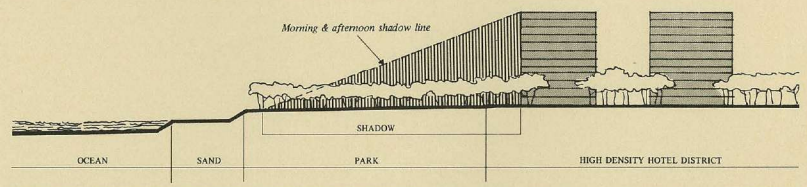
Low density building located across a public beach park.

ALL DISTRICTS

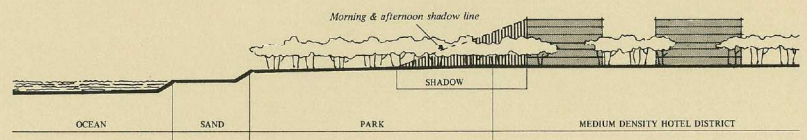
Effect of building shadow on parks adjoining a medium density apartment district



Effect of building shadow on parks adjoining a high density hotel district



Effect of building shadow on parks adjoining a medium density hotel district



PRECISE PLANS

In approaching the precise plans, the following were some of the guidelines used:

The whole environment is more important than the individual building.

Panoramic views of the ocean and ocean vistas must be preserved within clusters as well as between them.

A community which is not beautiful is not functional.

The intermingling of permanent residents and visitors should be encouraged for their mutual enrichment.

LAND USE ANALYSIS

The Land Use Plan divides the region into five community environments – Maalaea, Kihei Wharf Area-Kalepolepo, Kamaole, Wailea, and Makena. Each is the subject of a precise plan. The area between Kihei Wharf Area-Kalepolepo and Kamaole is planned as a large residential district for resort employees and permanent residents.

Maalaea is planned primarily for single and multiple family residential uses surrounding the boat harbor and its associated light industrial uses.

The Kihei Wharf Area-Kalepolepo plan allows for expansion of the existing hotel and related resort uses, but assumes the area will be dominated by long beach parks and large residential areas, giving a feeling of openness.

Kamaole is planned for the only major resort use outside Wailea. A 100-acre resort super-block will accommodate 4,000 hotel units when fully developed.

Here, in particular, the strict application of building height and density regulations will prevent the overshadowing of beach parks by tall buildings and any abrupt confrontation between tall hotel buildings and residential neighborhoods. A detailed outline of the regulations proposed by the plan, including a building-siting bonus

system as an incentive to developers, is included later in this report. The opportunity to create in Kamaole the only major resort complex in Hawaii with more than a mile of public parks between the hotel zone and the sea was a primary consideration in planning for Kamaole's development.

The plan for Wailea is, in essence, that developed for it by its owner, Alexander & Baldwin, Inc., and approved in principle by the County of Maui. Wailea will be the prime resort district in the region with 1,500 acres of hotels, apartments, homes, golf course and supporting commercial facilities to cost an estimated \$850 million by 1985. The project plan emphasizes lavish landscaping. The developers will promote it as a "City of Flowers."

Makena is planned to retain its present character as perhaps the most picturesque district in the region, with the region's most striking physical feature, Puu-Olai, and with the strongest surviving historical flavor of any still inhabited place on Maui outside of Lahaina. The Makena precise plan proposes such diverse uses as luxury residences, hotels and apartments, and wilderness parks with camping facilities. The hill, Puu-Olai, will be completely surrounded at its base with open park. The hill itself will be kept as it is.

DRIP Committee

From: Dick Mayer <dickmayer@earthlink.net>
Sent: Monday, September 14, 2026 2:45 AM
To: DRIP Committee
Cc: dickmayer@earthlink.net
Subject: Written Testimony on Bill 108 South Maui Community Plan (DRIP 25)

You don't often get email from dickmayer@earthlink.net. [Learn why this is important](#)

FOR: 9am, Tuesday, Sept. 15, 2026 DRIP Committee

TO: Chair Tamara Paltin and all DRIP Committee Members
FROM: Dick Mayer dickmayer@earthlink.net
RE: Written Testimony on BILL 108 (2026),
SOUTH MAUI COMMUNITY PLAN UPDATE (DRIP-25)

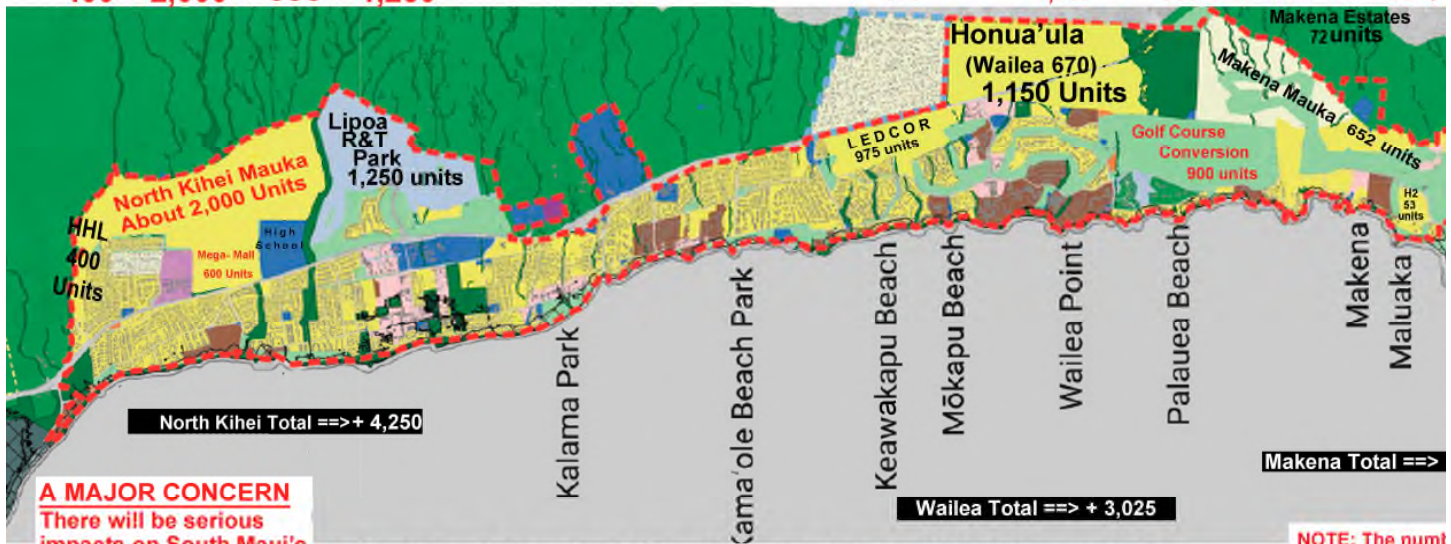
Please include the two graphics that are below into the eComments written testimony for the Committee's use in its discussions.

		Approved and Proposed South Maui Projects (Listed from North to South)								
		Project Name	Development Status	Housing Units	Additional Project Elements needing Water	MINIMUM Water Demand (MGD)	Potential Added Cars @ 1.5 cars/unit	Affordable Units (Workforce Housing)		Un
								Percent	Number	
NORTH KIHEI	1	Kamalani (Hawaiian Homelands)	Already Approved	400		0.24	600 cars	100%	400	
NORTH KIHEI	2	Lipoa R&T Park	Already Approved	1,250	Contains a hotel and 2 Million Sq. Ft. of commercial and industrial dev't	0.80 + Commercial + Hotel Use	1,875 cars	23%	287	
WALEA	3	Ledcor Project in Wailea Resort	Seeking SMA approval from the Planning Commission	975		0.57	1,463 cars	8%	75	
WALEA	4	Honua'ula (Former Wailea 670)	Already Approved	1,150	Contains some Commercial uses	1.00 to 1.30	1,725 cars	25%	288	
MAKENA	5	Makena Mauka (Makena Resort above the Highway)	EIS Approved Seeking final entitlement approvals	652	Contains some Commercial uses	0.72 + Commercial Use	978 cars	20%	131	
MAKENA	6	Makena Estates (Lands above Makena Mauka)	Already Approved	72	Agricultural Estates (Grazing) + farm dwellings	0.42	108 cars	0%	0	
MAKENA	7	H2 Project in Makena	Already Approved	53		0.08	80 cars	0%	0	
Total Already Approved				4,552			6,829 cars		1,181	
Potentially to be Added to the South Maui Plan District										
NORTH KIHEI	8	North Kihei Mauka	Proposed addition in the Draft South Maui Community Plan	2,000	In addition to the 3,500 units, there is much commercial dev't	1.5X + Commercial Uses	3,000 cars	23%	460	
NORTH KIHEI	9	Former Mega-Maul Site		600		1.5X	900 cars	23%	138	
WALEA	10	Chan's Golf Course Conversion to Housing		900		1.5X	1,350 cars	30%	270	
Potentially to be added to the South Maui Plan District				3,500			5,250 cars		868	
South Maui Community Plan These are the major projects in the Planning Commission's Draft to be reviewed by the Maui County Council.				8,052 Housing Units	GRAND TOTALS	6.32 MGD + much commercial	12,279 additional cars	24.6%	1,960 Affordable Units	
						MINIMUM WATER DEMAND	Potential Added Cars @ 1.5 cars/unit	Percent	Number	

400 + 2,000 + 600 + 1,250

+

975 + 1,150 + 900 + 652 + 72 + 53 =>



DRIP Committee

From: Dick Mayer <dickmayer@earthlink.net>
Sent: Monday, September 14, 2026 2:36 AM
To: DRIP Committee
Cc: dickmayer@earthlink.net
Subject: Written Testimony on Bill 108 South Maui Community Plan (DRIP 25)
Attachments: MAP - Proposed Planning Commission South Maui Projects 9-July-2026B.jpg; TABLE - South Maui Com Plan Projects 13-Sept-2026.jpg

You don't often get email from dickmayer@earthlink.net. [Learn why this is important](#)

FOR: 9am, Tuesday, Sept. 15, 2026 DRIP Committee

TO: Chair Tamara Paltin and DRIP Committee Members
FROM: Dick Mayer dickmayer@earthlink.net
RE: Written Testimony on BILL 108 (2026),
SOUTH MAUI COMMUNITY PLAN UPDATE (DRIP-25)

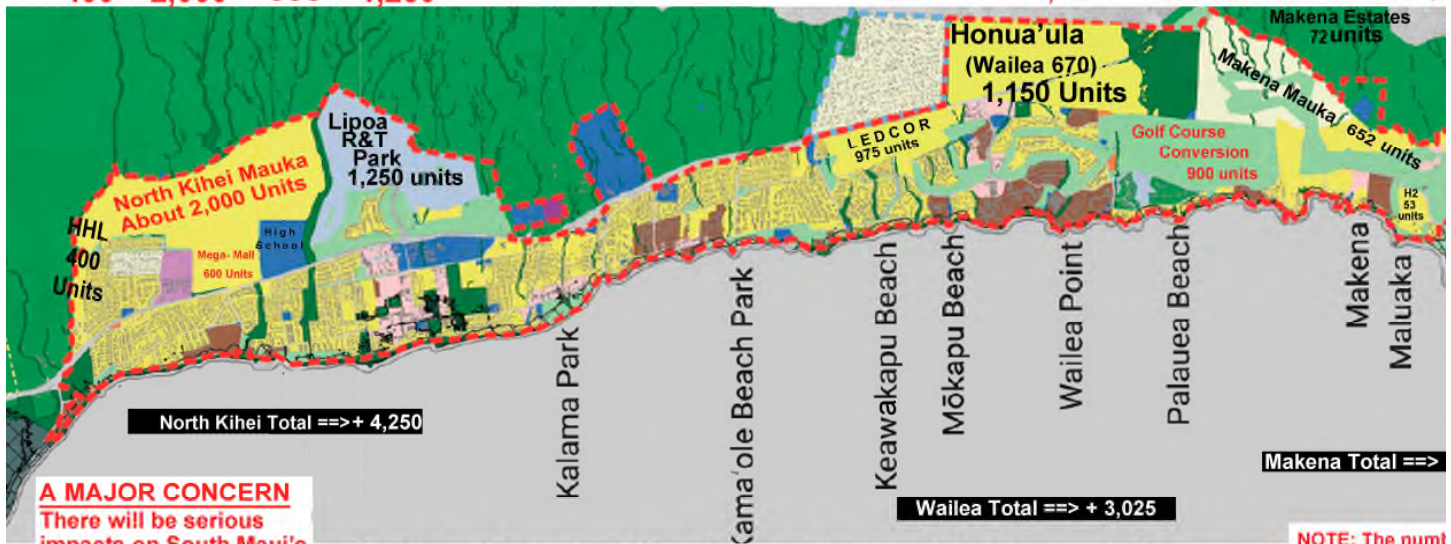
Please include the two graphics that are below and attached into the eComments written testimony for the Committee's use in its discussions.

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400 + 2,000 + 600 + 1,250

+

975 + 1,150 + 900 + 652 + 72 + 53 =>



A MAJOR CONCERN

There will be serious impacts on South Maui's Kamaole Aquifer water supply from the many proposed developments. Management is needed.

The Maui County Council will be reviewing the draft South Maui Community Plan that would allow for more than 8,000 additional units in South Maui which already has significant infrastructure problems, especially water supply and traffic. Several projects have extensive additional elements: the R&T Park also allows 2 million Sq. Ft. of industrial/commercial use and a hotel.

NOTE: The numl do NOT include approximately 2, smaller South M.

DRIP Committee

From: Kay Anderson <kayanderson1@att.net>
Sent: Sunday, September 13, 2026 9:11 PM
To: DRIP Committee
Cc: Kay Anderson
Subject: SMCP Incorrect Please Correct and Oppose the SMCP
Attachments: Agenda March 4 2005.pdf; Letter from Planning Department 022426.pdf; Minutes 030425 Approving Change to SMCP Including Waileas Golf.pdf

You don't often get email from kayanderson1@att.net. [Learn why this is important](#)

Attached are the Agenda, Minutes and Letter (that is in the agenda) Dated 03-05-26 that shows the changes and appropriate approvals for Wailea Golf that was not amended in the SMCP that is being submitted for approval on Monday the 14th. What is in the SMCP that is being submitted is the old version and needs to be replaced with the new version. This, however, cannot be done as an amendment and replacement at the meeting because the public cannot testify to the revised plan. I would recommend removing it altogether and later amending the approved SMCP according to the Maui Plan and then bringing it back as an agenda item in another Council meeting. Can you please call me so we can discuss this. As always, the residents in South Maui always appreciate your support.

Mahalo,

Kay Anderson
President, Wailea808
469-733-5972
808Wailea@gmail.com



Aloha DRIP Committee Members and thank you for allowing me to speak today concerning the South Maui Community Plan.

The SMCP Growth Plan projects population growth between 3,700 and 6,100 new residents by 2045. All projects in this plan are based on these numbers – for example, the need for fire stations. However, based on the details within this plan they have identified over 8,000 new units which could easily increase the population by 16,000. See Attachment 1. This requires increased resources, infrastructure, water, roads, emergency services, police, and more.

I was unable to locate a legally required financial plan that would implement the proposed plan that has many proposed plans and actions. I'm not sure how this will be addressed, will it be addressed during the budgeting process where every Community Plan will be positioning for monies to ensure they can fund their Plan. This is certainly why it is required to have a legal financial plan associated with the CIP's proposed projects and actions.

I noticed that there was limited discussion on water in this Plan when the Kama'ole Aquifer is at least at 90% SY and we have a 2.54mg obligation for the Hawaiian Homelands. New developments are stating they will provide "private" water through Reverse Osmosis. By using this technology, they will potentially withdraw 2g for every 1g of potable water. First, the water is not private! It is Maui's water. Second, this technology is extremely energy intensive and I recommend based on Governor Green's Executive Order that the County Council Require the Developers to implement "Hawai'i's **Clean Energy Initiative**, including the state's **100% Renewable Portfolio Standard by 2045** by using a Solar Farm and battery back-up for the Reverse Osmosis and rooftop solar with batter battery back-up for home electricity. This would take a huge burden off HECO and when we have major storms these homes would be less likely to have power and water issues.

Wailea is a master planned community covering approximately 1,434.1 acres, or 2.34 sq mi. The ULI land-use schedule identifies **37.7 acres** as "common open space," or **2.6%** of the 1,434.1 acres in its table. There are approximately 5,000 homes, residential units, condominiums, town homes, and villa units. The SMCP has projected adding approximately 3,025 new homes or approximately 38% of the total projected new homes in ALL South Maui. What about the density and open space requirements? Traffic congestion and the fact that emergency egress will be impossible.



Finally, I want to remind the Committee of the recent email I sent concerning the outdated Wailea Golf Plan with the documentation of the updated plan and all the appropriate approvals. I don't believe you can approve the SMCP as it is today without removing the outdated Plan.

Mahalo for your time,

Kay Anderson, President

Wailea808

469-733-5972

Wailea808@att.net



469-733-5972
WAILEA808@GMAIL.COM

WAILEA808

90 KAI LA PLACE
WAILEA, HI 96753

SEPTEMBER 12, 2026

DEAR DISASTER RECOVERY, INTERNATIONAL AFFAIRS, AND PLANNING (DRIP) COMMITTEE MEMBERS,

I am writing to alert you that the Wailea Golf's description of the New Area of Change, Envision Change and Challenges and Opportunities was changed from the original proposal which is inadvertently included in the submitted South Maui Community Plan (SMCP) that has been submitted for approval by the DRIP Committee and reviewed by the community for their comments. Unfortunately, your committee and the community will be reviewing an outdated plan.

A Memo was sent by Kate Blystone, Planning Director, to Kimberly Thayer, Chair Maui County Commission and its Members for review and approval on February 24th, 2025 (attached). The Maui County Commission met on March 4th, 2025, and approved the new Wailea Golf Plan (agenda and minutes attached – agenda file name states 2005 but the agenda is 2025).

The issue is that the DRIP Members and the community has been reviewing an outdated plan for discussions – how to proceed since now neither of you have had 6 days to review this Plan. The South Maui Community Plan cannot be approved as is. I see the cleanest method is to remove the Wailea Golf Plan altogether and move forward with approving the SMCP. At a later DRIP meeting add the updated Wailea Golf Plan to another DRIP agenda to amend the SMCP per the Maui Plan and move forward that way.

Thank you for your consideration.

Warm regards,

Kay Anderson

KAY ANDERSON, PRESIDENT

WAILEA808

MAUI PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART I, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A SPECIAL REMOTE PUBLIC MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: March 4, 2025
TIME: 2:00 P.M. – 7:00 P.M.

REMOTE MEETING LOCATION: Interactive conference technology via Webex
Videoconferencing: **Meeting ID: 2660 582 2341 Password: 030425**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Planning Department Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793. Note: The Commission Members may not be physically present at this location. **Due to physical meeting space constraints, attendees are encouraged to attend virtually, via Webex Videoconferencing.**

Members: Kim Thayer (Chairperson), Dale Thompson (Vice-Chairperson), Mel Hipolito, Jr., Ashley Lindsey, Mark Deakos, PhD., Andrea Kealoha, PhD., Brian Ward

A. CALL TO ORDER AND ROLL CALL

Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three minutes.**

To watch the meeting or provide video testimony: Click on or use meeting link: <https://mauicounty.webex.com/mauicounty/j.php?MTID=m8260d0ba49ec67c849e3e1e2a7f8973f>

To listen to the meeting or provide oral testimony via phone, dial 1-650-479-3208 and enter **Meeting Number/Access Code: 2660 582 2341** (press *6 to mute/unmute)

Testifiers via video are asked to sign-up using the Chat function providing their names and the item they wish to testify on. Testifiers via phone will be called by the Chair after in-person and video testimony is finished.

Testifiers will be called by the Chair to offer their testimony, those participating by phone or video are asked to **mute** their audio and video when they are not testifying.

To provide written testimony: Email testimony to planning@mauicounty.gov or submit written testimony by mail to the Maui Planning Commission c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawai'i, 96793. While the Commission requests that written testimony be submitted by noon, one business day before the meeting to ensure distribution to the Commission, testimony submitted after such date and time will still be accepted by the Commission.

Commissioners **shall not** be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

B. UNFINISHED BUSINESS

1. MS. KATE L. K. BLYSTONE, PLANNING DIRECTOR, transmitting the South Maui Community Plan Advisory Committee's recommended revisions to the South Maui Community Plan pursuant to the provisions of Chapter 2.80B of the Maui County Code (K. Comcowich)

[\(Memorandum\)](#)

[\(Draft Plan\)](#)

[\(Prior Testimonies Received\)](#)

[\(Department Recommended Amendments\)](#)

[\(Documents Received After Posting – New Testimony\)](#)

- a) Section 1 | Plan Framework
- b) Section 2 | Policy Framework
- d) Section 3 | Growth Framework
- e) Section 4 | Implementation & Monitoring
- f) Section 5 | Appendices

C. MAUI PLANNING COMMISSION RECOMMENDATIONS: FINAL MOTION FOR APPROVAL

D. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with Commission members participating in the meeting or with the public location identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

An **executive session** may be called in order for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities, pursuant to Sec. 92-5(a)(4), Hawai'i Revised Statutes.

Documents relating to this meeting may be found by clicking on the links provided on this Agenda, on the County of Maui official website at <https://www.mauicounty.gov>, under Boards and Commissions, Maui Planning Commission, and are on file with the Department of Planning.

The address of the Commission to provide written testimony is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawai'i 96793, phone number is 808-270-7735, and email is planning@mauicounty.gov.

Written testimony, whether sent via fax, email or USPS mail should be received by the Department of Planning by noon, one business day before the meeting to ensure distribution to the board. Fifteen (15) copies of written testimony is needed if testimony is presented immediately prior to or at the meeting.

The links for documents received after posting will be updated periodically when testimony or documents is received, up to 12:00 p.m. on business day prior to the meeting.

Oral testimony will be received on any agenda item subject to the provisions of Chapter 92, Hawai'i Revised Statutes, the Commission's Rules of Practice and Procedure. In accordance with these rules, maximum time limits of at least three minutes may be established by the Commission on individual oral testimony. Please note that anyone wishing to provide oral testimony pertaining to an agenda item that is a "contested case" pursuant to Chapter 91, Hawai'i Revised Statutes, will be asked to testify under oath or affirmation, and may be subject to limited cross examination in accordance with Section 91-10(3), Hawai'i Revised Statutes

TESTIFIERS: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawai'i 96793.

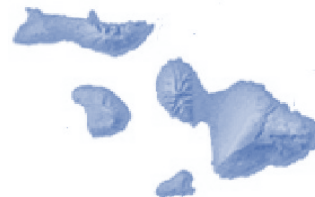
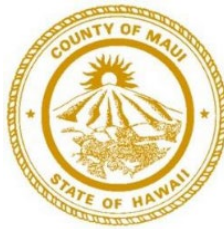
SPECIAL ASSISTANCE: If any person needs an auxiliary aid/service or other accommodation due to a disability, contact the Planning Department at 808-270-7735 (Maui), 1-800-272-0177 (Moloka'i) or 1-800-272-0125 (Lāna'i), or planning@mauicounty.gov, as soon as possible. Requests made as early as possible will allow adequate time to fulfill the request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation. (S:\ALL\CAROLYN\MPC agendas\2025\030425_SMCP_MPC_agenda.doc)

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director

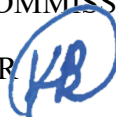


DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 24, 2025

MEMORANDUM

TO: KIMBERLY THAYER, CHAIR
AND MEMBERS OF THE MAUI PLANNING COMMISSION

FROM: KATE L.K. BLYSTONE, PLANNING DIRECTOR 

SUBJECT: FINAL DEPARTMENT RECOMMENDED REVISIONS TO THE DRAFT SOUTH MAUI COMMUNITY PLAN UPDATE

The Planning Department recommends the following changes to be considered by the Planning Commission for the Draft South Maui Community Plan, Section 3. The proposed recommendations reflect discussions that have occurred since Maui Planning Commission began reviewing the draft South Maui Community Plan. Each recommendation includes a description of why the Department recommends the proposed change and the proposed language.

Please feel free to contact me if you have any questions or need additional information.

Attachment

KLKB:JMCT:KJC:rhI

S:\ALL\LONG RANGE\South Maui Community Plan Update\11.0 Planning Commission\Meetings\16. March 4, 2025\SMCP-Final_Recommendations_3425.docx

FINAL DEPARTMENT RECOMMENDED REVISIONS TO THE DRAFT SOUTH MAUI COMMUNITY PLAN UPDATE

Section 3.2 | Community Plan Designations

Page 63 | Resort/Hotel (RH)

To clarify that residential development is allowed in areas designated as Resort/Hotel in the community plan, the department recommends adding “Residential” to the list of appropriate uses:

- Resort/Hotel (RH) 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 and residents. Public beach access must be provided as required by law and will not be discouraged.

Appropriate Uses

- Transient accommodations
- Retail and commercial uses and other visitor amenities
- Residential
- Parks and other public/quasi-public uses.

Section 3.4 | Areas of Change

Page 98-99 | Maui Research and Technology Park

For Līpoa, formerly Maui Research and Technology Park, the Planning Department recommends that all areas currently designated Special Purpose District (SPD) be designated Transit Oriented Corridor (TOC) with a policy to ensure the zoning for this area takes precedence. This will ensure maximum flexibility within their existing zoning. It is also noted that Maui Research and Technology Park’s name recently changed to Līpoa. This name change should be reflected throughout the draft submitted to Council.

- New Area Specific Policy | For lands comprising the Maui Research & Technology Park, the provisions of Maui County Code, Chapter 19.38, Maui Research & Technology Park District shall guide permitted uses if there is any discrepancy between allowable zoning uses and interpreted uses in the community plan designations.
- Updated figure 3.13: Area of Change. The Community Plan Designation change will also need to be reflected on page 79, Figure 3.5: Subarea 3 | South Kīhei.

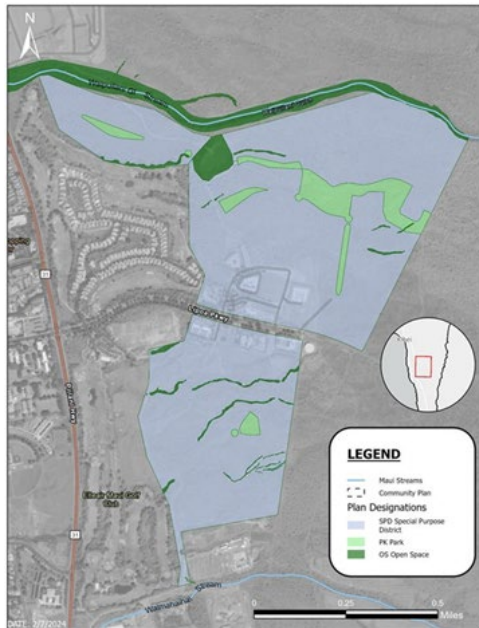


Figure to be removed



New Figure 3.13

New Area of Change | Wailea Golf

The Maui Planning Commission recommended including the Wailea Golf Course redevelopment proposal in South Maui Community Plan. The following is the proposed language for this Area of Change.

- **Wailea Golf**

The original masterplan for this area included two golf courses (36 holes/356 acres), a tennis center (6 acres), single-family residential (70 acres), and multifamily/apartment units (126 acres). Today, the Wailea property spans 548 acres, with three championship golf courses (~530 acres), a tennis club (6 acres), and 12 acres of ancillary property. Key landmarks include the Wailea Blue Pro Shop, Mulligans Irish Pub, and the Wailea Gold and Emerald Clubhouses. Located in the moku of Honuaʻula and the ahupuaʻa of Paeahu, Palauea, Keauhou, and Papaʻanui, the property is now poised for change to address evolving community needs, including workforce housing, transportation, water sustainability, and cultural preservation.

Envision Change

The proposed redevelopment would reduce the emphasis on golf, eliminating 18 holes to provide diverse housing types, neighborhood-serving businesses, amenities, and open spaces. The development will prioritize walkability, creating mixed-use zones and a multimodal network for better connectivity in the area while reducing reliance on cars. Environmental and cultural resilience will be strengthened through green infrastructure, sustainable water practices, and disaster preparedness. Plans include a Hawaiian Culture & Learning Center, botanical garden, and a native plant nursery. Community

feedback has refined goals to create a multimodal transportation system, exceed workforce housing requirements, and integrate community hubs, parks, and open spaces, while promoting Hawaiian culture and community resilience.

Challenges and Opportunities

Redeveloping Wailea Golf presents both challenges and opportunities. While existing infrastructure such as water and wastewater systems provide a foundation, significant upgrades are needed. Traffic congestion is a concern, and solutions will focus on improving road safety and supporting multimodal transportation. Addressing flooding risks and disaster preparedness is critical. However, the redevelopment also offers opportunities to address workforce housing shortages by building homes near key employers, enhancing walkability with mixed-use neighborhoods, and providing green spaces and recreational amenities for residents. Additionally, cultural preservation and environmental sustainability will ensure the project benefits the community long-term, fostering a resilient, active, and connected Wailea.

**MAUI PLANNING COMMISSION
REVIEW OF SOUTH MAUI COMMUNITY PLAN UPDATE
SPECIAL MEETING
MEETING MINUTES
MARCH 4, 2025**

A. CALL TO ORDER AND ROLL CALL

The regular meeting of the Maui Planning Commission was called to order by Chair Kim Thayer at approximately 2:06 p.m., Tuesday, March 4, 2025 in the Planning Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793 and online via WebEx; **Meeting ID: 2660 582 2341 Password: 030425**

Roll call was taken by Director Kate Blystone. Chair Thayer and Commissioner Ward were in attendance in-person. Vice-Chair Thompson, Commissioner Deakos, Kealoha and Lindsey were in attendance via WebEx. Commissioner Hipolito, Jr. was excused.

Ms. Thayer: Brilliant! Good afternoon. Welcome everybody to our March 4th, 2025 02:00 meeting regarding the South Maui Community Plan. Roll call please, director.

Ms. Blystone: Mahalo Chair, sorry. So Commissioner Deakos.

Dr. Deakos: Aloha. I am alone in my home office in Napili.

Ms. Blystone: Commissioner Kealoha.

Dr. Kealoha: Good afternoon, I'm at home in my office alone.

Ms. Blystone: Mahalo. Commissioner Lindsey.

Ms. Lindsey: Aloha mai kakou, I am in Wailuku in my office alone.

Ms. Blystone: Commissioner Ward.

Mr. Ward: Hello, everybody, and I am present into a very empty room.

Ms. Blystone: Vice-Chair Thompson.

Mr. Thompson: Good afternoon, at home and one guest here that may or may not hear us.

Ms. Blystone: Mahalo. Chair Thayer?

Ms. Thayer: Yes, I'm here.

Ms. Blystone: All right. And we also have Commissioner Hipolito is excused.

Ms. Thayer: Okay. All right. Thank you everybody. And so everybody following us online and at home, we are going to take a break because we have not had a break in several hours and we need our commissioners to re energize, get some blood flowing, take a bio break, whatever you may need to do to, go through the rest of our two agendas for today. So we are going to recess this meeting and resume the last of our 1st agenda for today, to finish out item B1. But I want to give everybody a decent break to do everything you need to do to rejuvenate yourself. So it is two oh eight right now. If we come back at 02:20, does that give everybody enough time to stretch hydrate, nourish etc.

Mr. Hopper: Chair?

Ms. Thayer: Yes.

Mr. Hopper: This is Michael Hoppers. So I think the 1st thing is to recess this meeting to a specific time that you can announce when you're gonna resume the other meeting. I thought it would be brief, but I think you'd want to let people in this meeting know when you're going to be recessing the meeting till. So they know when to come back. So if someone's only watching this meeting, they can know about when to come back. I think that's, that would be a preferred practice.

Ms. Thayer: Okay, thank you. So commissioners, what we have left, you know, to figure out this timing, what we have left on our last agenda is Section 3.5 Areas of stability. Gulches. So one way we can do this is to go back to that agenda and just do a cursory move ahead with what's there because this 02:00 agenda that we have is gonna go through the whole entire plan all over again and there's lots of policies that talk about the implications of gulches anyway. So we could close out that discussion relatively quickly and just have that wrapped into this agenda. In which case, we would be able to pick up with this agenda relatively quickly. How does everybody feel about that?

Mr. Ward: Good done good.

Ms. Thayer: I see good from Commissioner Ward.
Good from Commissioner Deakos, nodding, everybody ok online. Okay, brilliant. So, let us take 10 minutes though. We'll still come back at 02:20 and close out our gulch discussion and then we'll say 02:30, we will resume this 02:00 meeting. Everybody follow that? Yep, so we'll see you at 02:20 to close out our 1st agenda and then 02:30 to come back to this one.

Mr. Hopper: So chair, just to be clear, 02:20 at the meeting link that started at 09:00 A.M. for that meeting.

Ms. Thayer: Yeah.

Mr. Hopper: Okay, so this meeting's going to be reassessed until 2:30?

Ms. Thayer: Correct.

Mr. Hopper: Okay, thanks.

Ms. Thayer: Thank you. See you at 02:20 everybody on the other link.

Meeting recessed: 2:08 p.m. to finish up the recessed February 18th meeting.

Meeting reconvened: 2:35 p.m.

A. UNFINISHED BUSINESS

1. **MS. KATE L. K. BLYSTONE, PLANNING DIRECTOR, transmitting the South Maui Community Plan Advisory Committee's recommended revisions to the South Maui Community Plan pursuant to the provisions of Chapter 2.80B of the Maui County Code (K. Comcowich)**

(Memorandum)

(Draft Plan)

(Prior Testimonies Received)

(Department Recommended Amendments)

(Documents Received After Posting – New Testimony)

a) Section 1 | Plan Framework

The commission reviewed Section 1, Plan Framework and accepted the changes and / or provided revisions and comments as discussed.

b) Section 2 | Policy Framework

The commission reviewed Section 2, Policy Framework and accepted the changes and / or provided revisions and comments as discussed.

Meeting recessed at 4:34 PM and reconvened at 4:45 PM.

With no objections from the Commission, moved Section 4 and Section 5 before Section 3 of the agenda.

d) Section 4 | Implementation & Monitoring

The commission reviewed Section 4, Implementation & Monitoring and accepted the changes and / or provided revisions as discussed.

e) Section 5 | Appendices

The commission reviewed Section 5 Appendices and accepted the changes and / or provided revisions and comments as discussed.

Meeting recessed at 5:18 PM and reconvened at 5:30 PM.

c) Section 3 | Growth Framework

The commission reviewed Section 3, Growth Framework and accepted the changes and / or provided revisions and comments as discussed.

Ms. Thayer: Beautiful. Good afternoon. Again, everybody, Welcome back to our Maui Planning Commission meeting of Tuesday, March 4th, 2025 regarding the South Maui Community Plan and we are on our 02:00 meeting agenda. We've already taken roll and established quorum and just an overview, so this agenda takes us back through our whole entire plan and this is leading up to our final recommendation, which could be a motion for approval or written comments or some combination thereof to pass on to council for their review and action.

So, unless the department has anything to say 1st we will go into public testimony. Okay, and seeing none from the department, let us go into public testimony. We have one person here in the gallery. No yes, and our our our custom is to do in-person testimony 1st and then go to everybody online. Just real fast Leilani, could you tell us the 1st three people who are signed up to testify on-line?

Ms. Ramoran-Quemado: We do not have anybody signed up on-line.

Ms. Thayer: Okay.

Ms. Mukai: Hi, good afternoon, chair members of the commission. I'm Erin Mukai of Pacific Rimland and here today to speak on behalf of the landowner for the Maui Research and Technology Park. We've met with the department and have worked together on their recommended revisions related to the MRTP and we would appreciate sharing our position for your consideration.

One, support for the new area specific policy. We support the department's new area specific policy for MRTP. This policy acknowledges our unique zoning code and that it should guide permitted uses in the event of any discrepancies between the plans.

Two, support for the land use designation change. We also support the department's recommendation to change the land use designation from special purpose district SPD to transit oriented corridor, TOC only if paired with the new area specific policy.

Three, requests for one unified designation. However, we asked the commission to designate the entire MRTP area with one single designation, in this case TOC rather than multiple designations. So the whole property would be read as TOC. Having multiple designations for the MRTP would create inconsistencies with our zoning controlling plan, which governs zoning and land uses at MRTP. The controlling plan is based on precise maps and meets and bounds that the county uses to determine zoning subdistricts.

If we are given multiple community plan designations, it will create conflicts with the boundaries of the various districts of the controlling plan leading to unnecessary complexity and technical permitting issues in the future.

By designating the entire MRTP as TOC, we can avoid these mapping and technical issues altogether. Both maps can coexist without ambiguity over where one boundary ends and another begins.

Thank you for the opportunity to provide this testimony today and thank you for your work on the plan.

Ms. Thayer: Mahalo for your testimony. Commissioners, any questions for the testifier? Seeing. I'm just letting Commissioner Ward read through the written testimony. Vice-Chair Thompson.

Mr. Thompson: Yes, thank you chair. So I was wondering on the, so the maps on that property, do the revised ones, take an account for the gulches? I think that was the hang up we had from before, but I agree it should be all one, they worked very hard to get the zoning that they have on there and it's particular to them, but I I thought that there was something with the zoning with did the planning department and then work that out?

Ms. Mukai: So right now if I could commissioner, thank you for the question. What's on the table, what the department is recommending is TOC designation with the gulches still being shown throughout the property. We are requesting that everything be transit oriented corridor.

Mr. Thompson: Okay, thank you very much.

Ms. Mukai: Thank you.

Ms. Thayer: Commissioner Lindsey, you weren't raising your hand, yeah, that was it, ok. Commissioner Ward?

Mr. Ward: Thank you chair. Thank you for testimony. Thank you and for being flexible. Question for you on the parks because the requested modification is all red.

Ms. Mukai: Correct.

Mr. Ward: Would you be open to having a policy that would state what percentage of space would be parks just so that or.

Ms. Mukai: So thank you for the question. We do have that spelled out in our code already in in Maui County Code chapter 19 point 38. My preference would be not to include that detailed here just because when we have plans for parks that everything's kind of laid out in our zoning, and we have land set aside for parks too. Open space and parks.

Mr. Ward: Okay. I just wanted to clarify that just for beyond the record.

Ms. Mukai: Yeah. Thank you so much.

Mr. Ward: I think visually it's kind of like, wait, you took parks away, so thank you for that.

Ms. Thayer: Okay, any further questions for the testifier? Okay, seeing none, thank you.

Ms. Mukai: Thank you very much.

Ms. Thayer: So, you have people sign up online? Okay.

Ms. Ramoran-Quemado: Ok. Dick Mayer, Cal Chipchase, Bo Yuan, and then Johann Lall.

Dick Mayer: Are you calling on me?

Ms. Thayer: You're a little bit soft.

Mr. Mayer: Okay, can I speak louder?

Ms. Thayer: Yeah, that's good.

Mr. Mayer: Very good. I'd like again to share something with you and see if I can pull it off this time more easily. Oh, I've got a whole different window. Okay.

It's a different Webex from this morning. But question I have, I'd like someone to ask the Planning Director Kate Blystone, a question. The Planning Department recommended that there be a need for 800 to 1700 more homes in South Maui in the 20 year planning period.

The question I have is why hasn't the planning department stayed with that recommendation? What has changed that has allow allowing them now to make recommendations that would allow is up to 8000 units, about four times the number that was recommended previously when the plan planning process began. Is there an increased demand? Has, has the financing changed? What, what is the reason why you would want that many houses in South Maui with the infrastructure already is overtaxed. So, I'd like to have either I can ask it or have one of you ask the planning directive to please explain how they got to this position of having such a great inconsistency. And that's all. Thank you.

Ms. Thayer: Yes, thank you. We noted down your question. This is not what the director won't be able to answer you directly, but we have that question written down to ask her once testimony is done.

Mr. Mayer: Thank you very much. I hope you do.

Ms. Thayer: Any other commissioners, any questions for the testifier? Commissioner Kealoha? Oh, you're on mute.

Dr. Kealoha: Thank you. Mahalo for your testimony. Can you briefly just mention how you get to 8000?

Mr. Mayer: Okay, there are 10 projects that I can see as being either already approved or that you are now considering, and I'll go through them very quickly. 400 for Hawaiian Homelands, 2000 for Kihei North Mauka area, 250 are probably in the or maybe more in the mega mall site. 1250 in the R & T Park. 975 in the Ledcor property. 1150 in the Wailea 670 Honua'ula site. The golf course conversion 900. Kihei Makua 900, and then

two much smaller projects, the H2, which you recently approved with around 53, and then above the above the Makena Mauka, excuse me, is the estates up there which have 36 lots, but they're all allowed to have farm dwellings, so probably another 72 lots total up there. The total comes up to 7950.

Dr. Kealoha: Okay, thank you. And these are projects that have not been some of them have been approved, but some of them are not.

Mr. Mayer: Your your plan as it's now drafted, would enable those other ones to go through or actually have been encouraged almost.

Dr. Kealoha: Okay, thank you.

Ms. Thayer: Any further questions commissioners for the testifier? Okay, seeing none. Mahalo again for your testimony.

Mr. Mayer: Thank you all and best wishes.

Ms. Ramoran-Quemado: Next testifier is Cal Chipchase to be followed by Bo Yuan and then Johann Lall.

Mr. Chipchase: Good afternoon, commissioners. Cal Chipchase, picking up on my testimony with respect to Honoa`ula. I think as we come to the end of the process, this is probably our last opportunity to talk about the changes that we have talked about for some months now.

One is that Honua`ula requests that the site map in the community plan be modified to reflect our phase two approval, as I've talked about, the department's map is close, but does differ in some critical ways. My testimonies of January 27th and this February 17th, my written testimony set out the correct map and I'm happy to walk through the differences and why it's important to align the map with our phase two approval. And 2nd is the setback along that portion of Piilani Highway that we've discussed, currently anticipated to be a hundred and 50 ft under the community planning maps. We've requested 40 ft and my testimony's detail the impact that the larger setback would have in particular on the area that has already been designated by the planning commission for workforce housing.

And the last aspect is the gulch policy, and I've set out in the testimony in response to Commissioner Ward, I believe had requested it proposed amendments to that policy that would recognize that the community plan maps are not subdivision or or precisely done maps when it comes to gulches in other areas and that would allow refinement, alteration reduction and removal of gulch areas if further planning processes warrant. Thank you.

Ms. Thayer: Mahalo for your testimony. Commissioners, any questions for the testifier. Commissioner Ward.

Mr. Ward: Thank you chair. Thank you for your testimony. To clarify the gulch since that's topic we're gonna be talking about at some point today, to just to clarify, it would be policy 2.4.6 revision that was provided.

Mr. Chipchase: Two policies I believe Commissioner Ward. That is one of them. If you give me a moment, I will identify the other one for you.

Mr. Ward: I think it was 2.4.5B.

Mr. Chipchase: 2.4.6 and 2.5.8.

Mr. Ward: Thank you.

Ms. Thayer: Any other questions for the testifier? Commissioner Kealoha?

Dr. Kealoha: Mahalo for your testimony Mr. Chipchase. I keep going back and forth about this and well I think as a commission, we keep going back and forth about this gulch thing too, and I my question for you is other than providing more space for development, which I get, how does reducing the boundaries of the gulches benefit the community?

Mr. Chipchase: Yeah, I, I appreciate the question. So I think as you've heard through a significant portion of the the testimony, folks who are familiar with the areas have commented that the gulches has mapped or inaccurate in some ways both as to size or as to location. And you also heard a lot of testimony that the proposed buffer of a hundred and 50 ft, a hundred feet from, from top of bank, I should say was unnecessary and and you know that we could look at smart development and other ways to minimize impacts with smaller buffers. What what I proposed is, is nothing like that. I wouldn't propose to change any maps at this point and I wouldn't propose to change the buffer duration.

Instead what I would propose is that accuracy matters and that gulches that serve as gulches and watershed areas should be protected, but they should be accurate in their mapping and in their depiction on the properties. I think that's the only way that the, the public purpose is served by the the exclusion of those areas from development. And I think it's the only fair approach from the perspective of the landowner whose property is restricted. And so what I proposed is that as properties go through more detailed design and development phases, like subdivision that those processes recognize that the gulches will be more accurately depicted than they are in the community plan maps, which cover broad areas with broad maps, and that that process should allow for refinement of those gulch areas.

The current policies contemplate refinement, including realignment, but they don't contemplate reduction or elimination. There maybe instances and there's lots of testimony in the planning commission record of specific instances where reduction or elimination may in fact be the correct answer. And I think coming back to your question, everyone benefits from accurate mapping.

The public policy is only served if these are actually gulches that serve as conveyors of water from mauka to makai and that should be protected from encroachment. And that fairness suggests that landowners should, who do have gulches on a property that

should be prepared or preserved I should say, would only have to preserve them to the extent that they actually exist in the areas that are identified.

Dr. Kealoha: Okay, yeah. Thank you. Appreciate that.

Mr. Chipchase: You're welcome.

Ms. Thayer: Vice-Chair?

Mr. Thompson: Thank you chair. Yeah, just one question on your phase two maps. Was it I think you said before a hundred times that was the water tank that was not on there? What was the difference in the the two the county map and yours.

Mr. Chipchase: Yeah, absolutely. Vice chair. So in the county map, there, there are several differences, and if you look at my January 27th, 2025 written testimony, I go through those differences and I attach both the county's proposed map, as well as our phase two map and the map that we would suggest the commission use for the community plan map.

The differences include areas that are differently designated under the county's proposed community plan map versus our phase two map. In particular, you'll see a small town center area that does not match the map approved by the commission. You'll also see a, a public quasi public area down toward the makai portion of the property that does not match, and you'll see a number of other areas in particular gulch and preservation areas that don't match our maps.

Accuracy on those are, are very important because our phase two map dictates the land areas that we are entitled to to develop and those areas that we have to preserve. They're also important, particularly down in the south, because we have a large preservation area that is both as the size and boundary dictated by a settlement agreement. And so having a map that tracks as closely as possible to those detailed turns and twists in the preservation area which will be fenced ultimately is critical for Honua`ula.

You'd mentioned the water tank, and so the water tank is the one area of my proposed map that differs from the phase two map. When we were before the planning commission for phase two approval, that area was anticipated on the mauka end of the property to be the location of a water tank. We now anticipate moving that water tank across the boundary to get better gravity flow.

And so that area would be appropriate for residential use. That kind of minor modification is done usually through the phase two process because the county through this mapping is departing from the traditional way that community plans have mapped project areas namely with one big color that said project district, right? And so you did all your refinement through phase two and phase three. In this mapping, the community plan is seeking to be specific as to land use areas. Because it's seeking to be specific as to those land use areas, we have asked that that water tank area be colored residential so that we can have the flexibility to locate development there rather than the water tank. Other than that, our maps track the phase two maps that were approved by the commission.

Mr. Thompson: Yep, thanks much.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Thank you chair. Thank you for your testimony today. You mentioned the neighborhood center does not align with your, your map. Can you just, I don't have your map in front of me. Can you just describe what the differences are around that.

Mr. Chipchase: Yeah, I'll do my best. If you, if you do have a chance to, to pull it up commissioner, it is the January 27th testimony which would have been posted online and I would ask you to look at attachments one, two, and three just if you have an opportunity to, to study it in detail. But, it it I'll point to the easiest way to describe it for folks who do have it and and if you have an opportunity to look at it, the map proposed by the department has an area of small town center judding out into almost a point like a beak. That point is not. It doesn't exist on the phase two maps. And so instead that area is is a different residential designation. And so that's just an in one easy example of the differences between the phase two map and the department's map.

And as, as I said, I think the department tried very hard to, to, to do it is dealing with a ton of maps and I think some you know differences are, are, could be reasonably anticipated coming out of that process. Since we have the benefit of a phase two map, we just asked to substitute what the commission's already approved for the community plan map, subject to that one change with the water tank that I requested.

Dr. Deakos: Okay, and 2nd neighborhood center, that one's ok.
There's two.

Mr. Chipchase: No, that has some differences too, but they're, they're far subtler than that, the beak.

Dr. Deakos: Okay. All right. Thank you. Thank you, Chair.

Mr. Chipchase: You're welcome.

Ms. Thayer: Further questions for the testifier? Commissioner Lindsey.

Ms. Lindsey: Actually, my question is just like seeing that map. Is that somewhere where we could easily access it?

Mr. Chipchase: Yes. So, all the testimonies should be posted online, and the map that we would ask you to use is attachment two, to my January 27th testimony.

Ms. Thayer: And just to clarify, that was submitted for the January 28th meeting.

Mr. Chipchase: I Believe that's correct commissioner. Or chair.

Ms. Thayer: Any further questions for the testifier?
Okay, are you gonna have a question? Commissioner Lindsey?

Ms. Lindsey: No, I'm I'm just trying to find it in our testimony, we have 1238 pages of testimony.

Ms. Thayer: If you can pull up the January 28th agenda and you click on documents received after posting new testimony, it is page.

Ms. Lindsey: Here, I think I found it in our 1238 testimonies. I think it is page exhibit A you said?

Mr. Chipchase: It's attachment two, which is on page nine of the document.

Ms. Lindsey: Okay.

Mr. Chipchase: Attachment one is the phase two approval. Exhibit 53 from the phase two approval.

Ms. Lindsey: Okay, we're talking about page, 1099 ish for other commissioners who can't find it.

Ms. Thayer: Yeah, otherwise if you pull up the link to the January 28th agenda, it's page 111 out of 178.

Ms. Lindsey: Thank you.

Ms. Thayer: Further questions for the testifier? Seeing none, thank you again for your testimony.

Mr. Chipchase: Thank you, Chair.

Ms. Ramoran-Quemado: And next testifiers Bo Yuan to be followed by Johann Lall and Rory Frampton.

Bo Yuan: Aloha commissioner. Thank you for providing the opportunity. This is a follow up testimony to answer the question that raised during the previous testimony that request a change of Maui Kamaole designation from the residential to resort that hotel in South in South Maui Community Plan.

So the 1st question is that whether Maui Kamaole using any affordable housing credit. We ask our property manager to search through all the older documents and we found nothing, and the original development document called Maui Kamaole Resort. So that's kind of confirmed that originally the project developer as a resort in the naming of the project. And we didn't find any record that have using the government funding such as the workforce housing credits, there's NO record for using any of the government funding

for this project. This project was developed named with resort. So that is kind of resort project.

And 2nd question. It's about how many owners of Maui Kamaole are from the Hawaii or Maui from so by the end of 2024, based on the data that we have out of 315 units at Maui Kamaole, only 47 units. Which mailing address are the how which has, which show a mailing address in Hawaii state. We don't have further details on the Maui address but there's only 47 units shows mailing address in Hawaii state. And according to the property tax record, by the end of 2024. Out of these 315 units, two units used for the long term, twelve units are owner occupied. That means the remaining 301 units are used for the short term rental. So like 96% of all these units are used for the short term rental.

The 3rd question is about beyond the providing financial revenues and the providing local job opportunities, what other benefits the short term rental at the Maui Kamaole can provide for the South Maui community. So there's a few benefits. The 1st one is that support local business. So the visitors staying at short term rental units, they frequently visit the local restaurant. Local shop farmers market.

Mr. Quemado: 30 seconds.

Mr. Yuan: Activity providers of the local pro activity providers. So this can help you ensuring the small business in the South Maui they can thrive year round. So not just during the peak tourism seasons. So over the year, all these local business they have a lot of customer coming.

Second is sustainable tourism distribution because STR the pricing compared to the hotel is cheaper, so STR provide more affordable options for all.

Mr. Quemado: Time.

Mr. Yuan: The visitors. So that can ensure that the tourism are sustainable and a lot of visitors. There's a lot of guests of the short term rental units are repeated visitors, so that help to keep this keep the tourism more sustainable. Thank you so much for your for your time and consideration.

Ms. Thayer: Mahalo for your testimony.

Mr. Yuan: Yeah, thank you.

Ms. Thayer: Questions for the testifier commissioners? Okay, seeing none, thank you again.

Mr. Yuan: Thank you. Bye.

Ms. Ramoran-Quemado: Next testify is Johann Lall to be followed by Rory Frampton.

Ms. Thayer: And there's nobody else signed up after Mr. Frampton, ok? Everybody online wishing to testify, make sure you write to staff in the chat to get on the list. Go ahead Mr. Lall.

Mr. Lall: Johann Lall, testifying on behalf of myself. Before I say what I actually wanted to say, I wanted to call attention to I think. Cal Chipchase may have made a mistake because he said that the hundred and 50 ft would cut into what you guys designated as workforce housing. I don't believe that's accurate because I don't think the map specified where the workforce housing would be. So I would suggest checking with the planning director and or Hopper on that.

And the other specific thing I wanted to mention is what Erin Mukai said about the TOC at the MRTP and protecting the gulches, so I would be in support of that especially if the gulches would have some buffer for additional protection. I think it's a good place for more high density development because of the transit, proximity to shops, schools, all that kind of stuff. But the big overarching thing, I think because you guys are doing your your full review of the entire plan.

I just wanna kind of point out like what your role is and, you know, and Hawaii developers have a lot of power, probably more power than any other state, and I think everyone's thinking about like checks and balances right now because of what's going on in the federal government and you guys as regulators are really the check and the balance on that power.

And so, you know, a lot of folks have said that really, the CPAC, what they decided should be, you know, the law. Like that's the way the final plan should be and I actually disagree, you guys do have a lot of power in this process and do have the right to use it. But I think you should be very judicious with how you make changes to what CPAC decided and what the community wants.

But I think where changes makes sense, you guys should definitely make changes, but you should take very seriously your role as regulators of development and this community plan is gonna be probably the biggest thing that makes a difference in how Maui develops into the future because most of the vast majority of development is gonna be in South Maui for the next few.

Mr. QuemadO; 30 seconds.

Mr. Lall: Decades. So, this is probably the most important thing as far as that goes and you guys are, you know, the most powerful commission, and your own this is very important for protecting the community, protecting the future you know and ensuring that future generations can actually stay in Hawaii, which is an issue that's, you know, probably front and center for everyone.

So, and also protecting people from harms, whether it's flooding or sea level rise or fire, and also protecting quality of life, so.

Ms. Thayer: Would you be able to summarize your testimony?

Mr. Lall: That's it.

Ms. Thayer: Okay, thank you. Thank you for your testimony. Questions for the testifier commissioners? Commissioner Deakos.

Dr. Deakos: Thank you chair. I missed your comment about MRTTP Gulches. Can you clarify?

Mr. Lall: I believe Erin Mukai had asked for that area to be a hundred percent transit oriented corridor with the gulches protected. And so I'm in support of that because I think that's a good area to have the higher density development and the more, the more density you have, the more land you can protect while still having people live, like have a place to live and have proximity of the school and all the stuff that's you know within walking distance. I do also think it's important to protect the gulches with the buffer cause the area mauka over there is where a lot of the flooding happens right now, so protecting people downstream is very important.

Dr. Deakos: Okay, thank you. Thanks for your testimony. Thanks Chair.

Ms. Thayer: Yep, any other questions for the specifier? Okay, seeing none. Mahalo again.

Ms. Ramoran-Quemado: Next testifier is Rory Frampton to be followed by Ryan Churchill.

Mr. Frampton: Good afternoon, commissioners, and can you hear me ok?

Ms. Thayer: Yeah, please go ahead.

Mr. Frampton: Okay. Okay, thank you very much for your time and your dedication and on behalf of Kaonoulu Ranch and Haleakala Ranch, I want to thank you for your favorable actions earlier today on those two projects Kihei Mauka and the Keokea Industrial area. I just wanted to say for the Keokea Industrial area, you know, we did meet with KCA and they had similar concerns to commissioners Commissioner Kealoha in terms of storm water management and uses and that type of stuff and we worked out some project specific policies that I submitted with my testimony, my testimonies dated January 8th and I I did want to point that out that their support was contingent on those policies being adopted. I just wanted to make sure that was known.

In terms of the forecast, the comments about the forecast that Mr. Mayer made, I just wanted to make some comments that we discussed at CPAC or at least I did. There should be some caution relying too heavily or rigidly on the department's land use demand forecast for the following reasons. It's based on economic forecasts which can be subject to changes based on worldwide trends or global events.

Well, the forecast has been made for 20 years, the updates of the community plans have not been timely. This plan is almost 30 years old. Relying too rigidly on the forecast numbers could result in an outdated or irrelevant plan if it takes 30 more years for the next update to occur. The forecast did not account for pent up demand due to existing

housing shortages in 2019, of course prior to the fire, the estimate was made that it were ten over 10000 units short in terms of pent up demand.

The report did not include numbers for vacancies and assumed every new house would be occupied by a local resident. Change in assumptions on variables such as household size can lead to significant differences and results.

The department's forecast utilized higher household size than actual existing conditions despite the discussion in the housing report indicating that future residents will want to be in smaller units and household sizes thus requiring more units for the same amount of people.

And lastly, just because an area is designated in the plan as a growth area, it does not guarantee that it will be developed at all or that it will be developed within this time horizon. Maui Lani and Kehalani project districts are good examples of master planned communities, including a large area and scale

Mr. Quemado: 30 seconds.

Mr. Frampton: Has assured that sites for schools, parks, roadways, and shopping areas were anticipated and constructed. Although conceived in the 70s and approved around 1990, they have not been completely built out and they're still in the process of being built out. So I just wanted to make those comments and when we were doing the Maui Island Plan, one of the lead planners of that quoted a famous planner, and he said, you know, it's always better to plan for more and have less rather than to plan for less and have more growth. And that was just one of his axioms. So anyways, I just wanted to offer that and then and just thank you guys again for all your dedication and time that you've committed to this process. I'm open for any questions.

Ms. Thayer: Mahalo for your testimony. Commissioners, questions for the testifier. Vice-Chair.

Mr. Thompson: Yeah, thanks for coming in. And how many units do you say we're short and can you just give me a little relevance there? I just missed the number?

Mr. Frampton: Oh, in 2019 SMS did a Hawaii housing planning study and for Maui it was 10,400 units. This was across this was for Maui or Maui County is what I have in my notes. That was for the years 2020 through 2025.

Mr. Thompson: At 10,400, then. And that's before Lahaina burned down.

Mr. Frampton: Right.

Mr. Thompson: That studies. Okay, thank you.

Mr. Frampton: Yep.

Ms. Thayer: Commissioners, any other questions for the justifier? Okay, seeing none, thank you again for your testimony.

Mr. Frampton: Thank you very much.

Ms. Ramporan-Quemado: And Ryan Churchill.

Ms. Thayer: Ok. Is anybody signed up after him? Okay, so anybody online wishing to testify, make sure you raise your hand or write to staff in the chat if you wish to be added to the list. Go ahead Mr. Churchill, thank you.

Ryan Churchill: Yeah, good afternoon chair. Thanks for the opportunity to testify, and I appreciate all the time you've put into this plan. My name's Ryan Churchill with Pacific Rim Land. I'm going to provide similar testimony as Erin Mukai provided but also possible provide visuals. We worked closely with the planning department to come to agreement on their change from special district, which you recall we were previously recommending to the TOC designation. We are agreeable to that subject to their company change to the policy as described in the March 4 memo from the director to you.

However, we still prefer, as Erin mentioned, to have the entire site be designated TOC versus certain areas still being designated, open space or gulch for the reasons that have been discussed discussed at length by Erin and others.

And I just wanted to point out what's in our testimony that came in today that you should have on page two and this is the map from that with the department's recommendation on the left. And our request for modification on the right, which is basically designating the entire area TOC and leaving the park and open spaces to what, as Erin mentioned is already in our controlling plan as part of our zoning.

Again, this is for technical reasons that have been discussed. It really doesn't change the use or density of the land. It's more the technical processing as we go through our permits and creates conflicts, potential conflicts in mapping with our zoning map.

So that's just wanted to clarify with this maps and call that out in Erin's testimony on page two dated today. Thank you again for all your time, many many months put into this plan. I appreciate it.

Ms. Thayer: Mahalo for your testimony. Commissioners, any questions for the testifier? Okay, seeing none, thank you again.

Ms. Ramoran-Quemado: No one else.

Ms. Thayer: Okay, well this will be a last call for testimony on this agenda, if you're online, please raise your hand, unmute yourself or write to staff in the chat.

Otherwise, public testimony will close in 3, 2, 1. Alrighty. Now commissioners.

We can move into the meat of our agenda, which starts us off back at Section 1, our plan framework. Director, did you have anything you would like to say?

Ms. Blystone: I just think, thank you chair. At the, at the start of this process, I very much hope that today we're able to get through everything and put this to rest and move it on to the next phase of its process. We've already requested an extension, we're working in an extension time period. It would be delightful to be able to to wrap these things up. Staff has all, has collected all the things that were like held back and they're gonna walk

you through those one at a time and we're not. Oh, I thought that's what you were gonna do. What are you going to do then?

Ms. Comcowich: To propose changes you want based on what you've already done, the last agenda was based on the things we still needed to cover. Policies and actions we have already covered when we reviewed them.

Ms. Blystone: So, we don't have any follow up items from previous agendas.

Ms. Takakura: We have one item which we just left off, gulches from the previous meeting.

Ms. Blystone: So everything else has been covered. Every single item. Okay, great, so that's where we're at.

Ms. Thayer: Okay, so commissioners, I do have a list of all the changes that we made to Section 2, which is all the policies so I can just keep tabs on those as we go through, and then we would, you know, go on to section three and four and five. If that sounds good to everybody, Commissioner Deakos followed by Commissioner Lindsey.

Dr. Deakos: Yeah, I had two small items for Section 1 and they were discussed a long time ago and I'm not sure if they, maybe I can. Okay if I bring them up now.

Ms. Thayer: Yeah, I just want to check in Commissioner Lindsey, what did you wanna bring up?

Ms. Lindsey: I was just wondering about Oiwi Resources changes to the document if we've applied those or I'm not, I don't recall seeing I recall maybe, maybe half or a quarter of it we we went over, but the rest I'm not sure.

Ms. Thayer: I don't know that we've received anything from them.

Ms. Comcowich: The Department of Oiwi Resources.

Ms. Thayer: And we may not have them online. Commissioner Ward?

Mr. Ward: Thank you chair. I don't remember I have to think and go back to my notes, but I definitely know that we asked to have information sent over to them for their input and review. And this Commissioner Lindsey has indicated, I don't recall seeing it. I could be wrong because obviously gone through a lot, but I think my recollection is in sync with Commissioner Lindsey.

Ms. Comcowich: We did request section plan section one and plan section three and the policies for plan section five. All of those requests were sent and they did attend one of the meetings, but we have not received any written comment.

Ms. Thayer: Director.

Ms. Blystone: Yeah, I think the way to deal with this potentially is this is a new department that is probably very overwhelmed right now with everything that's on their plate. This isn't the, and I'm gonna remind you of this a thousand times probably before we wrap today. This is not the last, you're not the decider. So, we can, we can reiterate and that can be part of, you know, we've already made the recommendation that they take a look at these sections, we can follow up with them and make sure that they provide that information to council. So that that's, that's totally an acceptable approach.

Ms. Thayer: Commissioner Lindsey.

Ms. Lindsey: Okay, I just wanted to make sure it was kind of in there somewhere. Thank you.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you, Chair. Could we just note to be like that as a recommendation to the council?

Ms. Thayer: Oh, include that in our comments? Sure. Yeah.

Mr. Ward: Thank you.

Ms. Thayer: Ok. Thank you, Commissioner Deakos for your patience. You can go ahead with your items for Section 1.

Dr. Deakos: Okay, on page 23 at the end of second paragraph, there's language based on population forecasting for the plan area. The population may increase between 3700 and 6100 new residents over the planned time frame. Seems it would make sense to also add the forecast data for how many new homes would be needed in that time frame. So I guess would, you'd be strongly opposed to adding language at the end of that paragraph two, that states South Maui forecasts the need for 800 to 1700 new homes over the next 20 years and reference the South Maui Plan forecast paper page 22, which I think is one of the resources we were provided.

Ms. Thayer: Director?

Ms. Blystone: Yeah, I believe we discussed this last time and I I think, you know, I I don't know that I had strong strong feelings, but I I do want to remind the commission that these, this chapter is non regulatory, and so strongly encourage you to spend most of your time on the regulatory portions of the, of the, and getting those exactly dialed in. I don't have strong feelings about adding that language. I, I think it's extra.

Ms. Thayer: Commissioner Lindsey?

Ms. Lindsey: I'm in the support of adding it. Thank you.

Ms. Thayer: Thank you. Commissioner Ward?

Mr. Ward: Thank you chair. I don't have a strong opinion. I would just question if we need it because it's, things have changed with Lahaina. We're having, you know, backlog of housing and it could be misinterpreted as a raw as a as a solid number and misconstrued as to how plans could or couldn't go forward. And I think that number's gonna fluctuate anyways over the course of the next 20 years so I, I think it could potentially set the stage for what we don't want because somebody might choose to say well the numbers at x. You don't need it when we may potentially need it. So I would, but I don't have a strong opinion either way. My thoughts on it could cause some problems potentially.

Ms. Thayer: Sorry Commissioner Deakos. Which study were you referring to again?

Dr. Deakos: The South Maui Plan Forecast Paper. So there was, there was several resource documents that they used to help Planning.

You know, e.g., the, the population increase which they referenced 37 to 6100. So in order to plan the next 20 years, you wanna have some information, some forecast information. So they provide those resources to help with this planning document. So we don't know the exact population increase, so that's why they range it from 3700 to 6100. We don't know the end exact number of homes that will be needed. So that's the range 800 to 1700. These are just planning tools based on studies that were carried out by the planning department to help. So as we reference this planning document, seems like those types of information are valuable. Just like our tables that reference, you know, number of, housing units, you know, sensitive resource areas, those kinds of things.

Ms. Thayer: Thank you. I think if I may throw in my \$0.02 to this, I feel like a plan has to be based on some kind of something that you're shooting for, even if that may change, which, you know, we've all recognized, but I would maybe suggest something to the effect of you know what Commissioner Deakos said the 800 is the 17 units based on the housing forecast study with the caveat that this was before the Lahaina fire, and so the need might be different from that. But just to acknowledge we're standing on some kind of data for the plan. Commissioner Ward.

Mr. Ward: Thank you chair. Question is actually to the planning department, what. How much workforce housing did we assume in that study would be shifting down potentially because that number would potentially increase based on what we've come up with as policy? I would imagine.

Ms. Comcowich: The population of the South Maui's actually declined, it probably would back up after the fire, but that's like the levels it was in 2020. So, population doesn't just increase.

How much did we, it's 25% of the total units will be workforce housing.

Ms. Thayer: Director.

Ms. Blystone: Yeah I mean I think it, I think it's easy for us to focus on workforce housing that's what we need, that's what we need. Only need it. But anytime we free up. Any time we build housing with the exception of I would say extreme luxury housing, we're building housing that people can move into that are local families because not everyone is, is, experiencing the need for workforce housing. Some of them are in that workforce housing and could afford more and want to move up into more, but there's not anything there. So we need the whole range of housing types. That's the only thing I'll add to that, that question.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you chair. My only question was more is in anticipating that we could actually have a higher need because the fact that people might be moving closer to work, that was where I was going, that was where I was coming from is that I think the need might be higher than what that study might show.

Ms. Blystone: Yeah, and to address the question that was brought up by one of the testifiers about why the planning director is doing this certain thing regarding number of units of housing. So effectuate, you know, with our, with our designations potentially allowing more housing than what is needed. That's part of the reason why. Because there is, we don't know which projects are gonna be approved. We don't know what hidden homeless we have. People who are couch surfing. We don't know the full breath of the, of the issue. We, you know, we lost roughly 2000 units in Lahaina and we displaced 12,000 people. That means that there's a lot of people living on top of each other and for some people, that is their jam. They want to be real close to their family, but for others it's they would like some of that freedom. And so allowing some additional units is part of the reason for that. So just to expand on your question a little bit.

Ms. Thayer: Ok. Commission Deakos.

Dr. Deakos: And I, and I, I guess I'm struggling a bit, kinda like the chair said. You need some calibration, right? Like, are we shooting for 50,000 new homes? Are we shooting for 8000? Like, why is one versus the other? There's probably there's gotta be some basis for our, you know, what we anticipate needing. So I don't have the detail. I didn't do the study of 817 hundred you know.

Like I I I'm a little struggling a bit why we we don't want any of the forecasting data like sounds like maybe even want to take the population forecasting out of there, then I I I begged the question, what is even the point of the resource studies if they're not being used for guidance?

Ms. Thayer: Director.

Ms. Blystone: Mahalo Chair. These, these studies are being used. So I want to be very, very clear, but I also want to acknowledge that we are in a portion of the document that is just setting the stage. So the population allocation that's in there, that range of

population, is what we're what we built are are things on. And it's also, we also have to add in like a factor, and this is I feel like I've had this conversation my entire career. It's like I'm sorry. I feel like I'm jumping over a lot of things. You are welcome to absolutely 100% put the housing number in there. That's wonderful if that's what the Planning Commission wishes to do. Planning Department is not strongly feelings strongly one way or the other. So if you would like to do that, we encourage you to do that and then we can move on to other items.

Ms. Thayer: The other thing we can do so we don't get stuck on a housing number is just leave that out and go with the population projection of 3700 to 600 6100 new residents because you can extrapolate housing numbers based on that number of people, which would be another way to do it. And then it's, you know, trying to accommodate actual people versus trying to conjure a number of houses.

Dr. Deakos: Okay, I I'm, this isn't a number made out. I just, it references a South Maui Plan forecast paper, so I mean we're not just pulling it out of nowhere, but if there's sounds like there's strong opposition to sort of having any projection guidance then then then it is what it is, but.

Ms. Thayer: I don't think it's strong opposition necessarily. I think what the director's saying is that it's not it doesn't affect necessarily the rest of the plan. I think I heard her say that the population projection is really what is used as the basis for figuring out, the housing stock and land use designations and everything that follows. But Director, go ahead.

Ms. Blystone: Yeah, I want to be very clear. There's not strong opposition. You can do whatever you want. It's totally fine because if you if you feel like it's clearer to put it in here and not just have it in the housing study, we support that 100%, go for it. I. The only thing I was saying is the rest of the plan matters more than this, than this part of the plan. So I just I hope that we don't get stuck here when we could be focusing on other pieces. So apologize for my impatience, but I I think that if the will of the commission is to add this language department supports that 100%.

Ms. Thayer: Ok commissioners, which way should we go? Commissioner Lindsey or Vice-Chair Thompson, you wanna weigh in? We're gonna need all five of us either way.

Ms. Lindsey: I'm voting with Commissioner Deakos.

Ms. Thayer: Okay, thank you. Vice-Chair Thompson, thoughts? Okay, share with Commissioner Deakos. Okay. Yep. We can move that way. So, Commissioner Deakos, just so staff has it clearly, can you repeat your proposed addition?

Dr. Deakos: So at the end of paragraph two on page 24, section one would read South Maui forecasts the need for 800 to 1700 new homes over the next 20 years and reference the South Maui Plan forecast paper page 22.

Ms. Thayer: You want to include something that was before the fire when a lot of people got displaced?

Dr. Deakos: Yeah, if you wanna add a sentence to that, I have NO problem.

Ms. Thayer: Sorry, I know staff is processing this.

Ms. Comcowich: Sounds good.

Ms. Thayer: Okay, alright, good, good. Next, you said you had another one Commissioner Deakos.

Dr. Deakos: Yes, and hopefully it goes quick, but we never know. How would you be strongly opposed to adding language at the end of chapter four on page 21? Sorry, I think that should paragraph four on page 21, the language would read.

Section 4.2 .3 A of the Maui Island Plan recommends a visitor to resident ratio of NO more than 33% to preserve the quality of life of its residents. Ratios were highest in 2019 exceeding 42% and continue to be above the recommended threshold.

Again, I understand the meat is in the policies and our policies are strong towards mitigating visitor impacts, but again just to anchor why that's important, it just references a target that we're trying. It is in the Maui Island Plan, not necessarily in here so I was just going to point to that here.

Ms. Thayer: I think this works hand in hand with the Maui Island Plan. So that still applies here but I think. Ms Takakura wanted to say something.

Ms. Takakura: You may want to put a caveat on there because that is the entire Maui Island population in the MIP. So, you know, if you were to separate it out by the different community plan areas, you're gonna get vastly different numbers. But, the overall average of that so there should be some caveats that, you know, we know that the West Maui and South Maui areas have the higher number of vacation units.

Ms. Thayer: Thank you for that.

Dr. Deakos: Yeah, we could add the Maui Island Plan recommends a countywide visitor to resident ratio. I'd be happy adding that.

Ms. Thayer: Director?

Ms. Blystone: Yeah, just what Jacky didn't say on the mic that is important is it's not countywide, it's island wide. So, that language is fine. It's it's fine.

Ms. Thayer: Commissioners. Commissioner Lindsey.

Ms. Lindsey: No objections chair to that. We can add it. I'm neutral in the interest of time also.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you chair. My other comment would be is maybe just reference the Maui Island Plan. It just seems like we're adding a lot of verbiage that is unnecessary. If we can say for visitor reference count reference would that would be my recommendation so that so it's there, but we you're not having a ton of extra stuff to have to read. So, but I'm not opposed to it at all.

Ms. Thayer: Okay, but just keeping it to the Maui Island Plan 33%.

Mr. Ward: Short sweet.

Ms. Thayer: Okay. Vice-Chair? Thoughts?

Mr. Thompson: Yep, keeping it in the Maui Plan, take it out of this one. It doesn't need to be here.

Ms. Thayer: Okay. Not have the reference. Okay, well, that is, I guess to find a middle ground and move forward from here. I don't know that we need the reference because it already it like this and the Maui Island Plan go hand in hand together, but hearing you want to anchor this plan, I think the middle ground in this case to achieve consensus and move forward is to just say reference the Maui Island Plan policy for 33% count, short and sweet sentence at that.

I see thumbs up from Vice-Chair and Commissioner Lindsey and Commissioner Ward.

Mr. Ward: I would just add islandwide.

Ms. Thayer: Island Wide yes, specifying that. Commissioner Deakos.

Dr. Deakos: Yeah, do you want me to rephrase it to make the.

Ms. Thayer: I think, sounds like planning staff is saying they've got it. But would you be ok with a more concise sentence.

Dr. Deakos: Sure, yeah, if we could, if somebody could read it.

Ms. Comcowich: So the Maui Island Plan recommends a ratio of one 3rd to two thirds island wide visitor to resident population.

Dr. Deakos: Did you say visitor to resident ratio? Okay.

Ms. Comcowich: Yes.

Ms. Thayer: I think for I think what he's getting at is referencing the policy itself, which is 33%, yeah. Okay, does that work for you Commissioner Deakos? To reference the exact policy?

Dr. Deakos: Yeah, sorry. Read it one more time.

Ms. Thayer: It would just reference the exact policy to say the Maui Island Plan calls for, you know, Maui Island Plan policy, whatever the number is, calls for a resident, the visitor population not to exceed 33% of the resident island population.
I think that's what we're gonna be able to get consensus on to be able to move forward.

Dr. Deakos: Yeah, I'm fine with the intent. I just wanted to hear the sentence.

Ms. Comcowich: Can I just send it to Commissioner Deakos?

Ms. Thayer: Yes. Yeah, the sentence is gonna purely reference the policy and state the policy. Commissioner Deakos.

Dr. Deakos: Ok.

Ms. Thayer: Ok. Okay, good. Anything else on section one? And making sure, oh, there's Vice-Chair, and there's Commissioner Lindsey. Okay, good. Anybody else have anything else on section one? Sorry, I have a really small word change and hopefully it's fast, but on page seven, the last paragraph about Kealaikahiki translates as the path to Tahiti, which is also the name of the channel that separates Kahoolawe and Lanai, I think a more cultural perspective would be that it connects Kahoolawe and Lanai. Okay, everybody good with that change? I see thumbs up and nodding. Thumbs up. Okay, thank you. Okay, I think that's all for section one unless anybody has anything else. Commissioner Lindsey.

Ms. Lindsey: This is why I would, I think Oiwi Resources read, I had verbal confirmation that they read this 1st section from them, which is because I had lots of changes in there initially for cultural reasons, but I trust that there that would be included. So I will leave all of those out today.

Ms. Thayer: Okay. Yeah, and I guess, you know, on that note cause we did have a lot of asks in here to, you know, add in about the Sandalwood trade because that affected the forests, which affects the runoff that we have today, you know, how much attention is given to whaling and those kinds of activities give that kind of attention to the cultural activities that happened in the region.

So, our recommendation when we get there would be to for council to incorporate comments and perspectives from Oiwi Resources to this effect for this section. Would that work for you? Okay, and department staff, you got that down for when we get to that point. Okay perfect. Commissioner Lindsey.

Ms. Lindsey: The other comment I had that about that 1st section and throughout the entire thing was like rewording a lot of the sentences to be in the like positive but we didn't get it back yet, but that covered that's throughout the whole plan. So I don't know if that was already included by the department or not. I know they commented I know they noted it, but I, I don't know how it was applied.

Ms. Comcowich: There was specific, recommendation to change one of the beginnings of the policy sections to be positive and I did note that, sorry, let me pull up that document. I did not think that applied to every sentence in the plan nor would be.

Ms. Lindsey: Yeah, that's not practical ask for sure, but just like the major, you know, references. I think I kind of said it in my comments as we're going through the 1st parts of the plan. Also so if you're writing that down then yeah. If not, I can go over it again, but I don't wanna do that.

Ms. Comcowich: Some of the parts you maybe finding as negative comments may have come directly from CPAC, and that maybe expressing how they're currently feeling. Just to put that caveat in there, there was extensive work on section one by CPAC adding sections.

Ms. Lindsey: I don't think that's what it was, but, ok. I think we I think we covered it. I think we're okay.

Ms. Thayer: Well commissioner Lindsey, if I may, the the the sentiment was regarding the, the quote unquote negative sentences that were like this one on page 31 to say where it says now transportation is not just roads and cars to switch that to transportation. It's more than roads and cars, those kinds of instances was what you brought up before. Okay.

Ms. Comcowich: So, I'll rewrite the plan, Sounds good.

Ms. Thayer: Yeah. Okay. Anything else on section one? All right, seeing none. Now section two, we had an overall, change was to move all definitions into the appendix and then updating all policies to be written in plain language like that which is being adopted by the county council. So this will be changing shall or will to must. E.g., Policy 2.1.11 for all new or redesigned intersections that trigger trigger a signal or roundabout must be considered instead, instead of shall be considered instead. So this was a blanket, change that we made by consensus. Okay. All right. So going into the policies, we made a let's see. Well, we have a synopsis of the changes that we made. Does anybody need to hear what those were just quickly or are we gonna, do you have any you wanna flag? Okay, cause we can just go to the ones we had flagged to come back to. Yes. Unless there's burning ones, there's, well, do we wanna touch upon the setback mauka of Piilani Highway? We had changed that to 50ft. Leave it as is. Commissioner Ward.

Mr. Ward: Thank you it is 50 or.

Ms. Thayer: So 2.1.9, it was proposed by CPAC as 150ft and we had voted on 50ft. We agreed by consensus, sorry we did not vote, we agreed by consensus. Commissioner Deakos.

Dr. Deakos: Yeah, I may have been the one meeting I missed. I don't remember that one, but I'm just wondering the 50ft. I know we had some discussion about what would what is standard, what's a safe separation. I did, you know, I was reading some stuff. I think they say 30 from a highway, 30ft is generally a safe separation that could also allow vegetation and then I read if you want to separate pedestrians from bicycling, you know, 10ft for each would be, would, would create that separation. So that total was 50 anyway, just wanted to know what, if there was some discussion of why, what, what 50, how it came to be.

Ms. Thayer: I don't recall an exact point, but this was over much discussion based on testimony, commissioner discussion, thinking of Commissioner Lindsey was bringing up, you know, like what is manageable to ensure that this land isn't just. You know, turning wild and becoming a fire hazard or something like that, but still providing some degree of space separation from the highway.

Mr. Ward: Chair.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you Chair. I would just add that the training for the missing middle market said that that was a tool of various tools that could be implemented to help improve more of that missing market. So I would be in support of the 50ft that was previously decided. I was not part of that conversation at that point, but I would support that utilizing that piece of data that we had from the presentation last week. That is because that's one tool that we can control versus the other ones we didn't have a lot of control over.

Ms. Thayer: So you're good with the 50ft?

Mr. Ward: Yes.

Ms. Thayer: Okay. Move on. Okay, otherwise. Sorry, I'm looking for that list of what we said we would come back to. Just had it. Oh.

Oh, here we go. Okay, let's see. The ones we flagged for more discussion and more information from county departments. We also had 2.2.16. Which was about requiring new development and redevelopment projects to incorporate interconnected greenways, and then that last sentence got moved into the action section as opportunities arise acquire parcels within cul-de-sacs.

Ms. Comcowich: This is from the August 29th meeting, yeah. So the reason why I didn't have those on the list is because we did actually address those in the month of September.

Ms. Thayer: Okay.

Ms. Comcowich: So this is one that was flagged to ask the Department of Public Works.

Ms. Thayer: And that's why we made the action based on their input. Okay.

And then we did 2.2.21. 2.2.26. That's already addressed by 2.96.

2.2.31 and 34. We had asked for input from Oihi Resources. So that's would still carry with our comments to council then.

2.2.35 and 37. We addressed on in August.

Ms. Comcowich: The 2.2.37. That was one. Is that the one you just said?

Ms. Thayer: Yeah, was that one? Did we vote on that? I have a note on my notes from 8-27.

Ms. Comcowich: Agreed by consensus.

Ms. Thayer: We agreed by the consensus to remove that one. Okay.

I just wanted to acknowledge because I think we did get testimony about this more recently. So does anybody wanna revisit that one?

Ms. Comcowich: Do you want me to read?

Ms. Thayer: Sure.

Ms. Comcowich: Upon adoption of this plan, allow NO further development unless infrastructure, public facilities and services needed to service new development are available prior to or concurrent with the impacts of new development.

Ms. Thayer: Everybody good? Okay, Vice-Chair Thompson.

Mr. Thompson: It seems a little bit ambiguous in that, I don't know how much infrastructure, but in one hand it says clearly, you can build nothing until there's a new bypass and some all kinds of new stuff, water so it looks like it's the way it's phrased there is that's a stop, that's a catch all stop everything.

Ms. Thayer: Yeah, and I think that's what we had discussed when we agreed by consensus to take it out.

Mr. Thompson: Okay, that was to remove it alright I didn't understand.

Ms. Thayer: Yeah. Okay.

Mr. Thompson: Okay, well that makes sense. Okay.

Ms. Thayer: Yes.

Dr. Deakos: Chair.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Sorry, what policy are we looking?

Ms. Thayer: That was 2.2.37.

Dr. Deakos: And the recommendation was to take it out.

Ms. Thayer: Yeah, because like what Vice-Chair Thompson brought up, it's very ambiguous, like public facilities and services, so you know that would say and then how you, the, from what I recall from the conversation, it's like, how do you assess that they are in place to service new development? You know, like, cause that takes into account Ambulances and parks and traffic signals, schools, like how do you measure that all of that is in place and functioning before developing anything new? Like it would need to be much more targeted and specific to be, you know, actionable and enforceable and accessible.

Dr. Deakos: Yeah, NO, it makes sense. I obviously the intent, and I know we touched it on various places is, you know, we've gone way past the supporting infrastructure. I know Chair and I have had this discussion where somewhere on the side of you build the infrastructure so you can handle the development I think the chair mentioned you kind of gotta shoot past it in order to have the incentive or the the push to restore the infrastructure. Perhaps we can address. I know that's an important part of this plan is that we have infrastructure in place to handle the growth, bit of a chicken and egg thing. So I understand why the the language here is is hard to enforce, but, can we talk a bit about the intent of making sure there's infrastructure in place and how that's enforced elsewhere?

Ms. Thayer: Director?

Ms. Blystone: This is another situation where this plan doesn't have to do everything. We have multiple regulations that work together to ensure that infrastructure is in place at the time of development, and I would say that in South Maui, that wasn't always the case. And so some of the frustration you're experiencing is as a result of prior decisions that didn't do the proper deeper in study to figure out what the impacts would be. And so we've kind of over the years, and I'm not gonna say that we're perfect I'm sure someone will quote me in 20 or 30 years and say that directory said she said this. But I'll I'll say that we've, we've done a lot better at figuring out what the impacts of these projects will be and then dealing with those impacts.

So that's all I wanted to say is that, you know, this policy wasn't going to change the situation. A lot of our existing regulations, are, are doing that already. So this is just extra, I don't know, I saw Jacky made a bit of a face, I don't know if you have something else to add to that, but. It was a good face, but.

Ms. Thayer: Ok. And I think, you know, to this effect, there are policies in here that get at that point of making sure infrastructure is put in prior to or concurrent with development.

I do have a question on policy 2.2.22. Since we've had the Opticos study presentation, one question I have is if we could add an action to develop missing middle housing types.

Ms. Comcowich: Let me find 1st.

Ms. Thayer: Sorry if I missed this, if it's already like captured by an action.

Ms. Comcowich: So many things open.

Ms. Blystone: While she's looking for that, if I can. I mean, I I think you could, but I also reminder that also that those actions are for us to do. So if you want the county to develop missing middle housing. That's fine. Happy to do that. In fact, the Department of Housing was active in the process of developing the missing middle housing study as well. So there, this is on their mind as well and like we said that one of the outcomes could be a pilot project. You know, I hesitate to add it though because it is kind of a bit of if it, if it's not already there, which Karen is frantically, that's not, it wasn't really discussed with the CPAC, this would just be something that kind of came up and I I don't know if it's I don't, you know, it's up to you if you want to. I'm not gonna say don't do that, but I also don't know.

Ms. Thayer: Yeah, so I was just thinking about this, you know, putting all the pieces together since we heard about the Opticos study, hearing loud and clear the testimony from South Maui residents about we need more affordable housing.

So even to have a action that and and like to put action to the study that's been done. Even if it's like develop a missing middle housing pilot project.

Ms. Comcowich: It already exists. There is missing middle in South Maui.

Ms. Thayer: Yeah.

Ms. Blystone: A lot of it is in Wailea. I would say this is another moment where this is an island wide issue and perhaps a an action like this is more appropriate for the Maui Island Plan than it would be for just this specific plan area, but if it's a if it's the will of the commission it's fine to add something like that.

Ms. Thayer: I supposing one of the, I was just thinking there wasn't one of the example sites of South Maui parcel?

Ms. Blystone: Yeah, so they they did a deep dive into South Maui, Central Maui and West Maui. Yeah yep in a little Upcountry as well.

Ms. Thayer: Yeah, so I'll put this up for consideration. I was just just thinking about that since we just had that presentation. Commissioner Ward.

Mr. Ward: Thank you Chair. From I would support it more less of it being an action for the department to do, so to speak, more to memorialize that is the desire of the community, if that makes any sense.

Ms. Thayer: Well it's already a policy, so I was just thinking about going putting in an action along with the policy. But again, for consideration, it needs to be, you know, everybody on board with that, which I'm ok.

Mr. Ward: I'm fine either way.

Ms. Thayer: Commissioners online, do you want to weigh in?
I see thumbs up from Commissioner Deakos. Thumbs up from Commissioner Lindsey. Commissioner Lindsey go ahead.

Ms. Lindsey: I think, I think a lot because there could be potential for like infill projects and then bring in the my Wailuku MRA experience with the missing middle housing and like they're kind of like, there's already existing projects that could work and just needs like financial support or county management or something so I definitely would, I'm definitely in support of that chair as an action for the county.

Ms. Thayer: Okay, thank you. I think that's 1,2,3 online. Commissioner Ward. Thumbs up, ok. Adding action. Thank you.
Any other ones commissioners that you want to revisit in section 2.2? Commissioner Deakos.

Dr. Deakos: Just to put on record, I, I know we're not gonna revisit, but I falsely stated the buffer the recommendation for a highway is 50ft plus the 20ft to create a separation from pedestrian, so that would be a 70ft buffer. So, but I just wanted to put on record that would be based on some some data.

Ms. Thayer: Sorry, and what was the source of that data?

Dr. Deakos: Just general guidance on successful distances for greenway separation pathway widths and landscaping for safety and multimodal use. So recommend depending on the the speed of the traffic, you know, 50ft would be for a highway greater than 50 mph and and 20ft, so.

Ms. Thayer: Okay, thank you. Vice-Chair.

Mr. Thompson: Thank you chair. I I think I said this section this where they talk about cul-de-sacs and through routes.

Ms. Thayer: Yeah, that was in here for connectivity purposes.

Mr. Thompson: That's, and how do we, what do we decide on that? Did we vote on that?

Ms. Thayer: Yeah, so there was policy 2.2.16 and we got input from Public Works on this. So we revised the policy to say require new development and redevelopment projects to incorporate interconnected public greenways and multi use paths throughout the project and connect to existing greenways and multi use paths where feasible greenways and paths must remain open for connectivity and must not be gated. And then we added in an action that says acquire parcels that provide opportunities to improve the connectivity of the transportation network, including greenways, all roadways, greenways, and multi-use paths.

Mr. Thompson: Okay. Yeah, my concern there was if if you ever lived on a cul-de-sac or know someone that has, the last thing they wanna do is open the road to to make it an open road and they, we did that in Lahaina up here up pretty clear It was in the paper because they want to connect it to the new thing and it's ok they're gonna have a community meeting and I'm like, well, what do you think you're gonna say? They're gonna say, heck NO, my kid's playing that street. I don't want it, you know, you open it up to a bunch of people, you know, driving around that.

So, it was just my \$.02. I don't know if we've addressed that that way or not, but I thought somehow we were trying to acquire property to eliminate those cul-de-sacs and. Just my view. I lived in 1 and I I know the kids played ball in the cul-de-sac, you know, cause the cars don't come in and all that so yeah, but I still think there should be connectivity, you know, especially bike paths and walking paths and all that. That works very well through communities.

Ms. Thayer: Yeah I think we actually did revise the language to take out cul-de-sacs specifically and just say to acquire parcels that provide those opportunities. So it doesn't actually have to be in a cul-de-sac, but it's still line for increasing connectivity.

Mr. Thompson: Yep. Okay, Roger that. Thank you. No point made.

Ms. Thayer: Thank you. Alright, so moving on to Section 2.3, then commissioners Ready and Resilient systems.

Anything to flag?

We made some changes here and added some actions.

Otherwise, we can move on to section 2.4.

And this one we, wanted to get, Department of Oihi Resources input on the introduction of this section 2.4.

So 2.4 has those policies regarding gulches which have had much debate. So specifically we've had lots of testimony on 2.42 .4 .5 A and B.

And 2.4.6, which we agreed by consensus to some changes on those but wondering with all the discussion we've had, if anybody wants to revisit these.

Ms. Comcowich: Would it be helpful if I read what you guys have proposed out loud?

Ms. Thayer: Sure. Or can you share it on screen?

Ms. Comcowich: I can.

Mr. Ward: Doesn't help me.

Ms. Thayer: But she can read it also. We're hand holding everybody along here making sure we're all quite literally on the same page.

Ms. Comcowich: Let's see. This is.

Ms. Thayer: Ooh, what's going on with your screen?

Ms. Comcowich: I don't know.

Ms. Thayer: Oh, there you go.

Ms. Comcowich: Okay, just that, ok. Okay, so the 1st one is 2.4 .5 A The Maui Planning Commission agreed by consensus to recommend the department recommended changes, which is for redevelopment gulches and drainage ways as identified in the map in figure 3.17 page 107 of this plan must remain in open space and NO new permanent structures maybe developed in or within a hundred feet of the tops of banks or identified gulches and drainage ways and less low impact development strategies are implemented to prevent storm water runoff.

So and we will adjust the pages and the figure numbers according to what happens in the plan. Yeah, the commission agreed, so for 2.4.5 B, the commission agreed to recommend the department's recommended planning commission to add Keokea after Waimahaihai and to include additional language to encourage to the extent practicable maintenance of the open space area. So for new developments and subdivisions gulches and drainage ways as identified in the map on figure 3.17 of this plan must remain an open space and NO new permanent structures maybe developed in or within a hundred feet of the tops of banks of identified gulches and drainage ways with the exception of public bridge crossings and public utilities, including but not limited to I'm not gonna read them all. This open space area and then the final sentences this open space area must be identified on the final approved subdivision maps and encourage to the extent practicable maintenance of the open space area.

Just a note on the part about being identified in the subdivision maps. That was a comment that came from our current division as far as implementing and made ensuring that it carries through.

Ms. Thayer: Commissioner Ward.

Mr. Ward: Thank you Chair. You said redevelopment. What about new development?

Ms. Comcowich: That is the 4.5, 2.4.5 B as new developments and subdivisions. The first one is redevelopment.

Ms. Thayer: I think that's why there's an A and B related but different.

Mr. Ward: No setback.

Ms. Comcowich: You can you can recognize as well. That's helpful.

Dr. Deakos: Chair?

Ms. Thayer: Oh, sorry Commissioner Deakos.

Dr. Deakos: Can we talk a bit about unless low impact development strategies are implemented. So what, what would that look like?

Ms. Comcowich: That is partly to avoid taking something from people who have property rights, so low impact development would be taking into consideration the natural drainage ways. Asphalt can be considered low impact as opposed to concrete. It's prioritizing natural drainage and using less impactful development practices.

Dr. Deakos: Okay, so if you really wanted an exemption, you could use asphalt, and this would apply.

Ms. Comcowich: That's one aspect. It's just the one that came in mind, sorry.

Dr. Deakos: I'm just 2.4.5 B maybe that last sentence encourage maintenance of the open space area comma to the extent back to home.

Ms. Comcowich: It's So you would like to the extent practicable at the end of the sentence instead of in the middle?

Dr. Deakos: Yeah, just it, it applies it's the way it's written it applies to encouraging like. Rather than.

Ms. Thayer: Oh, the way the emphasis is you're saying for that. Yeah Not encouraged to the extent practicable. Maintained to the extent practicable.
Commissioners, any other thoughts on these? Commissioner Ward.

Mr. Ward: Thank you Chair. For redevelopment, I'm seeing this does not have the exclusion of public bridges crossings and public utilities. Is there a reason why we would not have redevelopment have that? Because I would assume redevelopment's similar to new new development in that context.

Ms. Comcowich: Because you're, if you're redeveloping a bridge, you'd just be encouraged to do it in a little impact way. It's already there. Or if there's a roadway. It's, it's not in there because it's not necessary to be in there.

Mr. Ward: I guess I was just in my mind I'm thinking if they're doing a redevelopment, they may do it different. So, you may need to put a bridge in based on how they redesign it, but am I overthinking?

Ms. Thayer: Sorry, so are you talking about 4.58 or

Mr. Ward: 2.4.5 A does not have the exception of public bridges crossings and public utilities. New development has that.

Ms. Thayer: Oh, I see.

Mr. Ward: And I guess I'm just questioning, and maybe it's just interpretation that in a redevelopment project, they'd be potentially moving things and need to put in a bridge.

Ms. Thayer: So saying should that piece in parentheses also be incorrect? 4.5 A

Ms. Comcowich: You can put it if we want. It's fine.

Ms. Blystone: Sure, you can add it. I can't think of a reason not and I can't imagine why it wasn't just the same way. We have talked about these two policies so much internally, externally, viscerally, cerebrally, in the shower. So yeah I I think we could just add that and that's not gonna hurt anything or make anything. Yeah, it's fine.

Ms. Thayer: Okay, commissioners, are you good with adding that piece in parentheses from 4.5 B into 4.5 A?

I see a thumbs up from Commissioner Deakos. Commissioner Lindsey? Oh, that's a thumbs up. Vice-Chair Thompson, are you still with us.

Mr. Thompson: I am.

Ms. Thayer: Okay, good.

Mr. Thompson: Can you hear me or you see me?

Ms. Thayer: We cannot see you. But we can hear you and I think technically we are supposed to have to see you or else we don't technically.

Ms. Lindsey: I can see him.

Mr. Hopper: Me too, Chair.

Mr. Thompson: I've had my hand up for like 10 mins.

Mr. Hopper: Well Chair, is he not on the camera there?

Ms. Thayer: He is now.

Mr. Thompson: I am on the camera. You guys just couldn't see it but the rest of the commissioners saw it.

Mr. Hopper: I can see you commissioner online. I can see you, but I guess they're saying they couldn't see you there.

Ms. Thayer: It might have been something funky with the screen share. Yeah alright so are you guys good with adding in that. Parentheses Section 2.4.

Mr. Thompson: No, I have a question.

Ms. Thayer: Oh, sure. Go ahead.

Mr. Thompson: Yeah, I had a question. Did we incorporate any of the verbiage that Mr. Frampton and Mr. Chipchase had shared with us.

Ms. Thayer: I think that would pertain to 2.4.6, which we can get to next because this one we're just on 4.5 A and B. Well, what Mr. Chipchase with his written testimony had was changed to 4.6.

Mr. Thompson: Okay. Thank you.

Mr. Ward: If I may have one?

Ms. Thayer: Mr. Ward? Yeah Commissioner Ward.

Mr. Ward: Call me Mr. Wards.

Ms. Thayer: Commissioner Ward.

Mr. Ward: You can call me whatever you want. Just for consistency, A has to prevent storm water runoff, B does not. No, happy to say it still. Okay, so just from consistency perspective?

Ms. Thayer: Yes, I guess can we just align those two? Yeah.

Mr. Ward: Perfect.

Ms. Thayer: Everybody good? So we're, we're talking about aligning A and B so that they both pretty much have the same language, but one is redevelopment and one is new development and subdivisions. Miss Comcowich.

Ms. Comcowich: Part of the intention of the changing in the language was to actually separate them so there's separate policies it's fine.

Ms. Thayer: But so just that portions, you know, I guess, I don't know, seems like a bit more substantive parts. Okay. Alright, now vice chair, 2.4.6.

Mr. well, our language that we agreed on by consensus says during the subdivision or development process, the open space designations identified in the community plan map maybe realigned to better reflect and protect the natural drain drainage ways but may not be diminished.

The language proposed by Mr. Chipchase in his written testimony says during the subdivision or development process gulches and drainage features designated as open space maybe relocated, diminished or removed if more accurate maps of those areas are prepared and support such actions.

Mr. Thompson: So that allows for, ones that either moved or don't exist, they can be remapped. You gotta do, you still have to do a map, right? If you're going to do a development.

Ms. Thayer: Yeah, I think this is getting at, you know, kind of like ground truthing what the map is when you actually get on the ground and make like, your final plans for what's gonna happen on the ground. Cause everything else is kind of conceptual based on surveys and, you know, maps and things, but at some point you you know start actually moving earth on the ground.

Mr. Thompson: So the way we have it now, it cannot be removed or diminished and theirs is It can be moved or diminished.

Ms. Thayer: Yeah, so basically what we, what we arrived at in our consensus was realigned to better reflect and protect but not diminish. And the proposed language is basically relocate, diminish, or remove if more accurate maps are prepared.

Commissioner, oh, sorry. Do you have more Vice-Chair or can go to Commissioner Deakos and come back to you?

Mr. Thompson: Yes that's thank you please.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: I was just wondering if the department could weigh in when you get an application, I know we had extensive talk. I think it was the wetland maps, not so much the gulch maps, but if they are high resolution and there are some discrepancies, how does that unfold in this in the project application process can, maybe the director.

Ms. Blystone: I'm not sure. I mean, so I I think that we would work with the applicant, they would come in and they would show us this and we would probably bring it to your attention when we were, if you were voting on this, I mean I, I think it's just really it's

gonna be a case by case basis on how it plays out. I don't know if Jacky or Karen have any thoughts. Jacky's been around a lot longer than me.

Ms. Takakura: I would just wanna clarify if there's some standard in terms of what, what, what is an accurate map and some process but I guess that could be outside of the community plan.

Ms. Comcowich: Maybe something along the lines of does not impact natural drainage. So that's the intent of the policies is not to replace the natural drainage.

Ms. Thayer: Director?

Ms. Blystone: We'll have to develop a system by which we do this. So if it's the intention of the commission to go more this direction, we'll develop a system by which we'll, we'll do it and we'll meet the intent of the policy as we go along. I I wish I had a better answer for you, but that's my best answer for now.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Maybe I'll I'll phrase it a different way. So an applicant comes, they have a gulch or a map, it overlaps with the map gold. It's completely, you do a site visit or whatever, it's not there. There's a complete inaccuracy. Are you concerned about those types of cases?

Ms. Blystone: That let me just clarify what you're saying that our map is very, very inconsistent with what the map they would show us in the site visit would prove. Is your question?

Dr. Deakos: It sounds like the concern is this map doesn't reflect accurately my property and now you're forcing me to create a buffer around something that doesn't exist. And I'm just wondering it seems odd that that would take place and planning department say well sorry it's on a map. I know it doesn't actually exist, Sucks to be you, but it sounds like you're probably not too worried about a scenario like that happening.

Ms. Blystone: I think if you get, sorry Karen, did you have something you want to add?

Ms. Comcowich: Yeah, but you can.

Ms. Blystone: I mean, I think if if we made this change to the policy, then it would give us some wiggle room with that, right? So we would be able to say oh yeah wow, this is weird and make that adjustment, you know, and, and other places it's a requirement to do a, e.g., a wetland delineation. So the Army Corps of engineers map will say that their wetland is here and then you go in and do a delineation of the wetland is way over here. So this is a common practice to have you know, better data, better research data come in and and show alternative, you know, show, show that something a feature that we

think is in one place is in another place, and we just don't have the infrastructure or the legal infrastructure here in Hawaii to to like do that.

So this is a policy that we would just, we would have to, we would have to figure out how to enact. Karen I don't know if you have more to add.

Ms. Comcowich: I was gonna say the the reason there's the pushback is because the maps from 1998 had some weird gulches because they were hand drawn maps then from like grainy photos. These were done with high high resolution, with Lidar, with flow maps. They're not like rent, like guessing by based on black and white photo. They are very much more accurate. To be honest I would be concerned about having that much just leeway. I think it's better to have, I don't know.

Ms. Thayer: So it sounds like maybe the language that we had arrived at by consensus might work best. Commissioner Ward.

Mr. Ward: Thank you Chair. I guess I'm kind of having Commissioner Deakos question pop in my head of something's not there or if we don't have if planning doesn't have the ability to get around that, then is that necessarily fair to someone who's trying to better the community? Consuming their plan's gonna better the community it's gonna be the overarching exception. But I I mean I understand that it could open the door. It just seems like it would be so I don't know I guess if Planning could maybe share how you would get around that cause it doesn't seem like it would necessarily be appropriate to just say hey sorry it's not there.

Ms. Thayer: So the language that we got consensus on again is during the subdivision or redevelopment process, the open space designations identified in the community plan map maybe realigned to better reflect and protect the natural drainage ways, but may not may not be diminished.

Ms. Blystone: Chair and commission, this is a policy call. You can say, you can go one way or the other on it, and we'll just, you know, if you choose to say that it shall not be diminished, then we will. We will ensure that it isn't diminished even if the proposed link, you know, like the proposed map comes in and it says that the gulch is here and it's actually half the size, we'll just say, well, you got, you got what you got. Like we, well, we can move it here, but we can't change the size. That's just how we'll deal with it. So it's really, I I This is again like a place where you guys can make your decision or your recommendation. We're gonna have the same conversation at council, probably, so whatever you decide to do is is best for that moment, and that's fine. Yeah.

Ms. Thayer: Vice-Chair.

Mr. Thompson: Thank you Chair. Could it be just on a case by case basis?

Ms. Blystone: Exactly what it is.

Ms. Thayer: I think that's that by the way, the languages it would be during the subdivision or development process. So you know like as reviews are occurring anyway. Commissioner Lindsey, you have thoughts? Okay. Do we want to stick with our consensus language?

Mr. Hopper: Chair? This is Michael Hopper.

Ms. Thayer: Mr. Hopper. Go ahead.

Mr. Hopper: The only comment I'd make is that I don't know if other cases maybe I've missed them where the planning director would have the authority to actually adjust an open space mapping without going to council for a change. I mean, this would I think have to be a really deminimis situation and haven't necessarily seen this before. But generally, I mean if you wanted to have an ordinance to deal with gulch protection and give the director some some authority there, but to do it on, but to do it on a, on a map to say the director can realign the map, that's something that I'm not sure if I've seen before. So I maybe have a concern there.

Ms. Thayer: Thank you. Director.

Ms. Blystone: May I ask a question of council? I mean cause I, Mr. Hopper, I just wanna I wanna ask. I think then between the two things that we're considering, the one that would be more egregious would be diminishing, right? So adjusting wouldn't be as, as rough as diminishing.

Mr. Hopper: Well Chair, I mean an adjustment, I'm still not exactly sure what happened with the, with the map boundaries actually move. I just don't know of the case like generally we've had these situations where there's misaligned community plan maps and they've gone through the commission and then through the council and the council's made the changes to amend those maps. So I'm a little unclear on the process here. I mean maybe if the designation itself is, is flexible, but usually a designation on a map of open space is something that the legislature has to change unless unless I'm missing something here.

So, you know, in either case, yeah, I I understand making an adjustment of the total space because you've actually found that the map was inaccurate is I think makes sense could make sense in some cases you're actually talking about not really necessarily making an like changing the the map. It's just that when the map was done originally, it's it's a little off, but in other cases where we've had mapping errors that are just oh a parcel never got this designation at all, we've had to go to council for those changes. And so that's that's I'm trying to see sort of the difference here and what the intent is you know in what to deal with, but I'm I just want to be raise that issue because if it goes to council, I'd have to raise the same issue of director authority to make map, changes to a community plan designation on a map.

Ms. Blystone: Mr. Hopper, don't you think that the difference might be that in the past we haven't had a policy that's explicitly said that you could do that for a very specific

scenario? So by adopting a policy, those assume the council adopts this policy, then that becomes regulatory and I'm, you know, I or whoever is sitting in the seat is, has that ability.

Mr. Hopper: Yeah, I mean I would at this point pass what you, what you are are looking to have done and maybe we can look at a way of doing it but you know it if you know if the policy said the director could designate parcel's residential that are not currently residential or something like that, that's obviously way too broad. And so we would have to look at the you know at you know the authority that this question came up as far as director authority to realign maps and it was pretty clear the director didn't have that authority in in those cases, but you know, maybe something like that's more of a 280B type of a thing, but then are you getting into, is this a community plan amendment that is has to go through the community plan amendment process and the charter or is this just something that the, the, the, the mapping itself is saying, here's what the map means and we're just making the map conform to the actual physical characteristics, that's what we would have to target there. But I just wanted to raise the concern because it seems like we're going back and forth on director authority to make changes and I think this if allowed it would have to be pretty limited here based on those general requirements you'd have to change a community plan map on other cases.

Ms. Blystone: Chair, before Vortex opens in the center of the building with all of the legal back and forth and confusion, I I think what I heard Hopper say is that you guys should go forward with what you want and then we'll work on the, we'll work on the answers. So if you want the amended language proposed by the testifier you may or if you want to go with the one that you've already made consensus on, I think either way is fine we'll just figure it out.

Ms. Thayer: Okay, I'm wondering if, you know, hearing what Mr. Hopper said, if we work off of our language that we already agreed to, but to clarify or qualify to say maybe realign to better reflect actual on the ground conditions to make that clear that it's not willingly.

Ms. Comcowich: That's what it did say. Reflect and protect the drainage way.

Ms. Thayer: Okay, so that's so that would encompass that. I was just seeing if we needed to make it more clear that this is just to clarify, you know, what.

Ms. Comcowich: That's how I would understand.

Ms. Thayer: Okay. All right. Yeah, if that's alright, then that works.
Okay, commissioners, you good with keeping our language that we had consensus on?
I see thumbs up online.

Mr. Ward: I'll go to the majority I was not part of that soon.

Ms. Thayer: Okay, alright, we will keep what we had. Thank you. Any other policies to revisit on 2.4? Seeing none. So 2.5, I believe we asked for input from Oihi Resources also on the whole.

Ms. Comcowich: Yeah, there was NO discussion on it.

Ms. Thayer: Okay, so I don't think we actually did any changes to these, right? Cause we wanted Oihi Resources input.

Ms. Comcowich: That is accurate yes.

Ms. Thayer: Okay, so our recommendation to council would include probably something to the effect of. Yeah, Incorporate or you know make modifications based on input from Department of Oihi Resources. Okay, everybody good with that for section 2.5?

Yep, I see thumbs up, I think from everybody. All right.

Well, that's Section 2, guys. Moving right along, go team. It's been a couple of hours since our last break. Does anybody need to get up and move around? Sorry, I've been standing for the last little bit.

Need 5 mins. 5 mins. Okay, let's do 5 min. It is 04:39. Let's come back at 04:45. Thank you everybody.

Break

Ms. Thayer: Okay, Aloha Auinalā. Almost Aloha Ahiahi. Good afternoon, welcome back everybody to our Maui Planning Commission meeting. The second one of today regarding the South Maui Community Plan. We just finished Section 2. Commissioners in the interest of moving through our agenda as efficiently as possible, I am proposing to kind of take us out of order similar to what we did earlier today and skip over Section 3 cause that's gonna have probably the most meaty discussion and then go to Section 4, Section 5, and then come back and take care of Section 3. If there are NO objections, can we move forward with that? I see a thumbs up from Commissioner Ward, Commissioner Deakos, Vice-Chair, and Commissioner Lindsey. All right, thank you. So, Section 4, which we are fresh off of from today. Implementation and monitoring, so all this myriad actions for the county to take care of. Is there anything anybody wants to revisit?

On the side note, Plan Implementation Division is probably looking for good people to hire, to assist with realizing all of these dreams.

Ms. Blystone: Indeed.

Mr. Ward: Just checking my notes.

Ms. Thayer: Yep, take you some time to check your notes.

Oh, it's just a small one I saw in my notes 2.01 county lead agency is D O M.

Ms. Blystone: Oops. Wait, 2.01?

Ms. Thayer: 2.01.

Ms. Blystone: It could be Department of Management. Hold on.

Ms. Thayer: Because there's OM but it is the Department of Management, right?

Ms. Blystone: Yeah, it should be.

Ms. Thayer: So all of OM should be.

Ms. Comcowich: Whichever one you prefer.

Ms. Thayer: D M.

Ms. Comcowich: Department of Management.

Ms. Thayer: Department of Management.

Ms. Comcowich: I don't know why it was put in as O M sometimes.

Ms. Blystone: We'll make it consistent throughout.

Ms. Thayer: Okay yep ok thank you. Checking notes, checking notes.

Ms. Blystone: They just went through it.

Ms. Thayer: Yep.

Anybody? Otherwise, we can go on to Section 5.

Mr. Ward: We're looking at Goal 2.2 that says provide opportunities to live health lifestyle. That's not what's coming from 2.2. Does not ring a bell.

Ms. Thayer: I'm just letting Commissioner Ward check his notes.

Mr. Ward: We we can move on and need to come back. I'm just I'm not able to correlate one of my notes to what I'm reading on the document, so.

Ms. Thayer: Okay.

Ms. Lindsey: Commissioner Ward, I'm also checking my notes.

Ms. Thayer: Okay, yeah, we can give everybody a couple of minutes for that.

Mr. Ward: I think so. So I I have a note that it was.

Ms. Thayer: Commissioner Ward, then Commissioner Lindsey. Go ahead, go ahead.

Mr. Ward: I have a note for Goal 2.2. To have it safe provide opportunities to, to live a healthy lifestyle with a variety of affordable housing options near jobs and provide safe routes to and from home, but that's not lining up with document. So I obviously have the wrong number. So does that ring a bell to anybody?

Ms. Blystone: A Goal 2.2 or an action or a policy? Cause that doesn't seem consistent with the goal that we have.

Mr. Ward: I wrote goal, but that doesn't mean it's right.

Ms. Comcowich: It goes with the goal of safe, healthy livable communities for all. So then that was a rephrasing something in a positive way with that.

Mr. Ward: I think so.

Ms. Comcowich: Okay. Thank you. How would I make note of it and just I'll try to note if that is not phrased positively.

Mr. Ward: Okay, that's fine.

Ms. Thayer: Commissioner Lindsey.

Ms. Lindsey: 1.19 says transition buses that run on renewable energy, maybe transition public transportation cause I like there's buses, but there's also like vans or like, people on wheelchair, and there's I'm just I'm just hoping there's other more economical modes of transportation that could be included here.

Ms. Thayer: Okay, so this would say transition to.

Ms. Lindsey: Public transportation.

Ms. Thayer: Public Transportation that runs on. Okay. Yep, everybody good with that? Well, that's right. Commissioner Lindsey. You aren't here for part of that. Yes. Okay, so that'll say 1.19 says transition to public transportation that runs on renewable energy etc et cetera. Okay, everybody good? Just making sure thumbs up all around. I see nodding. Yes. Okay, go ahead Commissioner Lindsey followed by Commissioner Ward.

Ms. Lindsey: 1.02, I know that's when I signed off, but I was wondering if we could, I know it's currently at a medium priority if we could, like prioritize it a little bit more to possibly help out Lahaina.

Ms. Comcowich: That's 1.02.

Ms. Thayer: 1.02.

Ms. Comcowich: Just you know, the CPAC recommended everything for high priority, so that's it's a little challenging to have everything be a high priority.

Ms. Lindsey: Yeah, I I agree with that, but, I think at the end of the, I, my understanding is the hardware in Lahaina is gonna maybe be 5 to 10 years away, so in order to, but there's a lot more that needs to be done in order to help that.

Ms. Blystone: Have that information. No, we kept it, we kept it.

Ms. Thayer: Checking notes?

Ms. Blystone: Yeah, we kept it. I That's the one thing I have a note on. But what I, just if I may, Chair. Like you can do whatever you want. So if you want to say high priority short, you can do that, but this goes back to something I'm just gonna keep going back to what Karen said, DOT has absolutely NO intention of doing this. So, you can change it if you want to, but I I don't think it's gonna force them to do something that they weren't intending to do anyway. I understand, right? Cause this is we got feedback from DOT that they, this is not the right place for them.

Ms. Comcowich: Yeah, this is not the right place and the right time to do this transit hub.

Ms. Blystone: Which is why they recommended removal.

Ms. Thayer: Okay, so the middle ground is making it medium sort of.

Mr. Ward: Then keeping it.

Ms. Thayer: Yes. Commissioner Lindsey, having heard that?

Ms. Lindsey: Having heard that I kind of wanna change the lead agency.

Ms. Thayer: That's another way to do it.

Ms. Blystone: But it's also gonna result in the same outcome. I'm sorry. They're they're responsible for this activity.

Ms. Thayer: Okay.

Ms. Lindsey: No worries. Thank you.

Ms. Thayer: Leave it as is.

Ms. Lindsey: Yeah

Ms. Thayer: Okay Commissioner Ward?

Mr. Ward: Thank you, Chair. I was gonna say maybe the best is we leave it and maybe just make it as a recommendation to council to them to look at.

Ms. Thayer: Sorry. Did I interrupt you?

Ms. Comcowich: No, ok, I was gonna try not to speak, but just really the DOT said that they haven't heard the push for this. We didn't hear the push for this during CPAC.

Mr. Ward: That's weird finally not alone.

Ms. Thayer: Okay, Commissioner Lindsey?

Ms. Lindsey: I did have an I did have a conversation with Councilmember Johnson about this because I was just wondering about how like how they're getting their things and how they're transporting to Lanai and he said I didn't, I didn't know this was on the this was part of that. So I think there is motivation in the council, so if we can highlight it in some way, I feel like it could be reprioritized.

Ms. Comcowich: I, this is for like a bus hub, like what's in Kahului. That's what a transit hub is, like the new one by the.

Ms. Thayer: Okay, so more than making this be like a key stop, this would, calling for a transit hub would call for that whole structure and inflow, outflow parking area, everything like that.

Ms. Comcowich: Yeah.

Mr. Ward: Bus terminals.

Ms. Lindsey: Okay, that's fine. Thank you. We're good.

Ms. Thayer: Okay. Cause the the bus goes here, right? Yeah. Okay, so leave as is. Sounds like. All right. Any other actions? Commissioner Deakos?

Dr. Deakos: I just had a question. Section 4.3. There's a lot of great the monitoring and evaluation, some great language about monitoring quality of life, references, a list of core indicators that could be used anyway, several, but I don't see any of that in action. So I'm just curious.

Ms. Thayer: Sorry, I'm just trying to follow where you are referring to. 4.3?

Dr. Deakos: Page 112.

Ms. Thayer: Oh, alright, ok, got it. Well same, not, just not yet in the tables. It's the beginning of that like section of the plan. Thank you. Sorry, go ahead Commissioner Deakos, continue.

Dr. Deakos: Just a question about the, the intent here to monitor and evaluate, you know, we often you know, talk about economics, right? Well economics equals good quality of life. End of story, you know, but in reality it's, there's other metrics that actually measure quality of life. I know you guys had in one of our resource documents or actually I think it came out a few months ago. A report on the quality of life, I reviewed it. I was just curious if there's any actions to reflect the monitoring that those types of metrics or what, what's the intent to do to do a section 4.3.

Ms. Comcowich: So the quality of life survey you're talking about was something that's undertaken because of the Maui Island Plan request that so that's already contained having that quality of life survey. This section is actually about how the actions are implemented, and so it's monitoring like the plan implementation vision looks at all the actions and asks the departments if they have done them or where they are on achieving them or continuing to do them.

Ms. Blystone: Chair, if I may?

Ms. Thayer: Go ahead, Director.

Ms. Blystone: And in addition to what Karen's saying here, I think it's important to note that historically the way that we have reported this information has not been transformative in any way. It's just kind of Performative and, the new, the well, newer head of the Plan Implementation Division and I were just talking literally yesterday about ways to do a dashboard or something to show this stuff more graphically. And there's some great work being done. We looked at Las Cruces, New Mexico and you can take a look at there. So he's looking at different software and or you know like cloud based systems in order to track this stuff and then report it more graphically so that we can see it.

I also like the idea of being able to see all the places where we say the same thing seven different times. That's the thing I'm most excited about is that then we can go, oh, well, this should just be in the Maui Island Plan instead of like all of these individual community plans. So it's gonna help us see see this information more, more better. More clearly.

Dr. Deakos: Great. Thank you. Thanks Chair.

Ms. Thayer: Nope, thank you. Good point. Anything else on Section 4? I guess particularly Commissioner Lindsey since you didn't get to, you weren't here for a lot of that discussion.

Ms. Lindsey: Okay. I nothing that stands out, Chair. Thank you for asking.

Ms. Thayer: Okay, thank you. Yeah, oh this one doesn't have a priority. Okay. Yeah, ok, I guess that's all for Section 4, then moving into Section 5.

So our previous, you know, points of consensus were that we were moving all the definitions from the beginning of each section just to be in the appendix, and I believe Department of Oihi Resources is making changes to appendix E.

Ms. Blystone: Is that the language? Yes, I have confirmation of that. I spoke to Kekai about it, not, not that long ago. Deputy Director Robinson.

Ms. Thayer: Yeah Okay perfect. And so they have very capable hands for taking care of that for us. Anything else commissioners? Commissioner Ward?

Mr. Ward: Thank you. Do we want that to be included as one of the recommendations? I just want to make sure cause even though I think it's it's an assumption, just to be clear.

Ms. Thayer: Sure. Yeah, NO good point. Yeah, staff got that. I guess all the things that we want to make sure Oihi Resources' input gets in. Okay, anything else on the appendices? Hearing, oh Commissioner Lindsey.

Ms. Lindsey: I'm sorry this goes back to one of the actions which kinda had a question on but 'puuhonua' is the formal definition for a county designated place of refugee?

Ms. Thayer: Are you referring to a specific action?

Ms. Lindsey: I am, but mostly the definition here, it is, the definition on page 161 and then if that's correct, then I don't need to talk about the action.

Ms. Comcowich: That has been used at the state level as well to describe.

Ms. Lindsey: Yeah, ok so it is. So yes. Okay. Thank you, that's fine.

Ms. Thayer: Okay, thank you. Commissioner Deakos.

Dr. Deakos: Yeah, Appendix H. I know this is a touching subject. I think there was lots of testimony saying, you know, this, we have this great plan to build, you know, all these or whatever 8000 homes and structures and, but there's NO infrastructure report to, that details how we're gonna get the infrastructure in place for that or the funding's gonna come from and is that a requirement under state law that have included in there? I just, I know it came up a few times, I don't know a lot about it, the the general process, but maybe that could be addressed.

Ms. Takakura: So Appendix H was added at the last CPAC meeting and so this was just added in the way you see it from that last advisory committee meeting.

What the department is doing is we're gonna be looking more at the requirements of 280B.07 on what what's required of the community plans by code. And there is components of infrastructure and capital improvement and financing, so forth.

Mr. Ward: Jacky said.

Dr. Deakos: Okay, so what we have here is compliant with state law, and those details will be added later or how does that work?

Ms. Takakura: So what, not with state law, but with Maui County Code Chapter 280B, and what I'm working on myself, just for my own reference, and I'll include, this can be included as an appendix also, is a list of all the requirements that are in 280B.070 and where they are in the plan so that we can easily refer to, you know, whatever's, required by code and where it is in the South Maui Community Plan. And there are components of these things like infrastructure in like say the actions, you've got CIP as one of the categories and timelines and costs in the actions.

Dr. Deakos: Okay, not my area of expertise. I appreciate the response. Thank you.

Ms. Comcowich: It was included in the package.

Ms. Blystone: So we have two packages. This is the draft your draft book.

Ms. Thayer: So once, we're following up on Appendix H.

Ms. Comcowich: So as Jacky said, Appendix H was added at the last meeting. So the Appendix H you see in the plan is what was CPAC just asked us to add Appendix H And so then Appendix H that we forwarded to you is the appendix that has all the CIP projects separated out. That's that is the infrastructure planning that was done in this plan.

Ms. Blystone: So just for clarity, we're asking the commission to replace the language that was adopted by CPAC with this proposal, correct? The Appendix H that was forwarded to them.

Ms. Comcowich: Yeah. You can do it that way.

Ms. Blystone: So replace the existing Appendix H that was forwarded by CPAC with this new Appendix H, which addresses the content of Appendix H, that makes sense? So they, they, they said you need to do this. We said ok well this is what we'll do, which is we pulled out all of the CIP projects that are associated and added and changed the language slightly. This is in the material provided to them for this meeting?

Ms. Comcowich: It was provided with the original plan.

Ms. Thayer: This is dated May 2024, the copy I have.

Dr. Deakos: Is this, Chair?

Ms. Blystone: We're gonna look for it Commissioner Deakos.

Ms. Thayer: Sorry, I have a hard copy in my binder.

Dr. Deakos: It's not on the we are Maui.

Ms. Blystone: So it is, it is.

Dr. Deakos: Oh, ok.

Ms. Blystone: So if you look at we are Maui, we've got Sections 1 2 3 4 5, and then Appendix H. Do you see that? In the draft plan.

Dr. Deakos: Okay, South Maui visit the draft plan or draft plan review.

Ms. Blystone: So where it says yeah when you click draft plan review, if you scroll down, you say upcoming meetings, meeting materials past meeting. Scroll past that. View the draft plan and then Appendix H, is there.

Dr. Deakos: Okay, I got it. Thank you.

Ms. Thayer: So everybody got this. Appendix H. Yes.

Mr. Ward: I do. I was just pointing out that the intro page is marked May 2024.

Ms. Thayer: Yes.

Mr. Ward: The balance is marked as March 2023, which I think it's just a footer of and I guess I'm gonna ask the question just so it's on record that based on any changes we've made to actions today obviously will be updated, changed, included, modified.

Ms. Blystone: Yes, absolutely.

Mr. Ward: I assumed as much just yeah.

Ms. Blystone: No, NO, it's a fair question. Always good to check.

Ms. Thayer: Okay, any commissioner questions on Appendix H?
Seeing none, can we close out Section 5?

Ms. Blystone: I think, I think it would be good to supplement, correct me if you think I'm wrong guys, but it seems like it would be good to take the H that's in your draft and replace it with H that was provided.

Ms. Thayer: Oh, ok. Yeah. All right.

Ms. Blystone: So if you get the least consensus around that.

Ms. Thayer: Yep. So commissioners, can we get consensus on replacing this Appendix H that has the, that says 171 page 171, May 2024 and then the table with the footer

March 2023 and have this replace the Appendix H that's in the hard copy we got dated February 2024. Yeah, updated February 2024 on page 170. Commissioners Deakos.

Dr. Deakos: With the Footer updated.

Ms. Blystone: Yes.

Ms. Thayer: Yeah, all the footers would be updated. Yeah. I just said those out loud so we are all know which documents we're referring to.

So everybody good? We have consensus on this replacement. Commissioner Lindsey. Okay. All right. Very nice. Okay, well that closes out Sections 4 and 5 guys, then we're on to Section 3. This I will not say it. Okay, let us dive into Section 3, unless you need a quick break. Commissioner Lindsey.

Ms. Lindsey: I just need like a 10 min break to feed my animals before it gets dark. I'm sorry I would have done it in the 5 min. break, but that's not enough time.

Ms. Thayer: Nope, that's fine. We can take let's come back at 06:30. It is 05:18 right now. No, sorry, 05:30. 5:30. Sorry. Okay, it is 5:18 right now. Let us recess and reconvene at 5:30. Okay, thank you. See you then.

Recess

Ms. Thayer: I think we're into Aloha Ahihi ka kou. Good Late afternoon, early evening. Thank you for sticking with us. Appreciate you all. This is our Maui Planning Commission meeting of Tuesday, March 4th 2025, our second agenda for the day. We've just finished going through Section 4 and 5 and now we circle back to Section 3.

So commissioners, just like before, we have many decisions we've already made by consensus, but can revisit anything that you may have flagged and the department also has a synopsis of what we've gone through and decided on already. So some of our general revisions were prioritizing culture in tables and have Department of Oihi Resources review. For the sub area maps and area of change maps, we're including the surrounding land use designations with a mask so we can see how the areas of change interplay with the other land use designations.

We added the tables to the beginning of each sub area, the definition of vacant housing was added to the appendix, and that definition was adopted from DBET.

Yeah, those are the overarching changes. And then we get into specific sub area updates.

I think one change added to the Land Use once well, I don't know if we ever actually talked about consensus on this, but there's a suggestion for resort hotel to include residential because that's what the zoning allows for and the resort hotel areas include Residential forms as well. See thumbs up, thumbs up, thumbs up. Commissioner Deakos.

Dr. Deakos: Sorry, it wasn't allowing me to unmute, can maybe the department just weigh in a bit on that? I know there's concern of obviously a residential having resort use. That's not what we're doing here. You're adding residential to the Hotel designation.

Ms. Thayer: Correct.

Dr. Deakos: Maybe just expand on that.

Ms. Blystone: So to be clear that making this change is not actually going to change anything, that the zoning still allows residential use. So you'll be allowed to do residential use. What this does is just add further clarity that in fact it is allowed, so that's, that's all it's going to do.

Dr. Deakos: Yeah, thanks.

Ms. Thayer: Yep. Okay, so everybody good with just making that little addition? I think yes, alright. Anything else otherwise we can get into Section 3.3, our map, and sub areas. Ms Comcowich.

Ms. Comcowich: If you pull the map online does have all your changes and we could look at the changes you have proposed.

Ms. Thayer: We are South Maui?

Ms. Comcowich: Yes. I could share screen as well, as long as you remind me to get off of it.

Ms. Thayer: Yeah, please go ahead and share screen so we can all be all together.

Ms. Blystone: Just being mindful if we lose, ok, we lost Dale in the room. Can everyone still see Dale online? I think what we'll do is maybe turn off the testifier camera and see if it fixes that problem because we have Commissioner Ward and Commissioner Chair Thayer on the one camera. If you turn off that other camera, maybe it'll pop up. No, nope.

Ms. Comcowich: It says Dale. It's just not showing him.

Ms. Blystone: Yeah, but we have to see his face.

Ms. Lindsey: Maybe have him talk.

Ms. Thayer: Everybody online can see him?

Mr. Thompson: Yeah, I'm still here. I think it's when you do screen share it pops me off.

Ms. Thayer: Yeah. It must be. Yeah, there you are. It's just a screen share anomaly.

Ms. Lindsey: But I think turning off the Testifier camera in addition to that will help. So turn off the camera, have the three commissioners talk and then it will be there.

Ms. Thayer: Okay. We're the only people in the room anyway. So.

Ms. Comcowich: Erin's back there.

Everybody laughed

Ms. Blystone: Erin's still there. She's just behind the

Ms. Thayer: Oh hi Erin. Sorry, we don't have nobody. We have one person.

Mr. Ward: We have somebody.

Ms. Blystone: Okay, so Dale's up there. That's good.

Ms. Thayer: Oh yes. All right. See you vice chair. Okay, it all works out. Thank you everybody. Alright, we got our map online and so and sorry you said this reflects what we had gotten consensus on.

Ms. Comcowich: Any changes you've gotten to, yes. So Piilani Promenade was changed to a combination of small town center while keeping the riparian buffers.

Ms. Thayer: Sorry real fast, can you go to Maalea just to go in order.

Ms. Comcowich: Maalaea. All the same. Okay.

Ms. Thayer: Okay, we did not make any changes here.

Ms. Comcowich: Maalaea stays the same as it was recommended by CPAC.

Ms. Thayer: Okay, everybody good? With that, ok.

Ms. Comcowich: North Kihei Mauka. North Kihei Pulehunui area stays the same as recommended by CPAC.

Ms. Thayer: Oh, there was HCDA provided testimony. Is their stuff in here?

Ms. Comcowich: You're talking about the.

Ms. Thayer: Pulehunui Community Development district. There was testimony from Mr. Nakamoto, wanting to make sure that their Pulehunui Community Development District was included.

Ms. Blystone: Did he provide a map? I'm sorry, I did not see the testimony, Chair.

Ms. Thayer: I did not see a map.

Ms. Blystone: And did he define what included means?

Ms. Thayer: Oh, sorry.

Ms. Blystone: NO worries. I don't staff if we're familiar with that. I just am not.

Ms. Comcowich: Yeah, I'm not familiar with it.

Ms. Thayer: I think it was one of the later ones we got this morning. Find it again.

Ms. Blystone: Oh, so it came today.

Ms. Comcowich: Email?

Ms. Thayer: Okay, yeah, NO, it's an email. He did not provide a map. So this says HCDA is the state planning and development agency for the Pulehunui District in South Maui. The agency's mission for the district is to design and build infrastructure that supports the development of state owned land in the district. The contemplated uses in development in the district include industrial jail and a veterans affairs home. The purpose of this testimony is to ensure that these con contemplated uses and development are included in the South Maui Plan as applicable to the district area. Thank you, Craig Nakamoto, Executive Director, Hawaii Community Development Authority. Okay, we do not have a map. Okay.

Ms. Blystone: I am, I apologize Chair. I mean if he had provided a map, we could provide you a little bit more suggestion there. There's state owned lands throughout that area and I'm not sure which parts he's referring to.

Ms. Thayer: Okay.

Ms. Blystone: So. I apologize, but yeah, I I don't have a really good suggested path forward for that.

Ms. Thayer: Sure.

Ms. Blystone: I encourage HCDA to provide a map to council when they submit testimony next time.

Ms. Thayer: Okay.

Ms. Blystone: And also suggest specific designations for the Project.

Ms. Thayer: Ah yes. Alright, can we put that into our comments to council? Just to make sure that we're acknowledging the testimony.

Ms. Comcowich: It seems like he should know the process and

Ms. Thayer: Yes.

Ms. Comcowich: Participate in it. Sorry, that's not the most.

Ms. Blystone: No, I I agree, I mean, I think you have a lot of testimony in here that that you are not directly acknowledging and I think that if, if this is really important to HCDA, they can provide you, they can provide the council with the direction that they'd like to go. But the commission of course can we can add something if that's something you'd like us to do. It just seems. It then puts it on the council to reach out to HCDA and really HCDA should be reading reaching out to the county with their prefer preferred language, you know with their process.

Ms. Thayer: Ok? Commissioners, your thoughts on this? Commissioner Deakos followed by Commissioner Ward.

Dr. Deakos: I would agree with the director since there's a long process.

Mr. Ward: I would agree as well because they had CPAC plus MPC so it's good two and a half, three years.

Ms. Thayer: Commissioner Lindsey, you look like you're thinking about this. Go ahead.

Ms. Lindsey: Was this also part of Leilani Pulmano's testimony? She provided a map. Are those two related?

Ms. Thayer: I think they are separate.

Ms. Lindsey: Okay.

Ms. Thayer: This is talking about a state parcel and what Leilani Pulmano was referring to was, I don't think state. It's, you know, in this like vicinity, but I don't, I don't think they're the same thing.

Ms. Lindsey: Okay, thank you. I agree with my fellow commissioners who spoke earlier.

Ms. Thayer: Okay. Hopefully they are listening. Ok alright, anything else we can go back to your map so everybody can follow along.

Ms. Blystone: Stop sharing and reshare. Keep the testifier to have your camera off, mostly because I don't want him to be not or not seen.

Ms. Thayer: I guess we can Okay. Magical.

Ms. Comcowich: Ok, so an area that the planning commission designated for change was the Piilani Promenade from Residential to Small Town Center with the green space buffers. That's where we had just left off.

And then you kept, you maintained the CPAC designations except for changing the open space with the SLR-XA to their original designations and adding a policy to not develop in the SLR-XA.

Ms. Thayer: Can you pause here?

Ms. Comcowich: Yes.

Ms. Thayer: So commissioners, anything you want to revisit in this area?

Ms. Comcowich: Talking about this area or subject matter.

Ms. Thayer: Subject matter. I guess you're, you're just reviewing the changes that we made to the map, right? Yeah. Okay.

Ms. Comcowich: Okay, so if we go down to Wailea is the next change. It is down at the Shops at Wailea. There's a small little tiny parcel. Okay, it's actually pretty big parcel. The Shops at Wailea was changed from small town center to resort hotel. And now I will zoom back out. The next change was for the Christian Chan Chance to align with Christian Chan's testimony to redesignate all of the why or the golf course as a mix of neighborhood center and residential based on practice and what the decisions have been so far, we did include the gulches just so you guys can see that on there and it also goes up to right here. There's a little more neighborhood center. So all the way from here, any of the open parcels right here, this one and then residential. And everything else you maintain CPACs designations for.

Ms. Thayer: Okay, thank you. So commissioners, having seen the changes that we've made and what we've kept the same, anything to revisit? Commissioner Deakos.

Dr. Deakos: So Piilani Promenade. I know it was described why it should be small town center, didn't quite didn't quite make sense to me, but I won't rehash that, but I just want to make sure 3.5.8 which addresses the 80/20, that is still a policy alive and well, correct?

Ms. Thayer: 3.5.8 I believe is in here. Yeah.

Ms. Comcowich: That was one that was changed at the meeting to keep that in the, we had originally recommended as the department to remove it because it was residential and it was not small town center. When you you elected to change it to small town center, we made the verbal recommendation to change it. And you as a body changed from three to four parcels, so it says as the four parcels shall be mixed use pursuant to the small town center definition and shall not be less than 80/20 residential and commercial. This shall be measured in residential building footprint, square foot commercial buildings square footprint square foot as appropriate. If the project is done in phases, then each phase must meet the 80/20 rule.

Dr. Deakos: Okay, yeah, I must have saw an old recommendation to delete it. That's what I was concerned about. Okay I'm good. Thank you.

Ms. Thayer: Okay, thank you. Commissioner Ward.

Mr. Ward: Thank you chair. Based on testimony from Cal Chipchase, I would propose for 670 to just adopt the phase two map that the commission, I was not part of at the point, as per his request.

Ms. Thayer: Okay, so just making sure the community plan maps aligns with the phase two approved site plan map, ok? I see thumbs up from Commissioner Lindsey, Vice-Chair Thompson. Commissioner Deakos?

Dr. Deakos: So remind me that's.

Ms. Thayer: So, Honua'ula, formerly known as Wailea 670, so just it would be our recommendation would be to make sure that the map and designations in the community plan align with the approved phase two site plan because there are a couple of small discrepancies between the two, so just making sure they're in alignment.

Dr. Deakos: Like the beak that.

Ms. Thayer: Yes. Yes. Yep. Okay. All right, good. One thing I wanna make sure we touch on is since we agreed by consensus to include that Keokea Industrial area to include the, look at including the policies that were agreed upon between KCA and the project land owner. And I found these in the, this is dated January 8th, 2025, the written testimony from Rory Frampton that includes the project specific policies.

I think it's from the January 14 meeting agenda. There are six policies proposed. Making sure everybody has these. Commissioner Deakos.

Dr. Deakos: Can you. Is it in the testimony status?

Ms. Thayer: Yeah, if you go to the January 14 meeting agenda, I believe it is the documents received after posting new testimony. And it's a 34 page PDF that hopefully comes up when you click on it.

Ms. Comcowich: Do you want me to share it?

Ms. Thayer: Yeah, please.

Dr. Deakos: South Maui meeting on the 14th.

Ms. Thayer: Correct. Oh, so we have it shared on screen now.

Ms. Comcowich: Online people tell me when to scroll up because.

Ms. Thayer: We'll just start with number one for now, and I know the department hasn't had a chance maybe to weigh in on these, but if I may ask your eye on this, I think maybe based on input you've given on other policies, we could probably, there, well, I think

reading through these, there's some adjustments that could be made to, you know, make them work from your end.

So the documents received after page 22. So commissioners, do you have this before you? I think this is worthwhile to consider cause it's, you know, multiple parties discussed and got consensus. This is any coming.

Ms. Comcowich: Am I correct?

Ms. Thayer: Go ahead.

Ms. Comcowich: Since this is a recommendation to council we just recommend they review and include these policies rather than going through them one by one.

Ms. Thayer: Yep, ok. I just want to make sure everybody knows what they're adding.

Ms. Blystone: Yeah, Chair. So, I am uncomfortable with this without having an opportunity to spend a little time with, with these guys.

Could you give us a, could you move on to another topic and then circle back?

Ms. Thayer: Sure. So you can look over it.

Ms. Blystone: So we can take a look at them and see if there's anything.

Ms. Thayer: Sure.

Ms. Blystone: Perhaps this might be worthwhile, but I'll I'll look at it right now.

Ms. Thayer: Okay perfect.

Okay, commissioners in the meantime, do you guys need time to look over these also? Yeah. Okay, the department is looking over them as well. Director.

Ms. Blystone: Actually I do have strong feelings. I I don't think that you should adopt these and mostly because of the last sentence under project specific policies where it says we have continued dialogue blah blah blah. It should be noted that these policies will be further defined and incorporated as conditions during the district boundary amendment and change in zoning process. That maybe a more appropriate location for this kind of thing. They can continue to work on them. My worry is that I don't want to have a mismatch between what's in the community plan and what's in, in these other in the DBA in this change in zoning. So it's not really, they're not necessary.

It it makes me, it just makes me a little nervous to add them kind of in this last, we, we just went through something where, you know, CPAC added something at the very last minute, so that's my only concern.

Ms. Thayer: Sure. And I think some of these get addressed by existing policies anyway. Maybe not all directly, but like you know number five about the project area shaded with canopy trees, promoting the use of R1 water, thinking about flow along, you know,

intersections with Piilani Highway, there are policies for a comprehensive drainage plan, low impact design. So get it already, I think get at these concerns.

Ms. Blystone: I agree Chair. And I also think this kind of deep dive onto an individual project is more appropriate for the, the other processes that are yeah so I I would recommend not including these.

Ms. Thayer: Yeah and I think in general everything that these policies are getting at are captured in some way, shape or form by the overarching policies that are in Section 2. But commissioners online, welcome your thoughts and Commissioner Ward too. Commissioner Ward.

Mr. Ward: Thank you chair. I'll go since they're not. I would agree that I think that the policies that we put in place cover most of this. I see this more as a collaboration between parties and it looks great, but I don't think it necessarily needs to be in our document. They have their personal agreement. Comparing it to the settlement if you have a settlement with someone, that doesn't go into our plans, so I I would, Though I support the idea and and applaud the collaboration? I don't think I would say put them in specific cause then every project will then start submitting individual things which could be a nightmare.

Ms. Thayer: Yeah. Although we do, I just want to acknowledge we have specific ones for other projects. Although this is, as we said, late in the game that this is coming up, yeah. Okay. Vice-Chair, sorry were you raising your hand? Okay. All right. Anything else to revisit? Commissioner Ward.

Mr. Ward: I make sure I understand what I'm gonna be suggesting, so we had testimony today and received it in print.

Are I guess it's a question to the department because they're not they're not specific numbers. The referred to policies in the testimony, have those been the one has were those updated into our documents that we just went through and they're not. This is new. Okay.

Ms. Blystone: Sorry for the commissioners online, though this is new, we need to add both the policy and if you want to make the change, we strongly recommend that you make the change to transient oriented center or corridor. Sorry. Along with the Policy.

Mr. Ward: I'm just looking.

Ms. Thayer: So the Department of supportive supportive.

Ms. Blystone: Absolutely. And I, if I may, I very much thank the folks at Lipoa for sitting down with us and having this conversation and we went over maps, we talked about their concerns, we hashed it out. There were uncomfortable moments crying, throwing of furniture, and eventually we ended up, NO, I was just kidding. Eventually we ended up coming to this, this consensus on on this between the two parties that, that, you know,

the policy that's being proposed provides some clarity. There's some certainty for, for Lipoa and the and the team there, but it also it's just a fact like it's, it's going to be the way that we're doing it anyway, but it, it records that. I think the question that commission has to grapple with is whether we keep the park as is identified in the plan or in our proposal or remove it. You know, I think that one of the concerns that was expressed to us is that kind of that question of, that we were grappling with earlier where Mr. Hopper jumped on and said, Well, what if it's a little different? And we've already had this experience with some with some zoning stuff that was slightly different and they're concerned about that. I'm not as concerned about that because their zoning is still gonna still gonna carry the day, but you know I think you could go either way it really is up to the commission what they decide to do. Our recommendation is to keep the parks in because the community, I mean I I think I don't know Karen if you wanna speak to anything on regarding the community in parks or Commissioner Ward who was there. But those are your, those are your things that you can do. We just very much, I I don't know if it was really clear by everything I said did and explained when we were talking about this last time, that special purpose district is not the appropriate designation for this space. So transit oriented center or corridor, it should be a center. Transit oriented corridor is where we landed and I I thank these folks for listening and and coming to this resolution.

Mr. Ward: And just if I may, just confirm that the documents that were we received today, you guys have read, you have approved, you're good, so other than the question about the parks.

Ms. Comcowich: It is part of the department recommendation from March 4th.

Ms. Thayer: So yes.

Ms. Comcowich: So yes. Except for the parks and open space, which there's that little triangle which is identified as a retention basin.

Ms. Thayer: Okay.

Mr. Ward: So I would oppose to accept plans As Is with my opinion I think having the parks, even though they may not be a hundred percent accurate, anybody flipping through the plans will at least see parks versus seeing just the red. And I understand that the zoning is there and that's what you guys would be following. I think some of the visual optics, someone not understanding the process would look and say it's all red and go to the wrong place. So I would recommend going with the park for that reason only that some people may not understand and just think it's gonna be totally TOC.

Ms. Takakura: On a comment that parks are allowed in TOC.

Mr. Ward: It's for me it's it's just an optics thing for people. It's very difficult.

Ms. Blystone: It's very difficult with people with red green colorblindness though to see that's train right looking at it now, I'm like, whoa, but I I think that like I said, we could go either way because parks are allowed in TOC, and as we said with the policy that the where there's discrepancies the the zoning will will carry the day. So either way.

Mr. Ward: Which I'm fine by the way as well it's, again, I'm looking at from a general person looking at it's reducing some panic and things of that nature. But I I would I'd be happy going either way.

Ms. Thayer: Vice-Chair.

Mr. Thompson: Thank you chair. So, in their, if they're all TOC, they still have to do the parks, but they can designate where the park goes instead of the county plan that has that prescriptive already. Does that make correct? Am I correct on that?

Ms. Blystone: So chair, they have a, they have a vice chair, they have a, controlling plan and the controlling plan, the zoning will dictate where those parks go. If they wanna move around where the parks go, they'd have to make changes to that plan. So either, like I'm saying, either way, whether you leave the parks center, leave them out, that zoning will dictate the zoning that they have will dictate where those those parks are.

Ms. Comcowich: These, the parks.

Mr. Thompson: and they were desires of being all TOC.

Ms. Blystone: That's what their testimony wants to.

Ms. Comcowich: The parks and open space on here are as designated in their zoning. It's just matching their current zoning.

Ms. Thayer: Part of me is wondering if we start pulling out parks and it's like, why don't you pull out the residential areas and then why don't you pull out these, you know, pieces of the zoning and then we get back into, you know, making piecemeal land use designations when the TOC encompasses the whole thing. And then in a sense I'm thinking about, you know, like this is a kind of a comprehensively planned area and then you know that kind of relays that if the whole thing is one designation that includes all of these different kinds of uses and it's like, ok, this whole area is planned all together. One perspective. Vice chair, you have a thumbs up. Thumbs up from Commissioner Lindsey. Commissioner Deakos.

Dr. Deakos: I'm confused. Were you in alignment with Commissioner Ward supporting the parks in or are you saying take them out of that?

Ms. Thayer: I guess I was saying just make the whole thing transit oriented corridor because that includes parks as uses it presumably, you know, it includes the whole mixed medium to high density residential as well, you know, so I'm I'm just, you know,

concerned about if you're pulling out parks, why don't you pull out the residential areas too, and then we get into like piecemeal land use designations all over again. That's, you know, down that road but if everybody wants to pull out the parks just for visibility then I'm ok with that, but I'm wondering if somebody's gonna look at like the line and be like, why is that line just that line, you know? Cause I think materially it doesn't make a difference one way or the one way or another. Because any development they do, it'll have to make sure all the layers jive with each other and transit oriented corridor is gonna allow all the layers to jive with each other. But I I hear, you know, Commissioner Ward with the optics, so.

Mr. Ward: Chair again, I'm I'm flexible either way I'm look I'm trying to put myself into the perspective of someone that hasn't sat through all these meetings, had all the discussion and then looking at it, you it could panic. I don't disagree that having it as all TOC makes sense, but what I was just looking at is, is there a way we can maybe note in the Section 3 for the area in the verbiage saying that it will include parks and.

Ms. Thayer: Yeah, sure.

Mr. Ward: Maybe doing it that way.

Ms. Thayer: Yes.

Mr. Ward: Because most people aren't gonna look at red and go, what's in, oh, I know what's in red. But you know we spend enough time we understand it.

Ms. Thayer: Yeah, like acknowledge the controlling plan.

Mr. Ward: Right.

Ms. Thayer: Which I know director then you get like acknowledging that for like all of these parcels.

Ms. Blystone: Yeah, I just don't, please don't. I I I hear what you're saying. I know it can be overwhelming, but that's our responsibility. Like it's our job just like we sat down with these guys and said, No, this really is your designation guys. Trust me, it really is your designation. It it's up to us to explain to the community better going forward, what that that parks are allowed and because they're used to big fat blobs saying this is only commercial, but that's not what that is. This is, this is a intensity, it's not a use. So I want to be clear about that, sorry.

Ms. Thayer: Commissioner Lindsey. Followed by Commissioner Deakos.

Ms. Lindsey: Yeah, I feel like we're just kind of complicating it so for everyone because then we're going really like, ok, where is it on the map? And it's like going back into the problems that we had with the funny kind lines on the map anyway. So I think it would

be easier for the department to figure it out this way. We, we love you guys, so we want you it to be easier for you.

Ms. Thayer: Okay, so are you saying the whole entire thing TOC. Okay. Commissioner Deakos.

Dr. Deakos: Okay I think, I think planning said they prefer to leave the parks in, but I guess my question would be, does the

Ms. Thayer: Planning is saying just put it all TOC.

Dr. Deakos: All TOC. Okay, ok. Okay. So my question is...

Ms. Thayer: Cause TOC encompasses parks. Don't want to put words in your mouth.

Ms. Blystone: No, let me be, let me let me just be clear on this. Our recommendation is to keep the parks in, but it also just doesn't matter. So you could do either way and still as long as you adopt this policy, which you need to do as well, the controlling plan will control it. So if you put it all into TOC fine. If you put it in parks, then we get to see the parks. Also fine. And we don't have to kill this one. I believe in us.

Ms. Thayer: Commissioner Deakos.

Dr. Deakos: Okay, so just to reiterate, they said they recom their recommendation to keep parks in. I guess my question was, they're allowed to do parks if if given it given, if those park areas are removed, can, do they have an obligation to do the same amount of park and open space? They just reorient where that is?

Ms. Thayer: There's NO reorientation. It is, it is laid out in their zoning. They have a controlling plan and zoning that delineates exactly where the parks are, and that is where the department recommendation is coming from that shows the green within the red.

Ms. Comcowich: However, Zoning does depend on looking at the community plan. That's one of the factors.

Ms. Blystone: So just to be clear, if they were going to change their zoning, they would have to be consistent with the community plan. So, that would mean if they were wanting to change where the parks were, then it would be easier for them to do that if it was all TOC.

Dr. Deakos: So, I I would support the department's recommendation and align with Commissioner Ward just leave them in even though makes NO difference, it makes me more comfortable.

Ms. Thayer: Okay, Commissioner Lindsey and Commission Vice-Chair Thompson? I think we have Commissioner Ward and Deakos saying that the department recommendation to include the parks. Vice-Chair?

Mr. Thompson: Yeah, we might be going over something that's not a real big issue, but they did come and testify, they made a point to come into many meetings to testify. So, and apparently for good reason and it took them forever just to do what they got there. So, you know, we're arbitrarily changing something. I don't know that it matters or not, but it's still, like I said, they are our community, they, They all came and spoke and Erin was there. I don't know how many meetings to, you know, echo that and so anyway. Ms. Thayer: Okay.

Mr. Thompson: I'll go either way, but like I said, it obviously they came they made a special time, you know, come and testify and made some special point of that.

Ms. Thayer: Thank you. Appreciate the mana`o. Commissioner Lindsey and then Commissioner Deakos.

Ms. Lindsey: I feel though the same way as Commissioner Thompson. I think they came with maps and reasons, good reasons why they didn't, couldn't do the other one and it was just unclear and too much like gray areas that didn't really make sense and they have a plan already that's finished. So I, I think we should leave it entirely in transit oriented corridor.

Ms. Thayer: Okay, thank you. Commissioner Deakos and then Commissioner Ward.

Dr. Deakos: And not to beat this to death as we near the finish line, but if I recall, there were two testimonies. I think their push was for, you know, designating it all all tra in the end, all transient. It wasn't it and rather than having what the department originally recommended, which was parcels, I think one testifier didn't even talk about the parks was asked what they, how they felt about leaving the parks in and out. They didn't it didn't matter to them. I think 2nd one wanted the Parks out, so I don't think their big push was the parks. It was the the main designation is what I recall.

Ms. Thayer: Yes. Okay. So we moving towards entirely TOC. Commissioner Ward.

Mr. Ward: Thank you chair. I was gonna say I I think we're overcomplicating this.

Ms. Thayer: Yes.

Mr. Ward: I simply was going with the recommendation from the department because from a visual perspective it made sense to me. I I think we're spending too much time on something that doesn't make a difference because their zoning is going to rule it.

Ms. Thayer: Right.

Mr. Ward: So I will happily shift to have go all red or the all TOC. I don't have any issue with that it was just me it was more of the visual thing, but so happy to happy to support both sides, but I will make it formally the happily go TOC.

Ms. Thayer: Okay, let's go TOC. Everybody good? All TOC. Commissioner Deakos. Okay, alright. Brilliant. Thank you everybody. Moving along, any other items to revisit in Section 3?

If there's NO more mapping land use designations and there are gulches. So sorry director?

Ms. Blystone: I just want to make sure we understand the will of the commission. It's not just the map change, we also need the policy.

Ms. Thayer: Oh yes, so sorry that you went I think we were good with the policies. Oh yes, everybody's good with the policies, right?

I think so. Yeah hollow. Nope yep, close it out. Okay, are we good with all the other land use designations? Can we go into gulches, which is I think the one thing we didn't go all the way into today?

We did spend a bit of time on the policies, so now we get to the map.

Ms. Comcowich: Would you like me to share the map?

Ms. Thayer: Sure, that would be wonderful.

Ms. Comcowich: So this is the map that was originally developed by 1st GIS guy Mike Napier, then it was edited by Johann, and it wasn't I wouldn't call it edited. It was confirmed by Johann with slight changes maybe to refine based on the the LIDAR layers and the flow. Let's see, let me take up all the other layers.

Do you want to start north to south?

Ms. Thayer: Can you share a screen?

Ms. Comcowich: I'm gonna share it but I was gonna get ok up to where I ok oh yeah sure North. I'll keep you guys all dizzy.

Ms. Blystone: Let me ask a question.

Ms. Thayer: Sure.

Ms. Blystone: What is that issue for the gulches? I, I just would love for clarity before we walk north to south and look at every individual goal.

Ms. Thayer: Yeah, sorry. I don't think that we need to go over every single individual little one. I think the the issue at hand is, you know, hearing all the talk from the commissioners, testifiers across the board is like, how were these identified and are we good with the ones that are shown on the map, is there any edits to make to the methodology? Cause I don't think we're gonna go through and pick and choose this one, that one, this one, that one. And so it's more getting at like how these are identified is the only way we're gonna do a fair shot out across all of them. Commissioner Ward.

Mr. Ward: Thank you chair. So, from my recollection, one of the big concerns was that not all gulches are equal and how we've drafted some of the policies it makes them all equal, so, I don't think going one by one makes any sense at all, but if I guess my question would be I guess to the planning department, so figure 3 1.17, some have stated is not accurate. Yeah. Right or wrong. Then we earlier we talked about Policy 2.4.6 and kept it with what was originally drafted, but the commission.

Ms. Thayer: Permissions edits.

Mr. Ward: Edits that was not part of. Does that, from a planning's perspective, does that policies give you the flexibility with the 3.1.17 map, taking into account the testimony. I know it's really long winded, I'm just trying to taking into account does that resolve for you or the concerns that we heard that not all the gulches are equal? Does that make sense?

Ms. Blystone: So to clarify, you're talking about the policy that I believe you, you adopt, well, you know, you recommended that says that we have some flexibility as far as if they can prove to us that, that gulch isn't where it is.

I mean I yes, to me that satisfies it. I don't staff, I don't know if you have any strong feelings. I think it's important to acknowledge these things and in in some other places they have very serious critical areas ordinances that say steep slopes, NO can, wetlands, NO can. Lahar and inundation zones and things like that, NO can. So, but we don't have that here and so in in West Maui we went down this path of saying let's map these suckers. In South Maui we even like improved the way that we went about it. We had even better data when South Maui.

So nothing's perfect, right? But I think, yeah, the policy to me, if we can get past the thing that Mr. Hopper was talking about, kind of gets to the concerns around gulches.

Mr. Ward: Thank you. That's, I just wanted to clarify that to make sure because there's been a lot of content and that was what I understood, but I just wanted to make sure that that was a clarified so that.

Ms. Thayer: Sure, so ok. Thank you. Commissioners online, thoughts? Okay, that's up from Commissioner Deakos and Vice-Chair. Commissioner Lindsey. Okay, so good as is. Anything else anybody wants to revisit for Section 3?

Mr. Ward: For Section 3.

Ms. Thayer: Commissioner Ward?

Mr. Ward: Thank you chair. I do have something in my notes about the 1st parcel past Makena Beach. That's a park designation versus an R3 residential. I didn't get the TMK unfortunately.

Ms. Thayer: I think that came up in discussion before. Ms. Comcowich.

Ms. Comcowich: I will it is a parcel that currently has parked designation in the existing plan. It was bought and sold with that designation. It's a little different than changing a designation to somebody who already has a residential designation. It's also outside the growth boundaries.

Ms. Thayer: Okay. It was sold and purchased with with the park designation. Okay. Okay. It's a yep.

Mr. Ward: Just wanted to note that I noted that.

Ms. Thayer: Give everybody a chance to check their notes.

Mr. Ward: That's all I got.

Ms. Thayer: Okay, well commissioners. If there are NO further edits, then we can work on crafting item C Item C item C Yes yep moving on to item C of our agenda, so working on our recommendation to Council. So, I think we are doing some combination of providing our, you know, putting forth the plan as we have edited it thus far, but adding in comments to council, to incorporate the input from Department of Oihi Resources especially for all of those sections and policies that we have flagged and thank you department staff for tracking all of those items.

Mr. Ward: Is it possible to.

Ms. Thayer: Yeah.

Mr. Ward: Just have them run through them real quick?

Ms. Comcowich: The ones for Department of Oihi Resources?

Mr. Ward: No, NO NO. The just all of the the comments that we were of our recommendations is a lot. Only reason I was asking is is if if we missed one, I don't but I'm gonna hear you that that we probably give you a lot.

Ms. Comcowich: So it will be the complete record of all the recommendations you had, but then the specific recommendations from today were to have the recommendation for the Department of Oihi Resources to review Section 2.4 and 2.5, plan section one and Appendix E of the plan and to recommend that their changes are incorporated into the plan.

I'm looking through, where and then to incorporate the industrial area by Keokea as a updated designation and the other ones are actual individual designator recommendations that I would have to go through all the policies today.

Mr. Ward: Just again, I know it's been a lot so having nice and neat would be nice, but I'll trust the notes.

Ms. Thayer: Okay.

Ms. Blystone: The very last thing we want is for some commissioners to show up and say, that's not what we said at council. So we're gonna work very, very hard to make sure that everything that you've said is captured under your transmittal to council.

Mr. Ward: And if there's a change, we obviously have the opportunity to have to council.

Ms. Blystone: Yeah, the council has another, another crack.

Ms. Thayer: Okay, is there any other comments commissioners that you want to include with our recommendation package to council?

Commissioner Ward?

Mr. Ward: Can I just make a joke. We say. Good luck, have fun.

Ms. Blystone: Good Night and Good luck.

Ms. Thayer: Okay, well if there is nothing else to add, we, oh, do we have a recommendation?

Ms. Blystone: Well, we need to, we need a motion.

Ms. Thayer: Yeah, yeah. Yeah. No, so I was gonna just say, do we have a motion to this effect or we just talked about, yeah. Anybody? So this would be a motion to council to recommend the changes that we have agreed upon by consensus and also to incorporate the input from Oihi Resources on those sections that we have called out.

Ms. Lindsey: So moved.

Ms. Thayer: So moved by Commissioner Lindsey and second by Commissioner Ward. Would you like to speak to your motion Commissioner Lindsey.

C. MAUI PLANNING COMMISSION RECOMMENDATIONS: FINAL MOTION FOR APPROVAL

It was moved by Ms. Lindsey, seconded by Mr. Ward, then

VOTED: *To recommend the changes that MPC have agreed upon by consensus and also to incorporate the input from Oihi resources that MPC discussed.*

(Assenting: M. Deakos, A. Lindsey, B. Ward, D. Thompson, K. Thayer

(Motion carries.)

Ms. Lindsey: It's amazing how much people have put into this and I applaud everyone who did anything, any little part of this. This is long and strenuous work and thank everybody for that and please excuse, you know, any shortcomings that may have happened on our part because I know the South Maui Community has been working on it for years. And we've been working on it for, it feels like a year, but but we know that there's been a lot of people who've been involved and I appreciate everyone who has been there, thank you.

I look forward to this not taking another 30 years also.

Ms Thayer: Commissioner Ward?

Mr. Ward: I would echo Commissioner Lindsey's comments.

Especially coming from being on the CPAC. It's actually a pleasure to be on the this side to be able to kind of help move things forward. One thing that I think we need to add to the motion is that we're asking Planning to transmit our approval.

Ms. Blystone: We'll include that.

Mr. Ward: That way I just remember that from CPAC where we were told we need to include it. We were asking them to transmit it. So if.

Ms. Comcowich: We got that.

Mr. Ward: Okay. Perfect. Yep. But yeah, again, I applaud everybody's time because it's a lot of work and hopefully we'll get other people interested involved in other community plans.

Ms. Thayer: Yes.

Mr. Ward: I, I would just encourage for those people that do provide verbal testimony, which is great. The written is actually really helpful as you're, as least for myself as preparing because I have the time to digest it and interconnect it. It is challenging sometimes trying to multitask and listen and listen for intents and stuff like that. So, I think the role is great, but I would encourage make sure that there's written as well to so we have documented.

Ms. Thayer: Thank you. Commissioner Deakos? Vice-Chair next.

Dr. Deakos: I guess real quick I'll just add, I know lots of testimon, a lot of work goes into that two years CPAC, and I think a lot of the concerns was the community puts all that work in and then it gets diluted at the end, you know, our level and then diluted again at the, you know, that was the constant fear and thoughts that I heard from the community. I hope we mitigated that as much as we could. You know, we didn't.

That didn't feel like we softened the ton of language, so I'm hoping the community feels that this didn't get its legs cut out and that they're, they're happy with some of the, most of the stuff that they originally put in there remains, so, yeah, let's hope the council can do the same. Thank you Chair.

Ms. Thayer: Thank you. Vice-Chair Thompson.

Mr. Thompson: Thank you. So I think we're we're a hundred percent winners now you can ever have a hundred percent of winners and we worked hard to make sure that everybody, you know, got a seat at the table and got their \$0.02 in and and hopefully a good plan. That's what we're here for. It's just a, you know, a good working plan for for

everybody and there's compromises and God knows we did them, you know, and hours and hours. Today will be NO exception. It will be a 10 hour day.

But thanks for all the members that were here, you know, just the public We work for free. So, you know, it's not easy thousands of pages of stuff and not everybody's happy with you and you know, it's it's not an easy task, but we're here to make the community better for everybody. That's all I have to say.

Ms. Thayer: Thank you. And, you know, kudos to you Vice-Chair. You've been through two community plan processes, so hats off. Yes, that is, that is NO small undertaking. Yeah, and I would like to, you know, echo my fellow commissioners. It's been a pleasure of serving with you and thank you very much to all the community members out there who have put, I'm sure blood sweat and tears into this plan over many many months and years and there's still more to go. So thank you to all the community members who have contributed their time and energy to this. It's a visionary document and it's very exciting to think about the potential for the future and hopefully we see a beautiful, tree lined, smart, planned community down there with NO traffic and wonderful streets and public spaces and obviously. Good drainage, NO more flooding, you know, all the good things. So, yeah. Let's call for the vote.

Ms. Blystone: Alright. Commissioner Deakos.

Dr. Deakos: Ay

Ms. Blystone: Commissioner Lindsey.

Ms. Lindsey: Ay

Ms. Blystone: Commissioner Ward.

Mr. Ward: Ay.

Ms. Blystone: Vice-Chair Thompson.

Mr. Thompson: Ay

Ms. Blystone: Sorry. Chair Thayer.

Ms. Thayer: Ay.

Ms. Blystone: Chair. That is five votes to move this forward to the county council. And if I may just briefly, I want to thank the South Maui Community for showing up. We started this project during COVID. We were doing all of our public engagement online for the, for the 1st part of this and they showed up and they turned out and they participated online in person in real li in real time and at weird hours depending when they're available, so we could not have done this without the South Maui community.

I also want to thank the Long Range team. This team worked so hard and endured so many changes to get to this point and Karen, you're handling this project very, very well and I'm so proud of everything that you guys have done. Thank you so much.

Ms. Takakura: I double that. Yeah, Karen is the coordinator and yeah organizer and all this. Yep.

Ms. Blystone: Yep, she's rocking it and and the team that's behind her, she also has, there's a bunch of people that you don't see that are out there helping that were helping with this. Now they've moved on to central. So your next plan is gonna be central. But I I just, and then the last, I wanna thank. Thank you guys so much. I wanted to strangle you multiple times, but just But that's out of NO it literally everyone. But that's out of love. You guys are working so hard on this and you're trying to balance a bunch of things and for us, some things may seem really simple and straightforward for you. You're balancing a lot of different things and I thank you for taking that time and we are done before 07:00 and it makes me so happy I could cry. So thank you guys so much. Thank you everybody.

Ms. Thayer: Thank you.

Mr. Ward: And I apologize to Karen for all the changes that I've done through not just here, but in CPAC as well.

Ms. Blystone: Yeah, you have more work to do.

Ms. Thayer: Appreciate you all. Thank you very much. Meeting a joint and we'll see you next Tuesday for our regular planning commission meeting. Yes, go team Love you all.

Ms. Comcowich: Thank you guys.

Mr. Ward: Thank you.

Ms. Blystone: Thanks for taking.

D. ADJOURNMENT

Meeting Adjourned @ 6:38 P.M.

Respectfully Submitted by,

RICHELE LESA
Secretary I to Long Range Division
GENO QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present:

Kim Thayer, Chairperson – in person
Dale Thompson, Vice-Chairperson – via Webex
Brian Ward – in-person
Andrea Kealoha – via Webex (left meeting at 3:00 PM)
Mark Deakos – via Webex
Ashley Lindsey – via Webex

Excused Absence:

Mel Hipolito Jr.

Others

Kate Blystone, Planning Director, in person
Jacky Takakura, Planning Program Administrator, Long Range Division, in person
Karen Comcowich, Staff Planner
Michael Hopper, Deputy Corporation Counsel, Webex
Geno Quemado, Secretary to Boards and Commissions II, Current Planning Division – in-person
Leilani Ramoran-Quemado, Secretary to Boards and Commissions II, Current Planning Division – in-person

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DRIP Committee

From: Steve Bichich <steve.bichich@gmail.com>
Sent: Sunday, September 13, 2026 9:49 AM
To: DRIP Committee
Cc: Alice L. Lee; Gabe Johnson; Keani N. Rawlins; Thomas M. Cook; Nohe M. Uu-Hodgins; Yukilei Sugimura; Shane M. Sinenci; Tamara A. Paltin; K. Kauanoë Batangan; Jim Berriatua
Subject: September 15th DRIP Meeting Comment Letter from Keala O' Wailea
Attachments: September_13_Letter_to DRIP Committee.docx

You don't often get email from steve.bichich@gmail.com. [Learn why this is important](#)

Please find attached a letter from the Keala O' Wailea Board of Directors concerning the upcoming DRIP Committee meeting on September 15, 2026.

I tried to submit this via ecomment from the agenda page but the system would not let me upload a document.

Thank you for your consideration.

Steve Bichich
47 Wailea Gateway Pl, Unit 103
Kihei, HI 96753
[206-618-7642](tel:206-618-7642)

September 13, 2026

Chair and Members of the DRIP Committee:

Subject: Bill 108 – South Maui Community Plan / Wailea Golf

We are writing on behalf of owners at Keala O Wailea regarding the Wailea Golf provisions in the proposed South Maui Community Plan.

Our understanding is that, following discussions between Wailea Golf and the Wailea Community Association, a substantially different compromise was reached from the earlier Wailea Golf proposal. Under that understanding, the **Blue Course would remain as it presently exists, the Gold Course would remain as it presently exists, and redevelopment or reconfiguration could occur with respect to the Emerald Course.**

We are therefore very concerned that the materials presently before the Committee appear to include an earlier owner-proposed Wailea Golf plan rather than the later compromise reached through that community process. The concern is particularly significant to Keala O Wailea because the earlier proposal contemplated changes to the Blue Course and development in the area immediately below Keala. The correspondence circulating among Keala owners likewise reflects concern that the older plan, rather than the more recent negotiated approach, may be moving forward. **For the avoidance of doubt, Keala O Wailea remains opposed to any plan that would alter the Blue Course or permit residential development on it.**

Before advancing Bill 108 as it relates to Wailea Golf, we respectfully ask the Committee to determine:

1. **Which Wailea Golf plan reflects the most recent ongoing discussions, which are nearly complete, with the Wailea Community Association;**
2. **Why the earlier owner-proposed plan appears to be included in the materials presently before the Committee; and**
3. **That the South Maui Community Plan ultimately reflect the later compromise preserving the Blue and Gold Courses while permitting changes to the Emerald Course.**

We are not suggesting that all future development in Wailea should be prohibited. To the contrary, the compromise described above reflects an accommodation of both development and community interests. But after that process occurred, it would be inappropriate to revert to an earlier proposal without explanation and without giving the affected community an opportunity to address the change.

Separately, any significant additional development in Wailea will necessarily require consideration of broader issues including **traffic, water, infrastructure, public resources**

and cumulative impacts. Those matters will also need to be addressed as the planning and entitlement processes proceed. At this stage, however, our immediate request is simply that the Committee **not advance the earlier Wailea Golf proposal until the discrepancy between that proposal and the later community compromise has been clarified and resolved.**

Thank you for your consideration.

Keala O Wailea Board of Directors