

COUNCIL OF THE COUNTY OF MAUI
PLANNING AND SUSTAINABLE LAND
USE COMMITTEE

June 5, 2020

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Planning and Sustainable Land Use Committee, having met on February 27, 2019, and May 20, 2020, makes reference to County Communication 19-68, from Council Chair Kelly T. King, transmitting a proposed resolution, entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM BUSINESS/COMMERCIAL TO SINGLE-FAMILY FOR APPROXIMATELY 43,390 SQUARE FEET OF PROPERTY AT 1488 SOUTH KIHEI ROAD, KIHEI, MAUI, HAWAII."

The purpose of the proposed resolution is to transmit to the Maui Planning Commission a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM BUSINESS/COMMERCIAL TO SINGLE-FAMILY FOR APPROXIMATELY 43,390 SQUARE FEET AT 1488 SOUTH KIHEI ROAD, KIHEI, MAUI, HAWAII."

The purpose of the proposed bill is to approve a Community Plan Amendment for approximately 43,390 square feet at 1488 South Kihei Road, Kihei, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 3-9-010:077. The bill would amend the Kihei-Makena Community Plan and Land Use Map to change the property's designation from Business/Commercial to Single-Family.

Your Committee notes the State Land Use District classification for the property is Urban, the County zoning designation is R-3 Residential District, and the Community Plan designation is Business/Commercial, and the property is within the Maui Island Plan's Urban Growth Boundary

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and the Special Management Area ("SMA"). The Community Plan Amendment would make the Community Plan designation consistent with the property's other land use designations. Consistency is generally required for SMA Major and other permits approving development.

Your Committee further notes the Council, during its 2017-2019 term, considered a proposed bill transmitted by County Communication 17-130 to change the property's zoning designation from R-3 Residential District to B-2 Community Business District. The Council filed County Communication 17-130 at its meeting of January 5, 2018, as recommended by Land Use Committee Report 18-2.

Your Committee received oral and written testimony generally opposed to the proposed Community Plan Amendment and the development its approval could facilitate. Testifiers said they were concerned about the property's proximity to marshlands that provide species habitat, a history of flooding in the area, and excessive density if the site were fully developed.

Your Committee assessed testifiers' concerns and other issues in discussion with the Planning Director, the property owner, and Rob Parsons, the County's former Environmental Coordinator, who was designated a resource person.

Approval of the Community Plan Amendment would allow the property to be subdivided into four lots. The four lots would be allowed a main dwelling and two accessory dwellings each, with a total of 12 dwellings on the property, if fully developed. The Planning Director advised your Committee full development would also require a SMA Major permit by the Maui Planning Commission. If the land use designations were left in a state of inconsistency, the property would be ineligible for subdivision. A single-family dwelling could be developed without subdivision or a SMA Major permit.

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Your Committee acknowledged low inventory of housing units as a cause for the County's lack of affordable housing. However, your Committee agreed environmental and other concerns make the property undesirable for the scale of development that could be allowed subsequent to a Community Plan Amendment.

Your Committee voted 7-0 to recommend filing of the communication. Committee Chair Paltin, Vice-Chair Sinenci, and members King, Lee, Molina, Rawlins-Fernandez, and Sugimura voted "aye."

Your Planning and Sustainable Land Use Committee **RECOMMENDS** that County Communication 19-68 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

Tamara A.M. Paltin

TAMARA PALTIN, Chair