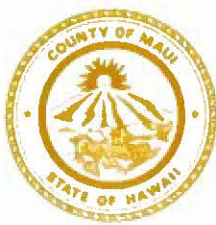


RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director

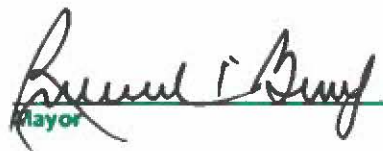


DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

August 13, 2024

Honorable Richard T. Bissen Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

 8-14-24
Mayor Date

For Transmittal to:

Honorable Tom Cook, Chair
Water and Infrastructure Committee
200 South High Street
Wailuku, Hawaii 96793
Via: wai.committee@mauicounty.us

Dear Councilmember Cook:

SUBJECT: BILL 110 (2024), AMENDING SECTION 16.25.01, MAUI COUNTY CODE, RELATING TO IMPROVEMENTS TO PUBLIC STREETS (WAI-27)

Thank you for your August 2, 2024 letter requesting a response to questions relating to Bill 110 and proposed amendments to Maui County Code Section 16.24.01. Please see below for answers to your questions.

1. *Please review Bill 110 and provide comments or suggested revisions.*

The Department has reviewed draft Bill 110. While the bill would provide assistance to those owners impacted by the August 8, 2023 wildfires, the Department cannot completely support the bill without adjustment because it will delay the implementation of the 2022 West Maui Community Plan further than it would have been pre-fire. Specifically, the West Maui Community Plan includes policy direction (see Policies 2.2.1 and 2.5.20, and Action Items 2.14 and 2.17) encouraging the provision of street improvements and the undergrounding of utilities within West Maui. New structures that are constructed post-fire should be

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expected to remain in place for as few as four decades, or, as evident prior to the fire, a century or more. Thus, as proposed, the bill would exempt all property owners from installing needed street improvements and undergrounding utilities now, and instead delay their installation for decades.

Importantly, the existing code already exempts installation of street improvements and undergrounding of utilities for single-family dwellings when the total number of dwellings on a lot does not exceed three. Hence, the code already assists individual homeowners by eliminating this cost in their re-build. However, the proposed bill would now exempt all property owners, including those owners of larger non-residential parcels wherein it is these property owners that are better equipped to handle the additional cost related to required street improvements and undergrounding of utilities that will improve the community.

If the Council determines it is in the County's best interest to provide this direct aid to all property owners in order to assist in recovery, the Department believes that the Council should have the total value of the deferred improvements professionally determined to understand the scale of the impacts to the community, and be able to establish the effected improvements planned and budgeted as a County CIP project to ensure they are completed for the community in a timely manner.

2. *How does the Department plan on processing Special Management Area and shoreline permits for areas within the Lahaina burn zone? What is the timeframe for these reviews?*

The process for administering the shoreline and Special Management Area (SMA) is memorialized in the Maui Planning Commission's rules. Until August 25, the Department is operating under the existing rules. After that, the new rules will take effect. Every project is different so it is not possible to give specific timeframes for these projects. SMA approval timing depends on myriad factors including application completeness, applicant responsiveness, other State and County departments' responsiveness, planning commission capacity and schedule, staffing, and the Department's workload. For SMA exemptions, the Department will work with 4LEAF Inc. to speed along the process, but depending on the location of the project, other regulations may slow the process. We are working to reduce inefficiencies.

3. *As the Department's neighborhood workshops conclude, what are the Department's plans for rebuilding Front Street and other commercial properties in Lahaina?*

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The neighborhood workshops were an effort of the Office of Recovery. The planning department was involved because the Planning Director co-leads the Community Planning Recovery Support Function (RSF) and several of our long-range staff assist with this RSF. The purpose of the neighborhood workshop was to gather feedback to develop projects and programs for inclusion in the Long-Term Recovery Plan. While we did hear specific guidance from the community about ideas for Front Street, any effort to fully re-envision Front Street will be a focused planning effort. Because of the strong interest in Front Street, we intend to include a project in the Long-Term Recovery Plan that will address that need.

4. Does the Department have any suggestions on ways to expedite the rebuilding of Lahaina?

The Department is working on multiple administrative ways to expedite the rebuilding of Lahaina and we are meeting with the State of Hawai'i to address regulatory barriers at the State level that slow down rebuilding. Bills 103, 104, and 105 in front of County Council right now are also part of the solution.

Thank you for the opportunity to provide our input. Should you have any questions, please feel free to contact me.

Sincerely,


KATEL K. BLYSTONE
Planning Director

xc: Ana Lillis, Deputy Director (pdf)
Jordan Hart, Planning Program Administrator (pdf)
Gregory Pfof, Administrative Planning Officer (pdf)
Jarrett Pascual, WAI Committee, (Jarret.Pascual@mauicounty.us)
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