

# **AFFORDABLE HOUSING COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**November 6, 2019**

**Council Chamber, 8<sup>th</sup> Floor**

**CONVENE:** 1:32 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember, Tasha Kama Chair  
Councilmember, Michael J. Molina Vice-Chair  
Councilmember Alice L. Lee  
Councilmember Keani N.W. Rawlins-Fernandez (in at 1:43 p.m.)  
Councilmember Shane M. Sinenci  
Councilmember Yuki Lei K. Sugimura

NON-VOTING MEMBERS:

Councilmember Tamara Paltin

**EXCUSED:** Councilmember Riki Hokama

**STAFF:** Alison Stewart, Legislative Analyst  
John Rapacz, Legislative Attorney  
Stacey Vinoray, Committee Secretary

Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

Don Atay, Executive Assistant to Councilmember Shane M. Sinenci

Kathy Kaohu, Executive Assistant to Councilmember Tamara Paltin

**ADMIN.:** Mimi DesJardins, Deputy Corporation Counsel, Department of the Corporation Counsel

Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation Counsel

*Seated in the gallery:*

Linda Munsell, Deputy Director, Department of Housing and Human Concerns

Rowena Dagdag-Andaya, Director, Department of Public Works

Jordan Molina, Deputy Director, Department of Public Works

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Jordan Hart, Deputy Director, Department of Planning

**OTHERS:** Clare Apana  
Stan Franco  
Adeline Kamaileolihau Kaahui Rodrigues  
Lori Sablas  
Kyle Ginoza, Project Manager, Hope Builders, Representative for  
Lihau`ula, LLC  
(15) additional attendees

**PRESS:** *Akaku: Maui Community Television, Inc.*

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CHAIR KAMA: . . . *(gavel)*. . . Good afternoon, everyone. The Affordable Housing Committee will now come to order on November 6, 2019 at 1:32 p.m. So, I'd like to ask everyone here to please silence their noise makers. My name is Tasha Kama and I'm the Chair of the Affordable Housing Committee. I'd like to thank my Vice-Chair, Mr. Mike Molina for being here this afternoon. Aloha, Mike.

VICE-CHAIR MOLINA: Good afternoon, Madam Chair.

CHAIR KAMA: Also I want to welcome Shane Sinenci. Aloha, Shane.

COUNCILMEMBER SINENCI: Aloha auinala, Chair.

CHAIR KAMA: Ae, and Ms. Alice Lee. Aloha, Alice.

COUNCILMEMBER LEE: Konnichiwa.

CHAIR KAMA: Konnichiwa. And also Ms. Yuki Lei Sugimura, good afternoon.

COUNCILMEMBER SUGIMURA: Good afternoon.

CHAIR KAMA: And so we also have with us our non-voting Member, Ms. Tamara Paltin. Aloha, Tamara.

COUNCILMEMBER PALTIN: Aloha auinala.

CHAIR KAMA: And we also have who is a non-voting Member, who's not with us, but who is able to if she chooses to, our Chair of our Council, Kelly King. And we also have excused this afternoon, Mr. Riki Hokama, and our Vice-Chair Keani Rawlins-Fernandez will be with us when she gets here. So, all present and accounted for. So, we also have with us from the Department of Housing and Human Concerns in galley, Ms. Linda Munsell, aloha. And from Corp. Counsel to my right, Ms. Mimi Desjardins. Aloha, Mimi.

MS. DESJARDINS: Aloha.

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CHAIR KAMA: And our Committee Staff, Alison Stewart, our Legislative Analyst.

MS. STEWART: Aloha.

CHAIR KAMA: Aloha. And John Rapacz, our Legislative Attorney. Oh, I'm going to be sad, 'cause you're going to be leaving. And also, Stacey Vinoray, our Committee Secretary. Aloha. And also, we have with us this afternoon, and I'm going to ask without objection to name him as our resource for today, Mr. Kyle Ginoza who's the project manager of Hope Builders representing Lihau`ula, LLC. Thank you, Kyle. So, once again, welcome to today's meeting of the Affordable Housing Committee and there's only item on today's agenda, the Presentation on Lihau`ula Project in Olowalu. Pursuant to Rule 7(B) of the Rules of the Council, we will be receiving this afternoon a presentation on this project by the developer. This is an opportunity for us to hear about this proposed project early in the process before it comes to us under the 201H process. There is no action to be taken on this item and so what I want to do today is since this is a new project, I would like to have the presentation from the developer first then take public testimony on this item so that the public can have a better understanding of the proposal before their testimony. And as such, Members, I ask that you would all hold your questions about the presentation till after the close of public testimony. Thank you. So, Mr. Ginoza, would you please tell us about the Lihau`ula project.

**. . . BEGIN PRESENTATION. . .**

MR. GINOZA: Thank you, Chair Kama. My name is Kyle Ginoza and I'm representing Lihau`ula, LLC this afternoon. Thank you for the opportunity to be in front of you. The purpose of today for us is to give you some early information about our project and to solicit any feedback you may have as we try to develop the application for this project. As you know, you know, we've been trying to help the County address workforce housing, the shortage particularly in West Maui and this project, Lihau`ula, is located in Olowalu in West Maui. And we feel that the project is well situated for building workforce homes. So, this project is being, will be proposed by Lihau`ula LLC who is the landowner and who will be the applicant for the 201H application. This project is located between roughly mile marker 14 where there's the snorkeling and the Olowalu General Store. So, it's in that general vicinity. I'll show a map later on. Access for the project is located off of Luawai Street, which is the first mauka access after the mile marker 14 snorkeling area. Luawai Street is also the access for the current Olowalu Village that is there and for reference, the TMK parcel is 4-8-003:103, with the property area being just under 28 acres. The reason we decided to propose a project at this location is it's located within the County's Urban Growth Boundary. The State and County land uses, sorry, land use designations are Agricultural and the parcel is located outside of the Special Management Area. Sorry, this is a map of the area from, taken from the Maui Island Plan. For reference, the blue shaded area is, designates the Rural Growth Boundary and the red shaded area designates the Urban Growth Boundary. And in orange we have shaded the subject property for the project, which is also located in the Urban Growth Boundary. I pulled this information on this

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slide from the Maui Island Plan to demonstrate the intent of the plan growth area, which is to revitalize and...to develop a revitalized and sustainable community in the area. While the Lihau`ula property is no longer owned by the landowners who proposed the Olowalu Town, the Lihau`ula owners would like to follow through with the intent of the plan growth area, to accommodate the shortage of workforce housing in the area. As you can see, for the Lihau`ula project it would be less than .5 dwelling units per acre, whereas for the Maui Island Plan, they anticipated 8 to 12 dwelling units per acre, so less density. As I previously described the subject property is located between that popular snorkeling area at mile marker 14 and the Olowalu General Store. The access is from Luawai Street where you can see partially bifurcates the property shown in yellow, labeled subject property. On the northern end of the parcel, there exists a baseyard to support agricultural and water system uses in the area and that baseyard would be located, relocated when this project is developed. And again, for reference, the subject property in yellow is roughly 28 acres. This is a map that shows the parcels that comprise the Olowalu area. As you can see, the area is comprised of over 40 separate parcels, one of which is shown in orange, which is the subject property. This map also shows in gray, those gray shaded areas known archaeological and other features in the area. As you can see, there are no known archaeological features in the vicinity of the subject property in orange. Aside from the agricultural baseyard that I mentioned previously at the north end of the property, the subject property is vacant and unused. The property has opiuma trees and buffelgrass throughout. Based on the low elevation and the presence of the opiuma, the view of the shoreline from the subject property is really nonexistent. As you well know, there's a significant demand for workforce housing on the island, particularly in West Maui. There also is not any new sizeable, near-term workforce housing development for West Maui in the pipeline. We have looked for West Maui properties that have the appropriate land use entitle, all the appropriate land use entitlements required for development, and such opportunities have been limited. That's why we're proposing this project. For us, when we looked at entitled vacant property, either they weren't available for purchase or oftentimes the price was too high for us to be able to develop. So, for us it is evident that the housing crisis is getting worse every year and the lack of affordable housing and worker housing, really is forcing people to live in Central and South Maui in large part, which lengthens their commute and exacerbates the traffic congestion problem that we all have experienced in West Maui. For us, the reason why we're pursuing the 201H process is we have previously gone through the conventional entitlement process in the past and have found the process quite cumbersome and lengthy. The entitlement process could take 14 to 15 years for us, in our experience, from inception to when the homes are built and that's why we're hoping to provide homes quicker for the community through the 201H process. After examining the feasibility of the project, we've determined that urban density is required and desired in this area. The proposed project will comprise of workforce homes and market lots to serve a broad range of owners. Since the area's outside of the service areas for many County facilities, the project will contain individual wastewater systems and will rely on the Olowalu Water Company, which is a private PUC regulated water utility for its potable water needs. The way we have it laid out currently for the project is to have 40 each of 10,000 square foot house and lot parcels, all in the affordable range and which follow the 201H and Maui County Code 2.96

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requirements. The project would also have 9 each, 10,000 square foot market lot only as well as ten each, one acre market lots. The hope is that all of these lots would be purchased by Maui residents and we'll make every effort to do so. There will also be a neighborhood park and a private paved interior roadway loop. We are not proposing ohana dwellings, but State Department of Health approval would be required for ohanas. Here is the conceptual site plan that we created. The lots to the top of the site plan and to the left, labeled a "number, dash, a" are the one-acre lots and you can see the interior private roadway loop that serves the 49 ten-acre lots, oh sorry, 10,000 square foot lots. And as you can see, Honoapiilani is on the bottom of the page, makai, and access is from the right off of Luawai Street. We have developed three-bedroom, two bath and four bedroom, two bath house configurations as shown here. And there are two different configurations for each of the three bedroom and four-bedroom. Based on the 2019 affordable housing price guidelines at a 5 percent interest rate, these are the maximum sales prices of affordable homes or workforce homes, which will be in the 80 to a 100 area median income group, 50 percent in the...sorry, per Maui County Code Chapter 2.96, there be affordable homes in the three different area median income groups, the lowest being 80 to a 100 percent AMI, which would be 30 percent of the homes, 50 percent in the 100 to a 120 percent of AMI group, and 20 percent being within the 120 to 140 percent AMI group. As you can see in this scenario, the majority of the homes would be under \$600,000. For the market lots, the prices that we're anticipating will range from 250 to \$500,000. We are currently in our community outreach phase of the project to solicit input as we form the project. We anticipating continuing this process for the next one to two months and anticipate submitting a 201H application to the County in January of next year. So, again, the purpose of our visit here today is to try to help inform you of a brief description of the project as well as to try to get, garner early feedback and just some direction from you on what you would like to see in our project. So, thank you, Chair Kama and Members, for allowing us this opportunity and I'm here to answer questions and take any feedback you may have. Thank you.

**. . .END PRESENTATION. . .**

CHAIR KAMA: Thank you. Oh, I'd like to just welcome our Vice-Chair, Keani Rawlins-Fernandez. Aloha, thank you for joining us.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha auinala, Chair.

CHAIR KAMA: Thank you. So, at this time I'd like to call a brief recess, don't go anywhere, so that our Staff can bring up the phones, we can get a hold of our neighbor island offices. . . .(gavel). . .

**RECESS: 1:49 p.m.**

**RECONVENE: 1:50 p.m.**

CHAIR KAMA: . . .(gavel). . . of November 6 will now reconvene at 1:50 p.m.

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**. . .BEGIN PUBLIC TESTIMONY. . .**

CHAIR KAMA: And we'd like to go to the neighbor islands and ask if they have any testifiers there, so, why don't we go to the island of...let's go to Hana. Hi, Mavis? Oh, we don't...what? You want to go to Hana, yeah let's go to Hana. So, Mavis, are you there?

MS. OLIVEIRA-MEDEIROS: Aloha.

CHAIR KAMA: Aloha.

MS. OLIVEIRA-MEDEIROS: This is Mavis from the Hana Office and there is nobody here waiting to testify.

CHAIR KAMA: Thank you. So, now let's go...oh, and the Molokai Office is closed today. So, we're going to go to the Lanai District Office and we're going to talk to Denise Fernandez. Denise, aloha.

MS. FERNANDEZ: Aloha, and there are no testifiers at the Lanai Office.

CHAIR KAMA: Thank you. So, having no testifiers in our neighbor island offices, Miss...

UNIDENTIFIED SPEAKER: Stewart.

CHAIR KAMA: Do we have any testifiers in the Chambers, Alison?

MS. STEWART: Yes, Chair, we have one testifier signed up --

CHAIR KAMA: Okay.

MS. STEWART: --and it is Clare Apana testifying on behalf of herself on AH-17(1) [sic].

CHAIR KAMA: Thank you.

MS. APANA: Good afternoon, Members, Chair Kama.

CHAIR KAMA: Aloha.

MS. APANA: Thank you for letting me do testimony. Actually, I was asked by someone as I was leaving this morning's session to come and testify, and I agreed because when we were doing the Ka'apuni in 2015, I happen to walk this section from Kihei to all the way in to Lahaina and as we walked it was pretty hot and the one place we went there was like a cold icy breeze and I went, whoa, where are we and this is exactly where we were, up the mountain. So, I feel that, I will keep following this, I feel that, that was a ho'ailona for me to look into this and as I understand this project may be in a flood zone, a flood zone or a flood drainage area and I'd like you to really vet that because it

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seems like, how come they always put the affordable housing on the junk land, you know. And, so if you could vet that, I would so appreciate that. Second, I know that there was a lot of testimony in months and years in the Land Use Commission, and I think rightly so because this is such a culturally significant area and is still a culturally significant area. I mean, I want to cry when I look up and I see the heiaus all dry, and I see the neighbor next door, get palm trees. That, well how does that happen, how does the cultural preserve get dry. So, I also know that I went to a meeting there where Uncle Les Kuloloio was kind of heading this and it was for people who are family members of this area, allodial title holder, family members, people related by koko to this area, I went as a driver to someone, and there were a lot of people, there were a lot of people representing many families and I'm not sure how the 201H process works with this. I don't know what you can bypass, what you can't, if the Council can make their own conditions as they can on any other land use project, but certainly the cultural aspects, the ownership and the rights of allodial families have to be protected here. They have come forward for many years and as it happens in many places, I witnessed this is Kahoma, they just totally get ignored, I saw that place destroyed even by the cultural things in there destroyed even though they were well documented in the AIS.

CHAIR KAMA: Thank you.

MS. APANA: I hope that you will make those provisions because it's really important, this would not have failed in the Land Use Commission if it was not important. Thank you very much.

CHAIR KAMA: Thank you, thank you. Are there any other testifiers, Ms. Stewart?

MS. STEWART: Yes, we have Stan Franco, who's testifying on behalf of himself.

CHAIR KAMA: Thank you.

MR. FRANCO: Good afternoon, Chair and Members --

CHAIR KAMA: Good afternoon.

MR. FRANCO: --of the Housing Committee. I had no intention of testifying today, I'm not dressed the way I would like to be dressed, but anyway, you have what you have. I think I agree with Kyle, that the housing crisis is getting worse each year. There's no doubt about it, but even the housing demand right now as demonstrated by the County of Maui Housing Department, that most of the housing is needed for people 80 percent and below. We continue to build housing projects at 80 to a 140 percent and it's missing a lot of our people. According to their survey of the 14,000 homes that we've heard over and over again that the State says is needed for this island by 2025, 9,500 of those homes should be for those 80 percent and below. I'm using the figures from the County of Maui. So, we keep missing it, and there was another matter about how many of the homes, most of the homes have been built for people 80 to 140 and market and not for those below, so we really missing meeting the public need and

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we continue to build these projects. As Kyle mentioned, I was on the Maui Island...the General Plan Advisory Committee when Olowalu Town came and was presented, and why we approved this project for development in that area. There was a promise of 700 affordable homes presented to us, with this development, Olowalu Town, that you know did not make it because the Land Use Commission decided against that project. So, what is being proposed now even though they're saying it's Urban Growth Boundary is quite a different project that was presented to us at the...and we decided to approve because again, back in, going back to the housing crisis, we understand it's a crisis, we saw that it was a crisis back in 2008 to 2010 and we approved this project, but this is a completely different project. I cannot, it should not be made the same claim that, you know, it's the same kind of project, it's quite different. So, just for your information, I just wanted to say a few words, thank you so much.

CHAIR KAMA: Is there anyone else in the Chamber that would like to testify? Oh.

MS. KAAHUI RODRIGUES: I don't know how to do this. I'm so nervous.

CHAIR KAMA: Don't be nervous.

MS. KAAHUI RODRIGUES: I'm so nervous, I didn't expect to speak today. But I just want to let you know, my name is Adeline Kamaileolihau Kaahui Rodrigues. I live in Olowalu, I was born there 89 years ago and I'll be 90 in December.

CHAIR KAMA: Wow.

MS. KAAHUI RODRIGUES: And I, when I heard that Peter Martin was going to build a home there, or whoever is going to, I'm excited because I have five children. They want to move home to Olowalu, that's where I live. I'm still living there. I built a home there. And I love, I want you folks to say yes, please, please. I was so disappointed not to, about the first Olowalu Town, but I hope you folks would change your mind and let us, let my children move home to Olowalu. They can't move to Olowalu 'cause they don't have land there. I was lucky that I inherited the property that I live on, but I live right next door to my family home that I was born in. So, please, please, I can say more about Olowalu but I think I have more rights about asking you people to please. Who live on their land for 90 years, nobody. Can anybody here tell me you lived on that land that you were born on and still there? I can talk and talk, but please, please say yes. Thank you.

CHAIR KAMA: Thank you. So, Adeline, could you please go out to the lobby and fill in a form that we have out there for you. Yeah, go ahead. And anyone else would like to testify by all means, please come, but please don't forget to fill out the form in the Lobby. Thank you.

MS. SABLAS: Aloha auinala, kakou.

CHAIR KAMA: Aloha.



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MS. SABLAS: I wasn't planning to testify, but after Adeline talked, I'm inspired, 'cause I know the Kaahui family from way, way back growing up. I'm a West Maui resident and I'm here again really urging you to support efforts of anyone who's coming to build workforce housing. Granted there's going to be many issues, of course, there's issues that you should all be concerned about, but work in the direction of a positive direction in trying to make it. Okay, if something's wrong, how can we better it, but please don't knock a project without even giving it effort because if you continue to do this, you'll lose our workers. I talked to my people at the vet, at the doctors every day, and you know what, the major concern is, like Adeline said, we don't have homes on Maui. You are the ones who's going to be able to make a difference, use your position for the people of Maui. And again, I urge you, I really appreciate that the concerns you have, you know, for our aina, for our environment. We all do, we all love our island, but we have to try to find solutions, not keep putting pukas in projects. I know Peter Martin because I've worked with him on non-profits and I've gotten to really appreciate the heart that he has and that's why I'm here, because I've gotten to know this man personally, I've gotten to see how his workers think about him and how he's personally helped many, many of his employees. I don't know of other things, maybe you know about, I'm speaking from what I know from having known him for at least the last 20 years working in non-profit foundations. So, again you have an opportunity to make a difference, that's why you were elected. Don't waste that time please. Again, I mean, the developers I can see, I'm concerned but respect our kupuna, she's from that area, 90 years, it's a lot to say, you know, I just was up that area last week, I toured the cultural site and I can see that. Now, I understand there's some, there's going to be, and this is why this is just the beginning, we're bringing it to you, you know, go to the experts, we have many experts to look at traffic, to look at other mitigation, well look to their advice, but please don't knock the project because of some, I don't know what you might have. But, I urge you to look at this, every developer who comes, look and try to work with them to make it happen on behalf of the workforce. Mahalo.

CHAIR KAMA: Thank you.

MS. SABLAS: And I'll go sign.

CHAIR KAMA: Oh, thank you. Do we have anybody else in the Chambers that would like to testify? Seeing none, then, Members, without objection, I'd like to close public testimony.

COUNCILMEMBERS: No objections.

**. . .END OF PUBLIC TESTIMONY. . .**

**AH-17(13):      PRESENTATION ON LIHAU'ULA PROJECT IN OLOWALU (RULE 7B)**

CHAIR KAMA: Thank you. So, Members, we have kind of like, have no testimonies and therefore if you have any questions for the Mr. Ginoza, now's the time. Yes, Ms. Lee?

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COUNCILMEMBER LEE: Thank you, Madam Chair. Kyle, on the conceptual site plan where it shows the roadways, the lots, and the roads, you said the entrance will be from Luawai Street.

MR. GINOZA: Yes.

COUNCILMEMBER LEE: And then it takes that bend to the left, and then how does it go, you can go either right or left?

MR. GINOZA: Yeah, so the mauka portion is for those five one-acre ag lots, and if you make the left, you go to that inter-loop road that accesses the residences.

COUNCILMEMBER LEE: Oh, I see, across the cul-de-sac of the other.

MR. GINOZA: Yes.

COUNCILMEMBER LEE: And so there's only one entrance into the subdivision?

MR. GINOZA: Yes, we're looking at emergency access, but it would be for emergencies, so you can see one down by the retention basin and we're also looking at one between 7 and 8, 7-A and 8-A. But one primary access for everyday use.

COUNCILMEMBER LEE: Okay, 7-A and 8-A?

MR. GINOZA: To the left of the...

COUNCILMEMBER LEE: Oh, I see. That's another road?

MR. GINOZA: It's not shown, but that's what we're intending to put in.

COUNCILMEMBER LEE: Okay, thank you.

COUNCILMEMBER PALTIN: Chair? Before we get more further in, I just wanted to make a disclosure.

CHAIR KAMA: Sure.

COUNCILMEMBER PALTIN: I'm not sure the location, but my husband been doing his genealogy and he filed papers with the Bureau of Conveyances for someplace in Olowalu, so I don't know exactly where, but I figure in terms of disclosure, earlier is better. If I ever do vote, I don't think it would affect my voting capabilities being that I don't know where his land is.

CHAIR KAMA: Thank you. Yes, Mr. Molina.

VICE-CHAIR MOLINA: Thank you, Madam Chair. I guess question for Mr. Ginoza, in your opening comments you mentioned former owners and new owners, so the principals

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are currently who right now and the former owners for the record? I believe this was dealt with when I was off the Council back in the early 2000's, but anyway, just for the record who are the current principals and former owners of the project?

MR. GINOZA: So, the principal for this one is Peter Martin.

VICE-CHAIR MOLINA: Okay.

MR. GINOZA: And for Olowalu Elua, I'm not really familiar with who all the principals are, but he's one of the principals there too. But he bought it and others bought it separate from Olowalu Elua, that Olowalu Elua Associates that proposed the Olowalu Town. They didn't want to proceed with the town so he, Peter wanted to try to get some housing in there, so he bought it separately.

VICE-CHAIR MOLINA: Okay and then staying on that topic, so is it the intent of Mr. Martin to break down and subdivide the project site in to small individual projects eventually or is there any indication of that?

MR. GINOZA: Are you talking about Lihau`ula --

VICE-CHAIR MOLINA: Yeah

MR. GINOZA: --or the rest of the...oh.

VICE-CHAIR MOLINA: Well, the rest of the project section.

MR. GINOZA: So, for Lihau`ula, oh sorry, so for Lihau`ula that's our intent is to come in to subdivide, provided you approve the 201H, and subdivide to a plan similar to this or something, you know, like this. And as far as the rest of what was Olowalu Town, right now there is no plan and it's going through the community plan process to see what in fact is reflected from the Urban Growth Boundary to the community plan; however, rather than wait until the whole process goes through, we wanted to try to at least get some housing online sooner rather than later.

VICE-CHAIR MOLINA: Okay, yeah, thank you, that was going to be my next question with the CPAC currently meeting so as I saw in your presentation you're looking at submitting the application sometime in January then. In the meantime, up to that point you're going to be doing outreach with the community for this particular project, yeah?

MR. GINOZA: Yes, and we have done some, but we want to make sure in light of our recent other project to take your guidance, this body's guidance to really do a lot more, and this is kind of our first step to see what you may have specifically as well as, you know, we'll interact again with departments and members of the community to try to reach a common ground in a sense for our project. But for us, it was a matter of looking at lands that were available that had some entitlement and was well situated to try to pursue something for the local community with respect to housing.

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VICE-CHAIR MOLINA: And these would be evening meetings you're planning from now till January with the community?

MR. GINOZA: Probably, just to make sure that we have people, rather than...employed people as well as people who could come during the day, so yes.

VICE-CHAIR MOLINA: 'Cause I'm just thinking most, you know, you could get maximum participation from the community I think after normal work hours or yeah.

MR. GINOZA: Sure, yeah, I mean we're pretty much following the lead of like how Pulelehua has tonight, you know, something like that.

VICE-CHAIR MOLINA: Right, okay, thank you. Thank you, Madam Chair.

CHAIR KAMA: Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Thank you, Mr. Ginoza, for being here. Yeah, just piggybacking off Member Molina, so, you said the owner has also other lots in the area, is he part owner of other parcels?

MR. GINOZA: My understanding...oh sorry.

CHAIR KAMA: Go ahead.

MR. GINOZA: My understanding is he's partners with others in Olowalu Elua that own some of the other parcels that I had shown on the parcel map.

COUNCILMEMBER SINENCI: All right, so, I mean, Member Molina talked about once the larger project of seven...or I think it was, just previous, larger project of 700 homes so is it, I'm just thinking ahead and seeing if he's going to continue to come back until he reaches 700 homes just with these smaller projects. Is there any plans for that?

MR. GINOZA: That is not the intent right now. And, you know, depending on what happens in the process, you know, this body will have control of the phasing of any kind of project because kind of the way we look at it, yes, it's within the Growth Boundary, perhaps through the community plan process that is currently ongoing, it could have similar community plan designation. But there's also zoning that would have to, which would have to come in front of this body, either in a comprehensive zoning context or to have zoning, the Agricultural zoning consistent what would be the Urban Growth and, you know, say residential community plan. So, right now it's difficult to say, and like I said this body would have the final say on how that proceeds, but at this point we're looking at just trying to get something started and to provide housing for, on the West Side.

COUNCILMEMBER SINENCI: And you guys are willing to work with the CPAC process, the community plan process?

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MR. GINOZA: So, we are...for, I mean for Olowalu what is, what would be left of Olowalu Town, we do have a presence at each CPAC meeting and when we have the opportunity to present on how either the plan evolved or how the CPAC would like to see things, I mean, that's definitely in the cards, and we intend to cooperate and as I mentioned, that's why we go to every meeting, to ensure that if there's any questions in the interim, that they can be addressed.

COUNCILMEMBER SINENCI: All right, thank you. Thank you, Chair.

CHAIR KAMA: Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Ginoza.

MR. GINOZA: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for your presentation and I really appreciate you coming to the Council prior to submitting a 201H application.

MR. GINOZA: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, so, I'm really happy to see that you have scheduled community outreach input this month and next month. How many meetings are you planning to have? Community meetings?

MR. GINOZA: We haven't scheduled any, but depending on how things go, I mean, that will dictate how many we have, I guess. You know, the turn outs and such. So, we don't have any set right now, set number.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, so it could be one. It could be just one community meeting?

MR. GINOZA: Sure, but we intend to meet with others in the community that show interest or that have interest in the area. But depending on what kind of feedback we get from when we schedule a meeting if people cannot attend and would like another one, then we'll certainly take that into account.

COUNCILMEMBER RAWLINS-FERNANDEZ: I see, so you're planning to host at least one community meeting and if groups and the community ask for a meeting with them, then you'll meet with those groups?

MR. GINOZA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Okay, and how do you plan to advertise the first community meeting?

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MR. GINOZA: Do you have any suggestions? Just normally, we...actually I don't know, I haven't hosted one for this, so, we'll probably just advertise it, like, I don't know, like *Maui News* or whatever.

COUNCILMEMBER RAWLINS-FERNANDEZ: *Maui News*?

MR. GINOZA: I don't know how it's typically advertised to be honest.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

MR. GINOZA: I'm sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, like in my community on Molokai, I put it in the *Molokai Dispatch*, in the community calendar, I put fliers on the bulletin boards.

MR. GINOZA: Sure.

COUNCILMEMBER RAWLINS-FERNANDEZ: I put in on Facebook, on social media, you know, Instagram, where everyone kind of is, is where I usually kind of put my...so --

MR. GINOZA: Sure.

COUNCILMEMBER RAWLINS-FERNANDEZ: --I guess maybe the *Lahaina News*. I'm not sure, I think they might be only once a month though. Our newspaper is a weekly newspaper, so, when I have any meetings or events I use whatever medium, you know, possible, so.

MR. GINOZA: Sure, yeah, I don't typically handle it that's why I don't know, but I know that if I put it on my Facebook, nobody would come, so, those that...

COUNCILMEMBER RAWLINS-FERNANDEZ: You have to tag people.

MR. GINOZA: So, we will make sure that there's outreach and definitely will let the Members know so that your network can be also informed.

COUNCILMEMBER RAWLINS-FERNANDEZ: Great, so you're planning to conduct this meeting yourself, you, Mr. Ginoza? Are you going to advertise and facilitate the meeting?

MR. GINOZA: Yeah, so I doubt I will be the sole person involved, because like I mentioned, you know, I'm quite ignorant on that process, but I'm sure I would be part of providing information, answering questions and if, you know, we don't do an adequate job and you, I mean, you know, like you don't get the information you need from me, you don't think that the people we're contacting is the spectrum of people we should, then any feedback that you can provide would definitely help us. But like I said, because I'm not familiar with it, I wouldn't be the one actually promoting it, and that's why I'm kind of ignorant on that process.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, so if you and your staff can put together a flier and send it to the Councilmembers that can also help to get the word out. Creating a flier is a good start.

MR. GINOZA: We'll definitely do that, thank you for the input.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, and so the intention of the meeting is to take feedback and amend the project like if that's the desire of the community?

MR. GINOZA: Yeah, we're looking at what kind of input that we could implement, you know, of course there's certain constraints that we look at as far as, you know, there's all kinds of amenities or upgrades that could be done, but as we try to, if you look at kind of how we broke down the income groups and where we look at, we're looking at kind of hitting that, you know, middle class area. We don't want to do the, hit lower and then sell to like, you know, really high end, we're looking at that really kind of broad middle range. And so, as we digest the kind of modifications or improvements to the project, we'll definitely have to weigh, you know, implementing some and maybe perhaps not implementing others. So, yeah, I mean it's definitely something that, you know, absent having the input, we really wouldn't know what people want or don't want.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right.

MR. GINOZA: But at the same time, I would be remiss to say that anything somebody brings up, we're going to implement. You know, it's still that value judgment that we have to partake on once we get the input. So, yeah, we definitely look at the input we received.

COUNCILMEMBER RAWLINS-FERNANDEZ: I get it, mahalo. Last question, Chair, so what happens if the community overwhelmingly doesn't support the project, is your plan to still go through with the 201H application process anyway?

MR. GINOZA: Likely, it's something that, you know, we'll try to address the concerns that the community has, but there are also a segment of the community that does want housing in Olowalu and does want housing in West Maui in general so it is something that as you seen in other projects, there will be proponents of the project from the public and opponents. And we feel that, you know, we will try to incorporate the modifications that some naysayers may want, but at the end of the day we would like for you guys as representatives of the community to make that final call of there are...to be that arbiter of between the for and against and the plusses and minuses of a project to say whether or not a, satisfying a community need in this one sense, you know, where as it may be against some people in the public, for the greater good, it may be warranted. So, it is our intention to collect the feedback and to still come up with a project for you to contemplate and decide on.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo for your responses. Mahalo, Chair.

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MR. GINOZA: Thank you.

CHAIR KAMA: Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you, Chair. Nice seeing you here, Mr. Ginoza. I like this idea of doing this meeting first and getting input. I thought that today when I saw this on the agenda that we'd probably have a whole gallery full of, you know, people that would come and voice their really opposition. And I don't see that here today so and to hear that you have somebody who's lived in the community for 90 years, who's advocating to support this and the reasons, so that their children and grandchildren can come back and live in the community that they grew up in, I think that's very positive to me, that you have that kind of support. But, it sounds like your journey has just begun and I'm grateful that you're not the marketing component for your company because that certainly doesn't have to be your expertise, and you have other people who can help you with it and maybe you can have Keani Rawlins and me help with our Facebook posts.

MR. GINOZA: Sure, yeah. You don't want me to be the marketing.

COUNCILMEMBER SUGIMURA: Yeah, we don't want you to do that part, but, you're very good at many, many other things. Sorry. I see that you have your own wastewater system or some kind of system you're putting in, can you say something about that?

MR. GINOZA: Sure, we're looking at individual wastewater systems, so, you know --

COUNCILMEMBER SUGIMURA: Oh, ATUs.

MR. GINOZA: --there's like septic or aerobic treatment units, so along the lines of that versus a package treatment plant or trying to connect to Lahaina Wastewater Reclamation Facility. And in large part is because of the cost, and what do we do with the combined treated effluent, you know, this area is a small area being served, just under 28 acres and, you know, we wouldn't have room on the lands to have elevated storage and, you know, the users for that so we're looking at individual wastewater systems.

COUNCILMEMBER SUGIMURA: That's good, I know you have a lot of expertise in that, so I'm sure the right decision will be made cause it's important. Private water system, so is that all part of the overall water system, like what we saw in Launiupoko or is it separate?

MR. GINOZA: No, it's actually a separate water system so in Launiupoko, it was, yeah, Launiupoko Irrigation Company was the, is the non-potable and Launiupoko Water Company is the potable. This is completely separate, it's the Olowalu Water Company.

COUNCILMEMBER SUGIMURA: Okay, so it sounds like you have important things covered. And, I like the, well, I'll look forward to hearing about when you have your community meetings and I hope that I can, you know, attend, so we can hear what the community



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is saying. And the archaeological sites that you've designated on your map, so are you planning on doing anything to preserve it or is that outside of your project area?

MR. GINOZA: It's actually not on the land, these lands, so we don't have control for that. So, we aren't planning to do anything as part of this project.

COUNCILMEMBER SUGIMURA: Okay, that makes sense. Okay, thank you, I just wanted to be sure.

MR. GINOZA: Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR MOLINA: Thank you, Madam Chair.

CHAIR KAMA: Question, Mr. Molina?

VICE-CHAIR MOLINA: Yeah, stormwater runoff, I guess any project proposed in this area, that issue's always going to come off, have you guys done some studies on that, preliminary studies on addressing any runoff into the, potential runoff into the ocean?

CHAIR KAMA: Go ahead.

MR. GINOZA: So, if you see on the, and this is, you know, obviously not a final site plan, but we're going to have retention basin, at least a retention basin to handle that increase in post-development runoff, to accommodate what are required by the drainage rules of the County. So, we'll satisfy what the County requires.

VICE-CHAIR MOLINA: And one more question, Madam Chair. As our former Environmental Management Director, ATUs, will that be the likely, well I guess, system for wastewater and so forth and will the, is it the intent of the owners or the principals that all residents that...or you guys will be doing regular maintenance on these facilities, you're going to have a treatment facility there, I presume, wastewater treatment?

MR. GINOZA: So, you know, obviously the ATUs, so the aerobic treatment units are more, have greater wastewater treatment capability and, you know, much more than septic which is kind of the minimum that DOH, State Department of Health requires. And so, that's what we're looking at is, you know, considering the sensitivity of the area to minimize any impacts to downstream properties including the ocean to have a ATU systems where, you know, they're more expensive, like I don't know, 10 or \$20,000 more and then require, I believe it's twice annually maintenance, which depending on how, you know, we structure it, could be like a homeowner's association kind of being like your County to maintain it, or having individual owners. And that's really something that would be borne by either the homeowner or the HOA, so, we could do it either way.

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VICE-CHAIR MOLINA: Okay, well thank you for your responses, I know things are maybe somewhat preliminary based upon what happens after with your, the input from the community.

MR. GINOZA: Yeah.

VICE-CHAIR MOLINA: So, some things may be subject to change by the time the application comes before us.

MR. GINOZA: Definitely. Thank you.

VICE-CHAIR MOLINA: Thank you. Thank you, Madam Chair.

CHAIR KAMA: Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. I just had a question about, you know, I guess the 201H, some of the criticisms has been that the ten-year affordability clause. You know, part of us being in this housing crisis is we've seen in the past where after ten years people have put their homes back on the market then it has taken it out of affordability range for our locals, our residents. So, and then being that we have some residents of Olowalu that has been there for 90 years plus, would the owner be open to having a clause that is, you know, 30, even upwards of 90 years?

CHAIR KAMA: Go ahead, answer.

MR. GINOZA: For us, you know, we believe in the value of home ownership helping to have people stake in life improve and even more me, like the house I live in, I haven't even lived there ten years and it seems like an eternity. So, for us, it's...I mean, that's something to contemplate and, you know, we prefer having it closer to 10 years versus 30. To be able to have people who get into the houses and take care of the houses be able to reap benefit of the equity over time. So, it's definitely something that we'd be open to, but at the same time, you know, we'd like for the residents to be able to as they live there, take care of it and, you know, have to move off, to be able to reap the benefit of the equity.

COUNCILMEMBER SINENCI: And yes...Chair?

CHAIR KAMA: Yes.

COUNCILMEMBER SINENCI: I can see that, and I can get that, but it's just that, you know, looking at past history we've seen this practice happen and that's why we're not able to afford some of these prices that are upwards of 700, 800,000 for a home, so I think, you know, just at least addressing it in a way that, you know, you do have families that want to buy this home and this is going to be their forever home, yeah. So, I mean that's something that I would support if it was for a longer affordability period and so that we address past practices that have been to me bad practices.

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MR. GINOZA: Sure.

COUNCILMEMBER SINENCI: And why we're in this current situation. I did like Mr. Franco's idea about at least trying to address some of the 60 percent AMI and below for those families that, you know, wouldn't be able to qualify for some of these mortgage rates. You know, whether it be only a couple, three to five homes at that lower, and then maybe the owner would consider looking at, you know, adjusting some of the open lots, but I would also support that and addressing those lower AMI rates. Thank you, Chair.

MR. GINOZA: Sure, that's the kind of input we're looking for so we'll definitely look into that further and try to come up with scenarios to do so. Thank you.

CHAIR KAMA: Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you. I was wondering if you were going to have dual waterlines?

MR. GINOZA: As far as potable and non-potable? Right now, we're looking at only potable waterlines.

COUNCILMEMBER PALTIN: And then I was wondering, so if you were also looking into the possibility of composting toilets as those have come a long way and ATUs and cesspools and those types of things, you know, the maintenance and the cost of an ATU versus the cost of the new technology with composting toilets?

MR. GINOZA: We haven't been because like I would want a regular toilet in my house. We can definitely look into that, but right now the plan is to have a regular toilet connected to an individual wastewater system versus a composting toilet, but that's something that we can investigate.

COUNCILMEMBER PALTIN: And then I was wondering as well, is the workforce homes only for three and four bedroom with two bathrooms or would they be able to choose how many bedrooms that they'd like?

MR. GINOZA: So, we'll have a spectrum of both, for both, for all three income AMI groups, a mixture of three and four bedrooms so depending on where they are on the lottery they could pick either three or four until the inventory dries up and they might only have option for another. But yeah, we're intending on having three and four bedroom in the three different AMI groups.

COUNCILMEMBER PALTIN: So, no offerings for one or two bedrooms?

MR. GINOZA: No.

COUNCILMEMBER PALTIN: Okay, and then my other question, you know, in looking at the recent 201Hs, are projects that have been built in Lahaina, I think it's Kahoma

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Villages, quite a number of the 120 to 140 percent affordables were not purchased in the allotted affordability timeframe and they then rolled over to market value. So, you know, plenty people are saying there's this great need for workforce housing and then where are the people that are buying this? So, I think I would echo Mr. Franco and I think Mr. Sinenci, like the 120 to 140 is not a great need, if houses are being offered at 120 to 140 and they're not being bought or rolling over to affordable, do you, are you offering any further affordability period than the 90 days or is that what it is you're proposing?

MR. GINOZA: To be honest, I'm not familiar with the marketing and the selling of it, we're following what is in the 2.96 as far as the income ranges, and, you know, ultimately it would be a tradeoff where, you know, if we offer a lot lower than the 80 percent, then some of the other units would necessarily have to go up to make the project work, so for us...

COUNCILMEMBER PALTIN: The market value ones, you're saying?

MR. GINOZA: Yeah, because we have to conform with 2.96 and the 201H requirements and so that's why for us we looked at being that middle band of 80 to, you know, just above the affordable versus having like the 50 or, you know, 50 to 80 or even below 50 and then having to have like really high prices for the market, to try to keep it local.

COUNCILMEMBER PALTIN: So, being that, you know, the majority of the demand is in the 80 percent, would you consider having it all 80 to 100 percent and eliminating the 100 to a 140 percent?

MR. GINOZA: Likely not, because the project wouldn't work for us, I mean when we look at...kind of the sweet spot for us is being more of a home builder is to not have these, you know, rely on public subsidy, philosophically we don't rely on public subsidy to hit the lower AMI groups as some of the other developers. So, we look at trying to hit that 80 to 140 and by just having under 80 the market ones would be too expensive to support the development.

COUNCILMEMBER PALTIN: And then, I guess, one of my last questions would be the West Maui housing need where you say no sizeable near term West Maui developments in the pipeline, where are you getting that information from or how did you come up with that statement?

MR. GINOZA: Oh I just looked at new developments, what are people proposing, I mean there are a couple of developments that have been on the books for many years, and we get updates on it, but no real near term within the next five years that I see.

COUNCILMEMBER PALTIN: Okay, just wanted to invite you tonight, Pulelehua is having community outreach for 900 units, maybe 400 of which would be affordable. Kaiaulu o Kupuohi, 89 units possibly a 100 percent affordable in Lahaina; Keawe Street, 200 units all affordable; Waialele Ridge, a 158 units working on some things to make that

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all affordable as well. So, I think, you know, that's kind of not entirely accurate that there's no sizeable near term West Maui developments in the pipeline.

MR. GINOZA: I'll be there tonight to learn more.

COUNCILMEMBER PALTIN: Awesome, thank you.

CHAIR KAMA: Members, any other questions? Yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I kind of wanted to expand a little bit on what Member Paltin was speaking to and that is from a 120 I guess to a 140, it's so close to market price that what we are seeing with these workforce houses, when it goes to sale is that people are finding that it's not worth the tradeoff, the invasion of privacy into their financial records and that people aren't buying this middle range because they could spend a little bit more money and maintain that privacy. And so, I think it's kind of pointless for us to target this AMI, particularly the 120 to 140 because while we're saying that it's workforce and the Council wants to get on board, the reality of it is it's not helping those that we want to be helping because it flips out of the workforce price and into market and we have enough market homes. So, I think what my colleagues and the testifier is saying is that realistically if we want to help our community, that providing more houses in the lower AMI even if it's more houses in the 80 to 100 would be better for the community than a 120 to 140, and I understand that you're following 2.96 and that should be amended because that's not helping anyone. So, that's, I kind of just wanted to share that based off of what Member Paltin was saying and what the feedback that I'm getting as a Councilmember, and if you have any comments?

MR. GINOZA: Sure, I would say that a \$600,000 brand new home, four bedroom or four bedroom, two bath in West Maui is not market. When, at least from what, I'm not a realtor in practice, but from what I hear from people in the community you get a tear down or, you know, at even 800,000, so to say that the 80, or sorry, the 120 to 140 is close to market, I don't know, I personally wouldn't agree. That, you know, the way I kind of look at it is, you know, there are people in these different income groups that still need housing and I agree that there is a dire need in the lower income groups, and unfortunately when you look at the economics of these projects, if you're going to serve that low income group, it has to be, that heavy subsidy has to be coming from somewhere else. And just...and that's part of the reason why I'm here today is to better understand, we as a philosophy try to tackle this band, but if instead the Council looks at wanting developers or landowners to hit this and this, I mean that's something that would be good to know. So, you know, we're looking at a, with this development as a development that can hit the 80 to 140 as well as those that maybe don't qualify for that, that can have a market price lot or 10,000-square-foot lot or one-acre lot, but not have to sell it for a lot more to make up for the lower bands. And so that's where, you know, it's nice that the Council looks at using affordable housing funds to help some of these other projects that serve the lower bands and if that's what the message that we should take as landowners that you would like to see only

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this and this and not so much this, that's really why we're here today to better understand that, so thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, yeah so what we're saying, what we saw with the Kahoma project is that the 140 AMI was not selling and that's what flipped out of workforce and went into market, so yeah that's the feedback that I'm sharing with you.

MR. GINOZA: Okay, I'm not familiar so I'll look into that. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, great. Mahalo, Chair.

CHAIR KAMA: Thank you. Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Sorry, I just wanted to comment on some of the discussion. I mean I think that's why the 201H was for, what I thought it was is to help to address some of these affordable housing projects, that's why we have all the exemptions, that's why you have the time restraints, that's why we put you at the top so that we can address some of these issues. That's what 2.96 and 201H does, so I get it that you want to reach that but because you're coming through this process, that's why, I mean for me, you know, I support the process and that's why the questions are directed, so.

MR. GINOZA: Sure, thank you.

CHAIR KAMA: Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you. I was wondering through this 201H exemption process did you know what exemptions or what it is that you're asking of us?

MR. GINOZA: We haven't finalized it by any means, but it'll probably be the typical building fee exemptions. The main ones would be really the exemption from zoning and community plan and, you know, to enable the project as well as we're looking at some of those fee exemptions.

COUNCILMEMBER PALTIN: So, you want a exemption, you want to change the zoning from Agriculture to what?

MR. GINOZA: Oh for the single family, for the single family.

COUNCILMEMBER PALTIN: What are you asking the . . . *(inaudible)* . . . for?

MR. GINOZA: No, it's just to allow, the exemption to allow these types of uses on the underlying zoning.

COUNCILMEMBER PALTIN: What is it that you want the underlying zoning to be?

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MR. GINOZA: The underlying zoning will remain Agricultural but to allow in this plan 40, basically 49 10,000-square-foot lots and the ten one-acre lots.

COUNCILMEMBER PALTIN: So, you're going to keep it in Agriculture, but want to have smaller lot sizes than what Agriculture allows, is that what you're asking for?

MR. GINOZA: My understanding of how the County deals with these types of 201H projects is the underlying zoning remains the same and that the Council allows through this exemption process other uses on the Agricultural land, Agriculturally-zoned land.

COUNCILMEMBER PALTIN: Okay, and then you want an exemption from the community plan that says that the areas designated as Agriculture?

MR. GINOZA: So, same thing, whereas the current community plan is designated Agricultural to allow these types of uses with that community plan designation.

COUNCILMEMBER PALTIN: And, I was wondering if you knew what particular uses you're interested in retaining out of the Agricultural zoning and community plan designation?

MR. GINOZA: You mean outside of agriculture?

COUNCILMEMBER PALTIN: Well, I mean, Agricultural zoning has a whole list of uses and you're saying that you want to keep the zoning Agriculture for what, what uses did you want to keep the zoning Agriculture out of, or you don't know or?

MR. GINOZA: I don't know if somebody from Planning or Mimi can help, but my understanding is it, you keep the underlying zoning but by getting the approval you're afforded these other uses that are not agricultural uses, such as for single family.

CHAIR KAMA: Go ahead, Mimi?

MS. DESJARDINS: Chair, so I'm not a 100 percent familiar with this project completely but what I understand, they're asking for is that is in a State Ag District, but for if you have 15 or less acres that you're requesting to be changed out of Ag, that can be done by this body, not by the Land Use Commission. So, my understanding is, is that there are several 10,000-square-foot lots which encompasses about 14, almost 15 acres, but 14.76 acres, which means it falls within the jurisdiction of this Council to change that from Ag to Urban zoning, so that would change that. The rest of the property for this project would be State Ag use and under State Ag use you can have an acre, a minimum acre, it's not two acres like our County Ag zoning is two acres. So, there will be a proposed 10,000-square-foot lots for 14.76 acres and then the rest will remain in State Ag use but with one-acre lots which is allowed under State Ag, so that would be the rest of the lots.

COUNCILMEMBER PALTIN: Okay, so but you're not asking for that 10,000-square-foot lots to turn to Urban or you are?

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MR. GINOZA: Maybe to provide a little bit of clarity, so she was talking about the State land use designation, so we are following the district boundary amendment process of having this body, the County Council allow for that urban use in that 14 point something acres of the 49 10,000-square-foot homes, sorry 10,000-square-foot lots. And so, for the district boundary amendment for State land use, it would be this body going from Agricultural to the Urban District for those just under 15 acres. However, for the land use designations under the County of Maui, which are Maui County zoning and community plan, West Maui Community Plan, as I mentioned, my understanding is they remain the underlying Agricultural zoning and community plan designation but by getting the 201H approval other uses are allowed. So, for instance, whereas right now on a 15-acre lot, we couldn't really do anything as far as doing this residential subdivision. What we're asking for is the allowance to do higher density on this portion of land.

COUNCILMEMBER PALTIN: Okay, I think I understand that. And you're not foreseeing any additional exemptions other than that, like to the Fire Code or anything like that?

MR. GINOZA: I don't believe so at this time.

COUNCILMEMBER PALTIN: Building fee, zoning and community plan. And then my other question was when you say it's within the Urban Growth Boundary is that for the General Plan or the Maui Island Plan or where does that one come from?

MR. GINOZA: The Maui Island Plan.

COUNCILMEMBER PALTIN: And then, so if other than that 15 acres remains in Ag, if folks wanted to do like say three sows, would that be a problem or?

MR. GINOZA: I'm sorry what did you say, three what?

COUNCILMEMBER PALTIN: Like pig, piggery, under three sows I think is you don't have to go, I mean if it's Ag, they can do pigs or chickens and there's no problems.

MR. GINOZA: So, on the one-acre lots, those we actually are asking for reduction from the two-acre to a one-acre allowance and whenever you have those ag lots, there's no restrictions on that agricultural use.

COUNCILMEMBER PALTIN: So, pigs, chickens, those types of things all good?

MR. GINOZA: Whatever is in the Ag District, I'm not really familiar with all the permissible uses, but it's agricultural uses.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR KAMA: Anymore questions, Members? Thank you. So, if not and there are no more questions from our presenter, I want to thank you for coming today and without



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objection, I think I'm going to defer this item until they come back with their real 201H.

COUNCILMEMBERS: No objections.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: RH)

**ACTION:           DEFER PENDING FURTHER DISCUSSION.**

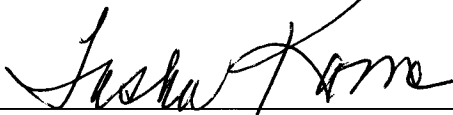
CHAIR KAMA: Okay.

MR. GINOZA: Thank you so much.

CHAIR KAMA: Thank you. So, it seems like we have no other item on this agenda and therefore I'm going to adjourn this meeting at 2:51 p.m. Thank you. . . .(gavel). . .

**ADJOURN:**   2:51 p.m.

APPROVED:



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TASHA KAMA, Chair  
Affordable Housing Committee

ah:min:191106:kk

Transcribed by: Kimi Kusumoto

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CERTIFICATE

I, Kimi Kusumoto, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 2<sup>nd</sup> day of December, 2019, in Wailuku, Hawaii

A handwritten signature in cursive script, reading "Kimi Kusumoto", is written over a horizontal line.

Kimi Kusumoto