

Housing and Land Use Committee (2025-2027) on 2026-05-20 9:00 AM

Meeting Time: 05-20-26 09:00

eComments Report

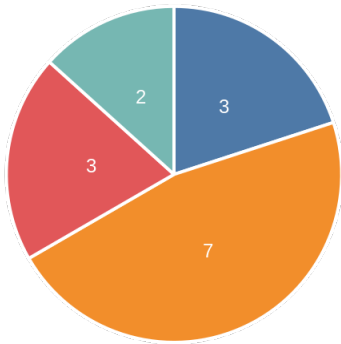
Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Housing and Land Use Committee (2025-2027) on 2026-05-20 9:00 AM	05-20-26 09:00	4	15	3	7	3

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment

Support (20%) Oppose (46%) Neutral (20%)
No Response (13%)



Housing and Land Use Committee (2025-2027) on 2026-05-20 9:00 AM

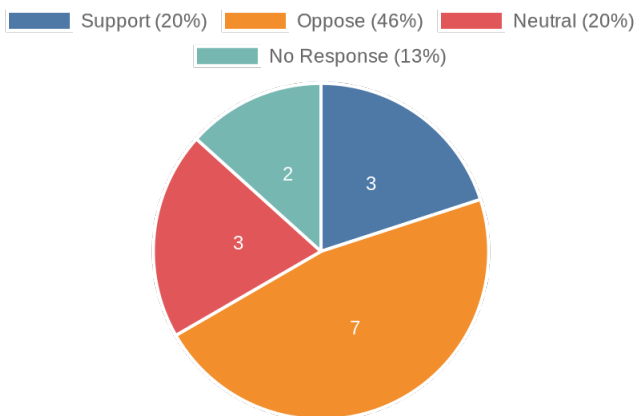
05-20-26 09:00

Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	4	0	4	0
HLU-14 Reso 26-84 RESOLUTION 26-84, REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE PA?IA-HA?IKU COMMUNITY PLAN AND TO CHANGE THE ZONING (CONDITIONAL ZONING) FOR 40.392 ACRES IN P??IA, HAWAI?I (EC P??IA TOWN PROJECT) (HLU-14)	6	1	3	1
HLU-11 Reso 26-68 RESOLUTION 26-68, REFERRING TO THE L?NA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND THE COMPREHENSIVE ZONING ORDINANCE ON NOTICE FOR AGRICULTURAL SUBDIVISIONS (HLU-11)	1	0	0	1
HLU-12 Bill 78 (2026) BILL 78 (2026), AMENDING TITLE 19, MAUI COUNTY CODE, ON ACCESSORY DWELLINGS ON RESIDENTIALLY ZONED LOTS (HLU-12)	4	2	0	1

Sentiments for All Agenda Items

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

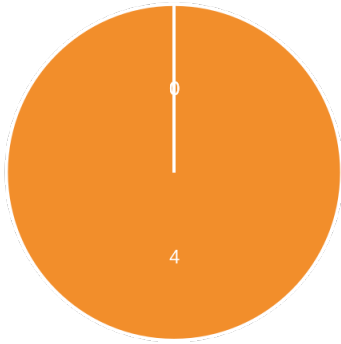
Overall Sentiment



Agenda Item: eComments for A G E N D A

Overall Sentiment

Support (0%) Oppose (100%) Neutral (0%)
No Response (0%)



Guest User

Location:
Submitted At: 7:32am 05-20-26

I love Paia the way it is right now would hate to see it change..

Guest User

Location:
Submitted At: 5:26pm 05-19-26

This is a horrible idea!! We are the last small coastal town and this will destroy our small charm & character

Guest User

Location:
Submitted At: 3:21pm 05-19-26

There are no benefits that this rezoning can bring to Paia before a real bypass is built. A real bypass or upper road that continues past Baldwin road will benefit everyone that lives north of Paia as well. This needs to happen before the community will support further development. Even if all the land makai of the existing cane road is rezoned in exchange to gain this access it would be worth it and allow for more sensible development. Thank you for considering the interests of the people that live and work in Paia.

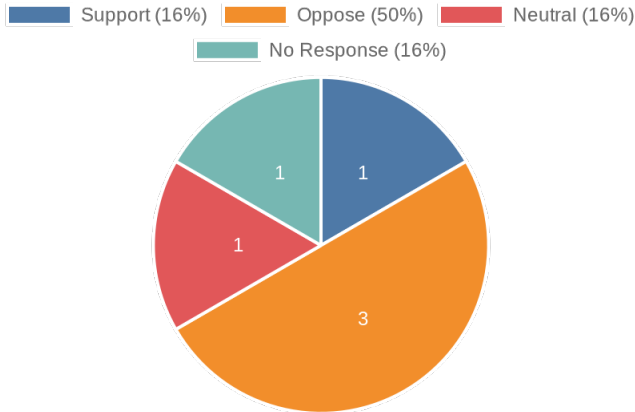
Scott Werden

Location:
Submitted At: 2:57pm 05-19-26

I am writing in concern for the proposed resolution, 26-28, that seems to be a first step towards the described development project west of Pa'ia. I am in favor of housing as we have a shortage but the scope of the project needs to be reduced. That area is already heavily congested and this is going to make it much worse. Before expanding Pa'ia Town the problem of traffic flow needs to be addressed. I suggest first build the long-promised Pa'ia bypass (which will be quite close to this development) and then introduce this proposal.

Agenda Item: eComments for HLU-14 Reso 26-84 RESOLUTION 26-84, REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE PA?IA-HA?IKU COMMUNITY PLAN AND TO CHANGE THE ZONING (CONDITIONAL ZONING) FOR 40.392 ACRES IN P??IA, HAWAI?I (EC P??IA TOWN PROJECT) (HLU-14)

Overall Sentiment



HLU Committee

Location:
Submitted At: 2:14pm 05-20-26

Testimonies received from HLU Committee

Guest User

Location:
Submitted At: 10:40am 05-20-26

Maui County should not grant permanent Community Plan amendments and broad zoning approvals based on assumptions about what affordability, infrastructure, water availability, and community conditions might look like 7 to 10 years from now. The developer has reportedly stated this project may still be 7 to 10 years away from groundbreaking.

That fact alone should fundamentally change how this proposal is evaluated.

The farther away a project is from actual construction, the weaker and less reliable present-day promises become.

The County is not evaluating a finished project today.
The County is evaluating assumptions about what Maui may look like a decade from now.

How can the County realistically evaluate:

- * AMI affordability levels,
- * fair market rents,
- * deed restrictions,
- * water availability,

- * infrastructure capacity,
 - * wastewater demands,
 - * traffic impacts,
 - * climate risks,
 - * insurance costs,
 - * financing conditions,
 - * or future community needs
- 10 years before construction even begins?

The honest answer is:
it cannot.

That is why broad Community Plan amendments and rezoning requests this far ahead of construction become dangerous.

Community Plans were intended to guide:

- * growth patterns,
- * infrastructure sequencing,
- * land use compatibility,
- * preservation priorities,
- * transportation planning,
- * and long-term community vision.

But increasingly, once a project enters a Community Plan framework, it later becomes treated politically as though it is already approved "in concept," even when:

- * infrastructure does not exist,
- * water remains uncertain,
- * financing is speculative,
- * environmental review is incomplete,
- * affordability enforcement is unclear,
- * and construction may still be a decade away.

That is the danger.

The Community Plan amendment becomes the first entitlement step.

Then years later the public hears:
"Well, it's already in the Community Plan."

That creates political momentum long before the public ever sees the final project reality.

And over a 7-to-10-year timeline:

- * councils change,
- * mayors change,
- * planners change,
- * developers change,
- * investors change,
- * financing changes,
- * market conditions change,
- * and federal incentives change.

But the land-use designation remains.

That is why the County should not casually amend Community Plans and expand zoning capacity years before

projects are realistically capable of construction.

Especially in Maui.

Maui already struggles with:

- * water uncertainty,
- * infrastructure deficits,
- * wastewater limitations,
- * wildfire vulnerability,
- * housing affordability,
- * insurance instability,
- * speculative land pressure,
- * and long-term infrastructure challenges.

Yet instead of prioritizing existing urban inventory, redevelopment, infill housing, adaptive reuse, and underutilized commercial areas, the County is once again being asked to expand entitlement value outward years before the project is even ready to begin.

That is not prudent sequencing.

The zoning itself becomes the value creation event.

Once land receives:

- * Community Plan amendments,
 - * expanded development capacity,
 - * Business/Commercial designation,
 - * Multi-Family designation,
 - * or broader urban entitlements,
- the land value changes immediately even if nothing is built for another decade.

And during that decade:

- * ownership can change,
- * project scope can change,
- * financing structures can change,
- * affordability formulas can change,
- * densities can increase,
- * conditions can be amended,
- * uses can evolve,
- * and speculative investment pressure can completely reshape the project.

That concern becomes even more serious with ongoing discussions surrounding expanded Opportunity Zone-style redevelopment frameworks often referred to as "OZ 2.0."

This testimony is not alleging the project was specifically designed around Opportunity Zone programs.

But the County should recognize the broader reality:

granting broad land-use entitlements years before construction while future tax-advantaged redevelopment frameworks are actively being discussed creates enormous speculative investment potential.

Once the entitlements are granted:

- * land values increase,
- * speculative pressure increases,
- * institutional interest increases,

* and future investors inherit the entitlement whether or not the original public promises survive intact.

That is the real issue before this Committee.

The public hears:

- * workforce housing,
- * local housing,
- * affordability,
- * sustainability,
- * community benefits.

But 7 to 10 years is enough time for:

- * project conditions to evolve,
- * financing to change,
- * ownership to transfer,
- * public narratives to shift,
- * and future amendments to fundamentally alter the original proposal.

That is not conspiracy thinking.

That is the reality of long-range entitlement development.

The farther away a project is from realistic construction, the less reliable present-day promises become and the more dangerous broad land-use amendments become.

Especially when those amendments:

- * permanently increase entitlement value,
- * create speculative investment opportunities,
- * shift political momentum toward future approval,
- * and may ultimately outlive the original developer, original financing structure, original council, and original public representations entirely.

That is not anti-housing.

That is prudent land-use governance.

For those reasons, Resolution 26-84 should be opposed or deferred until the County can evaluate this proposal within a more complete, transparent, infrastructure-supported, and realistically timed framework.

Guest User

Location:

Submitted At: 10:18am 05-20-26

ARE YOU GUYS OUT OF YOUR MINDS WITH THIS PAIA DEVELOPMENT?! This dude bought more than 80 acres of Maui agricultural land at a time when our island continues facing food insecurity, rising food costs, supply chain instability, and ongoing concerns about long-term self-sufficiency after the Lahaina wildfire disaster, ONLY TO TURN AROUND AND IMMEDIATELY WANT TO DEVELOP IT? WHY WAS THIS LAND NOT OFFERED TO THE COUNTY FOR ONLY \$4MILLION?! How many times do we have to learn this lesson?? HOW MANY TIMES. WHY IS AG LAND SELLING FOR THIS LITTLE IF A ZONING CHANGE IS ALLOWED?!WHY?!?! OF COURSE a capitalist is going to purchase open land for pennies on the dollar and then figure out how to develop it to make millions. COME ON. It is deeply troubling to see prime agricultural land reportedly purchased for approximately \$4 million now being positioned for large-scale development instead of long-term food production and agricultural preservation. Maui cannot continue sacrificing productive ag lands for speculative growth while simultaneously discussing sustainability, resilience, and local food security in County meetings and public policy discussions. These decisions permanently reshape Maui's future. The County should be prioritizing protection of viable agricultural acreage, supporting local farmers, and strengthening Maui's ability to feed itself during

emergencies and economic instability — not incentivizing more build-build-build = PROFIT PROFIT PROFIT. Preserving agricultural lands is one of the few long-term protections Maui still has against unchecked sprawl and dependence on imported food. I respectfully urge the Council to reject this proposal and protect these agricultural lands for their intended purpose. Mahalo for the opportunity to testify. This is ridiculous. You all are too smart for this. Yes, I am born and raised on Maui. I live in Makawao now raising a family and working in nonprofits. Sincerely, please do the right thing here. Dana Fulton, dfulton808@gmail.com

Guest User

Location:

Submitted At: 9:38am 05-20-26

Aloha Chair and Members of the Maui County Council,

My name is Nicole Kealoha, and I am a longtime resident of P_ia. I respectfully request that the Maui County Council defer Resolution 26-84, "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND TO CHANGE THE ZONING (CONDITIONAL ZONING) FOR 40.392 ACRES IN PAIA, HAWAII (EC PAIA TOWN PROJECT) (HLU-14)."

While there are public noticing requirements associated with projects of this nature, I am concerned that many community members who may be impacted by this proposed project may still be unaware of it or may not yet fully understand the project's scope and potential long-term impacts on the greater P_ia area.

This proposed project is on a much larger scale and has the potential to significantly impact the broader community beyond the immediate surrounding properties. The proposed project, along with additional anticipated projects that may also move forward in the area, may place significant burdens on Baldwin Avenue and surrounding roadway systems already heavily relied upon by residents, workers, families, and emergency services throughout P_ia and neighboring communities.

As someone who has lived in P_ia for many years, I have personally witnessed the ongoing traffic congestion, roadway limitations, and challenges affecting our community. Additional large-scale development projects without broader community discussion and understanding of the cumulative impacts may place even greater strain on an area already experiencing infrastructure and access concerns.

Given the potential cumulative impacts to traffic, roadway access, infrastructure, evacuation routes, and public safety, I respectfully believe additional community outreach and engagement should occur before this matter proceeds to the Maui Planning Commission.

I respectfully request that the Council defer Resolution 26-84 to allow additional time for:

Broader community outreach and awareness;

Meaningful community input from residents throughout the P_ia area;

Community meetings or presentations by the project manager and development team regarding the EC P_ia Town Project;

Additional discussion regarding cumulative impacts from current and future proposed projects within the area; and

Further review of roadway, infrastructure, evacuation, and public safety concerns affecting Baldwin Avenue and surrounding communities.

Projects of this magnitude warrant broad public engagement and community discussion due to their potential long-term impacts on the future of P_ia and surrounding areas.

I respectfully ask the Council to defer Resolution 26-84 before referral to the Maui Planning Commission to allow the community additional opportunity to become informed and provide meaningful input.

Thank you for the opportunity to provide testimony.

Guest User

Location:

Submitted At: 7:45am 05-20-26

To whom this may concern. I oppose this type of development, that's farm and agriculture land, creating waste that will be dumped into our ocean. Paia does not have the infrastructure to support any type of development like this. Let keep country, country.

Edward Codelia

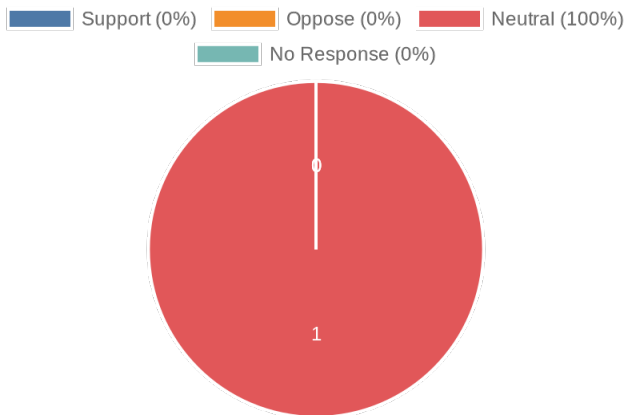
Location:

Submitted At: 8:08pm 05-17-26

To Whom It May Concern: I support carefully planned housing and mixed-use growth within existing planned boundaries, but only with enforceable safeguards, permanent affordability protections, verified infrastructure capacity, water and drainage accountability, and measurable long-term protections for the P__ia community and surrounding agricultural lands. Please see attached written testimony.

Agenda Item: eComments for HLU-11 Reso 26-68 RESOLUTION 26-68, REFERRING TO THE L?NA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND THE COMPREHENSIVE ZONING ORDINANCE ON NOTICE FOR AGRICULTURAL SUBDIVISIONS (HLU-11)

Overall Sentiment



Edward Codelia

Location:

Submitted At: 10:57am 05-20-26

Good Afternoon Committee Chair and Members

After listening to the 40-acre rezoning discussion this morning, this testimony is submitted as Neutral regarding Resolution 26-68. However, this proposal should be strengthened substantially before adoption.

At its core, this resolution recognizes an important truth: agricultural subdivision is not simply a technical lot-line adjustment. It can permanently reshape land-use patterns, agricultural viability, infrastructure demands, speculative pressure, and future development expectations within rural communities.

Requiring notice to lessees and nearby residents is a reasonable first step. Agricultural tenants and neighboring residents should absolutely be informed when agricultural lands are proposed for subdivision. Increased

transparency and public awareness are important and long overdue.

However, as currently drafted, this proposal remains limited in scope.

The ordinance primarily improves notification procedures but does not meaningfully address the larger long-term consequences associated with agricultural subdivision and land fragmentation across Maui County.

The County should seriously consider strengthening this proposal to include:

- * greater public review requirements for large agricultural subdivisions,
- * mandatory community meetings or Planning Commission review for major subdivisions,
- * disclosure of intended future land use,
- * infrastructure impact disclosure,
- * water source disclosure,
- * agricultural operation plans,
- * and stronger anti-fragmentation protections for agricultural lands.

These safeguards matter because agricultural subdivision is often the very first stage of long-term land transformation.

Once agricultural land is subdivided:

- * ownership patterns change,
- * land values increase,
- * speculative pressure grows,
- * infrastructure demand expands,
- * and future development expectations begin shifting immediately, even if no construction occurs for years.

Large agricultural subdivisions should not simply be treated as routine administrative actions because they can permanently alter:

- * rural infrastructure,
- * road capacity,
- * drainage systems,
- * water demand,
- * agricultural compatibility,
- * wildfire access,
- * and future development pressure.

Community meetings and Planning Commission review are important because they create a public record and allow nearby residents, farmers, and infrastructure agencies to evaluate cumulative impacts before fragmentation becomes permanent.

Disclosure of intended future land use is also important because agricultural subdivisions are often initially presented as:

- * family land planning,
- * agricultural flexibility,
- * estate planning,
- * or minor rural adjustments.

Yet years later, those same lands may become:

- * luxury rural estates,
- * speculative investment holdings,
- * future rezoning targets,
- * or long-term urban expansion candidates.

Infrastructure and water disclosure requirements are especially important on Maui, where the County already struggles with:

- * water uncertainty,
- * infrastructure deficits,
- * wastewater limitations,
- * wildfire vulnerability,
- * and long-term maintenance challenges.

The County should know upfront:

- * where water will come from,
- * whether it is sustainable,
- * what infrastructure demands will be created,
- * and whether future owners may later pressure the County for expanded public services.

Agricultural operation plans also matter because if land is truly intended for productive agriculture, applicants should demonstrate realistic agricultural use and operational viability rather than using agricultural subdivision primarily as a speculative land strategy.

Anti-fragmentation protections are equally important because repeated subdivision slowly weakens long-term agricultural viability.

As agricultural lands become increasingly fragmented:

- * coordinated farming becomes harder,
- * infrastructure costs rise,
- * rural traffic increases,
- * land values escalate,
- * and political pressure for future upzoning intensifies.

The County should also recognize that subdivision itself can become a speculative value event long before any productive agricultural activity or housing actually occurs.

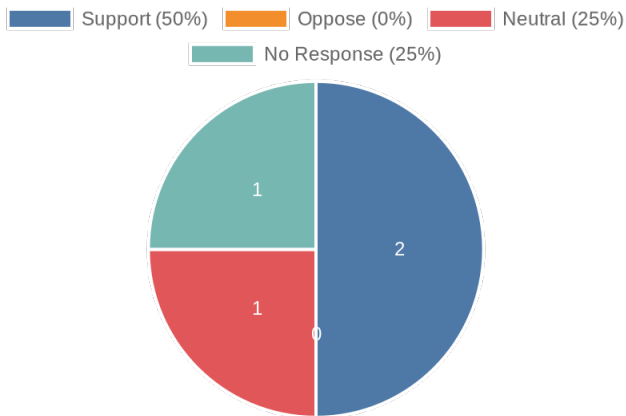
At minimum, agricultural subdivision should not be treated as a routine technical exercise with limited public scrutiny.

Subdivision decisions can create long-term consequences for:

- * neighboring residents,
- * farming operations,
- * rural infrastructure,
- * environmental resources,
- * wildfire planning,
- * water sustainability,
- * and future land-use pressure.

This proposal moves in the right direction by increasing notice and transparency, but it should go much further if the County is truly serious about preserving agricultural land and responsibly managing long-term rural growth.

Overall Sentiment



HLU Committee

Location:

Submitted At: 2:17pm 05-20-26

Testimony received from HLU Committee

Guest User

Location:

Submitted At: 8:47am 05-20-26

Please address Paia parking traffic & bypass before approving Zoning change which will further Impact the above issues

Jonathan Helton

Location:

Submitted At: 6:46am 05-19-26

Please see attached comments in support.

Edward Codelia

Location:

Submitted At: 12:03pm 05-17-26

Support with conditions, safeguards, and caveats. Please see attached written testimony.

HLU Committee

From: Alan Lloyd <alanlloydac@gmail.com>
Sent: Wednesday, May 20, 2026 11:31 AM
To: HLU Committee
Subject: Resolution 26-84 and Bill 78

Categories: Processed via eComments

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

Housing and Land Use committee

Kalana O Maui Building, 8th Fl.,
200 South High St.,
Wailuku, Hawai'i

May 20, 2026

I'm proposing testimony for the HLU Meeting on 5/20/26.

On Resolution 26-84, I'm against Amending with the Community Plan.

On Bill 78, change wording to "up to 2 Accessory Dwelling Units" as is in HRS 46-48. Please take out "at least 2 Accessory Dwelling Units".

Will there be a ceiling on Rents on the 207 units, of which will be residential rentals. Will it be based on Affordable Rent Guidelines.

Also I have not seen an EIS done on this project.

Alan Lloyd
Candidate for Maui Co. Council

May 20, 2026, 9 a.m.
Kalana O Maui Building

To: Maui County Council House and Land Use Committee
Nohelani U'u-Hodgins, Chair
Kauanoë Batangan, Vice Chair

From: Jonathan Helton, Policy Analyst
Grassroot Institute of Hawaii

RE: Bill 78 (2026) — ON ACCESSORY DWELLINGS ON RESIDENTIALLY ZONED LOTS

Aloha Chair U'u-Hodgins, Vice Chair Bantangan and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [Bill 78 \(2026\)](#), which would allow two accessory dwelling units per lot in all of Maui's County residential zoning districts.

This proposal would be a powerful tool for homeowners and homebuilders to help combat the broader housing crisis.

On the island of Maui, lots smaller than 7,500 square feet are allowed one ADU, while lots larger than 7,500 square feet can have two.

Meanwhile, on Lana'i and Moloka'i, a single ADU is allowed on lots that are 7,500 square feet or larger.¹ On Lana'i, almost 75% of residential lots are smaller than 7,500 square feet,² so ADUs are functionally illegal. On Moloka'i, most lots are 10,000 square feet or larger, but homeowners there are allowed only one ADU.

Grassroot pointed out in its 2023 report "[How to facilitate more homebuilding in Hawaii](#)" that allowing more homes on the same lot is an approach many states and cities across the county have used to increase housing supply.

¹ "[Chapter 19.35 - ACCESSORY DWELLINGS](#)," Maui County Code, accessed Nov. 3, 2025.

² Data from Hawaii Information Service's Multiple Listing Service. Subscription required.

Such places include Minneapolis, Minnesota; and Houston, Texas; as well as the entire states of California and Montana.³ Auckland, New Zealand, is a good international example.⁴

All of those jurisdictions “upzoned” residential areas to allow greater housing density on land already zoned for housing — and research indicates these changes have helped moderate or reduce housing prices.⁵

Allowing more housing in existing residential areas could also help reduce community concerns about new housing in general. First, more water and wastewater infrastructure is typically available in existing residential areas. And second, new housing built under this bill would not encroach on Maui’s rural and agricultural areas, which should please anyone who wants to “keep the country country.”

This strategy would also operationalize current community plans for each island.

In the 2016 Lana'i Community Plan, the chapter on housing endorses a strategy to “Encourage new development to include a variety of lot sizes, housing types, tenures and price points that accommodate the full spectrum of household compositions, life stages (i.e. single, married, with children, multigenerational, etc.) and income levels.”

The plan also says: “Ensuring housing variety on Lana'i will increase residents’ ability to remain on the island when family or economic circumstances change. Housing types include small and large single-family detached homes, ohana dwelling units, duplexes, town homes, multifamily buildings and live-work units.”⁶

Likewise, the 2012 Maui Island Plan states in the chapter on land use that the County should “ensure higher-density compact urban communities, infill, and redevelopment of underutilized urban lots within Urban Growth Boundaries.”⁷ That chapter also notes that during events prior to finalizing the plan, “Maui residents expressed a preference for focusing future growth in existing towns and increasing population densities in appropriate locations as the best way to accommodate growth.”⁸

And the 2018 Moloka'i Island Community Plan notes in its section on “Land Use Planning Principles and Standards” that “Moloka'i’s small towns should provide a mix of housing types and affordability, compact and pedestrian-oriented development, access to parks and open space, and a mix of compatible and complementary land uses.”

³ Laurel Wamsley, “[The hottest trend in U.S. cities? Changing zoning rules to allow more housing](#),” NPR, Feb. 17, 2024.

⁴ Ryan Greenaway-McGrevy, “[Can Zoning Reform Reduce Housing Costs? Evidence from Rents in Auckland](#),” University of Auckland Business School, Economic Policy Centre Working Paper No. 016, June 2023.

⁵ Christina Plerhoples Stacy, Christopher Davis, Yonah Freemark, et al., “[Land-Use Reforms and Housing Costs](#),” Urban Institute, March 29, 2023; and Vicki Been, Ingrid Gould Ellen and Katherine M. O'Regan, “[Supply Skepticism Revisited](#),” New York University Law and Economics Research Paper No. 24-12, Nov. 10, 2023.

⁶ “[Lana'i Community Plan 2016](#),” approved by the Maui County Council on July 26, 2016, p. 11-4.

⁷ “[Maui Island Plan](#),” Maui County Planning Department, Dec. 28, 2012, p. 7-24.

⁸ [Ibid](#), p. 7-21.

It also says: “Future growth areas will be contiguous or proximate to existing employment and/or housing, and located where infrastructure and public facilities can be provided in a cost-effective manner.”⁹

Furthermore, this bill would put the county into compliance with the state’s Act 46 (2024), which requires that the counties allow two ADUs per lot in residential zones by Dec. 31, 2026.

Thank you for the opportunity to testify.

Jonathan Helton
Policy Analyst
Grassroot Institute of Hawaii

⁹ “[Moloka`i Island Community Plan](#),” approved by the Maui County Council on December 17, 2018, p. 79.

To: Housing and Land Use Committee
Re: Bill 78 (2026) – Accessory Dwellings on Residentially Zoned Lots
May 20, 2026

Aloha Chair U‘u-Hodgins and Committee Members,

I support reasonable accessory dwellings and understand the intent behind increasing housing flexibility for local families, multigenerational living arrangements, caregivers, and long-term residential use. I also recognize Maui County is under pressure to comply with State Act 39 and HRS Section 46-4.8 requiring counties to allow at least two accessory dwelling units on residentially zoned lots by December 31, 2026.

However, from both a resident and real estate perspective, this discussion must be approached honestly and comprehensively.

This is not simply a housing bill.

It is also:

- a land-use bill,
- an infrastructure bill,
- a density bill,
- a property-rights bill,
- and a property-value bill.

The County should openly acknowledge that expanding development rights on residential lots will likely increase:

- property values,
- redevelopment pressure,
- investor interest,
- financing leverage,
- and income-producing potential across residential neighborhoods.

That is how real estate markets function.

When additional units become legally permitted on more lots, the market does not only interpret that as “housing.” The market also interprets it as expanded investment opportunity and increased return-on-investment potential.

A property that may have previously supported one dwelling may now support multiple living spaces and additional rental income potential. Buyers, lenders, appraisers, and investors will factor that into valuation models and acquisition strategies.

That may benefit some property owners. However, the County should also recognize the possible secondary effects:

- upward pricing pressure,
- increased speculative acquisition behavior,
- increased redevelopment activity,
- greater neighborhood density,
- parking strain,
- wastewater impacts,
- and additional pressure on already limited infrastructure systems.

More legal units do not automatically create affordable housing.

In many cases, additional units may instead become:

- higher-rent accessory dwellings,
- investor-driven income properties,
- inherited family density without infrastructure upgrades,
- or additional occupancy pressure in communities already struggling with roads, drainage, water, parking, and enforcement capacity.

This is especially important on Maui where:

- buildable land is limited,
- infrastructure expansion significantly lags development pressure,
- permitting remains slow,
- wastewater systems remain constrained,
- cesspool conversion requirements continue,
- and many communities already experience traffic, runoff, drainage, and parking concerns.

Even the Planning Commission discussions acknowledged concerns regarding:

- cesspools,
- shallow groundwater,
- runoff,
- wastewater impacts,
- infrastructure limitations,
- enforcement concerns,
- and compatibility with existing community plans.

The Planning Department itself recommended multiple modifications involving:

- water adequacy,
- infrastructure limitations,
- rural exemptions,
- and zoning compatibility.

That should make clear that these concerns are not anti-housing. They are practical concerns rooted in infrastructure, planning, environmental protection, and operational reality.

Housing policy without infrastructure policy becomes unmanaged densification.

One of the most important realities here is the growing disconnect between State mandates and County operational capacity.

The State increasingly establishes broad housing mandates, while counties inherit:

- the infrastructure burden,
- the wastewater burden,
- the drainage burden,
- the enforcement burden,
- the emergency response burden,
- and the political consequences experienced directly by residents.

Meanwhile, residents live with the actual impacts:

- crowded roads,
- limited parking,
- drainage failures,
- increased runoff,
- overloaded infrastructure,
- groundwater concerns,
- and declining neighborhood functionality.

Maui County should not simply implement state mandates mechanically. The County should implement them responsibly and in a manner consistent with actual infrastructure capacity and long-term sustainability.

For that reason, I respectfully request the Council consider the following amendments and safeguards before final passage of Bill 78:

1. Infrastructure Adequacy Requirement
Require written verification that adequate infrastructure exists prior to permit issuance, including:
 - water availability,
 - wastewater capacity,
 - drainage capacity,
 - roadway access,
 - and emergency service access.

2. Water Supply Verification
Require proof of adequate and sustainable water supply before approval of additional dwelling permits, particularly in areas already experiencing water limitations.
3. Wastewater and Cesspool Protection Standards
Require evaluation of septic and cesspool impacts, especially in areas with shallow groundwater, runoff concerns, or environmental sensitivity.
4. Long-Term Residential Occupancy Requirement
Maintain and strengthen restrictions prohibiting accessory dwellings from being used as:
 - transient vacation rentals,
 - short-term rentals,
 - or hotel-type operations.
5. Parking Standards
Require adequate on-site parking standards appropriate for occupancy levels and neighborhood conditions.
6. Rural and Low-Density Community Protections
Preserve exemptions or additional review standards for rural and low-density districts where infrastructure and community character were never designed for increased density levels.
7. Hazard Area Review
Require additional review or limitations in areas vulnerable to:
 - flooding,
 - wildfire,
 - erosion,
 - evacuation constraints,
 - or drainage deficiencies.
8. Enforcement Accountability
Require annual reporting back to the Council documenting:
 - permits issued,
 - completed units,
 - code violations,
 - enforcement actions,
 - wastewater complaints,
 - infrastructure impacts,
 - and compliance with long-term residential occupancy requirements.
9. Early Infrastructure Consultation Process
Create a formal pre-application infrastructure review process so residents and property owners can understand limitations before investing substantial time and money into projects.

I believe many residents support practical housing flexibility and responsible accessory dwellings for local families. But residents also expect honesty regarding infrastructure realities, market impacts, long-term planning consequences, and the County's actual ability to manage increased density responsibly.

I respectfully urge the Council to adopt strong safeguards, measurable infrastructure protections, and meaningful enforcement mechanisms before final passage of Bill 78.

Thank you for the opportunity to testify.

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