

MAUI PLANNING COMMISSION

COUNTY OF MAUI

AUGUST 25, 2009

MAUI ISLAND PLAN

Held at the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Maui, Hawaii, commencing at 9:00 a.m., on August 25, 2009.

Reported by: Tonya McDade  
Hawaii Certified Shorthand Reporter #447  
Registered Professional Reporter  
Certified Realtime Reporter  
Certified Broadcast Captioner

1 ATTENDANCE  
 2 COMMISSION MEMBERS PRESENT:  
 3 Bruce U'u, Acting Chair  
 4 Jonathan Starr, Commissioner  
 5 John Guard, IV, Commissioner  
 6 Kent Hiranaga, Commissioner  
 7 Ward Mardfin, Commissioner  
 8 Donna Domingo, Commissioner  
 9 Lori Sablas, Commissioner  
 10 Warren Shibuya, Commissioner  
 11 STAFF PRESENT:  
 12 Jeffrey Hunt, Planning Director  
 13 John Summers, Long Range Division Administrator  
 14 Julia Staley, Planner, Long Range Division  
 15 Kathleen Kern, Planner, Long Range Division  
 16 Mark King, Planner, Long Range Division  
 17 Dan McNulty-Huffman, GIS, Department of Planning  
 18 Mike Napier, GIS, Department of Planning  
 19 James Giroux, Deputy Corporation Counsel  
 20  
 21  
 22  
 23  
 24  
 25

1 that up with a short description of the Urban Growth  
 2 Boundaries, and we'll walk you through the different  
 3 growth boundary spreadsheets.  
 4 So with that, Kathleen Kern here is going to  
 5 give you a short presentation on the infill development  
 6 in the proposed plan.  
 7 MS. KERN: We're just waiting for the -- here  
 8 we go -- the projector to come on. John asked me to  
 9 give a brief presentation on infill development,  
 10 including not only looking at what infill is, but, also,  
 11 a brief analysis that we've done on infill potential in  
 12 -- on the Island of Maui.  
 13 What do we mean by infill? Infill is about  
 14 building within existing communities as opposed to going  
 15 out into undeveloped land. This illustration is an  
 16 example of a community with temporary suburban  
 17 commercial strip mall type development. Here you see a  
 18 kind of before-and-after illustration of -- the top  
 19 illustration of before an existing condition, and below  
 20 an illustration of what it could look like with infill  
 21 development.  
 22 What is infill development? Infill is the  
 23 process of developing vacant or underused parcels within  
 24 existing built-up areas. Most communities have  
 25 significant vacant lands within the limits which, for

1 AUGUST 25, 2009  
 2 TRANSCRIPT OF PROCEEDINGS  
 3 \*\*\*\*\*  
 4 ACTING CHAIR U'U: ...(gavel)... The August  
 5 25th, 2009 meeting of the Maui Planning Commission is  
 6 now in session.  
 7 At this time we're gonna turn it over to the  
 8 Director.  
 9 MR. HUNT: Your Commission's first item  
 10 involves the Staff Presentation on the Draft Maui Island  
 11 Plan's Directed Growth Strategy, including  
 12 revitalization and infill opportunities, types of growth  
 13 boundaries, the Growth Area Unit Count Spreadsheet, and  
 14 the Directed Growth Maps.  
 15 With that, I'll turn it over to John Summers.  
 16 MR. SUMMERS: Thank you, Mr. Chairman.  
 17 We have a short presentation on our Infill and  
 18 Revitalization Analysis. It's widely accepted across  
 19 the state, in fact, throughout the country as well, that  
 20 the best approach -- the best approach in terms of  
 21 Directed Growth Strategy is to look for areas where  
 22 there are existing communities, where we can revitalize  
 23 existing areas that are underdeveloped, or look for  
 24 vacant lands. So we wanted to provide more direction to  
 25 the Committee in terms of that strategy. We'll follow

1 various reasons, have been passed over in the normal  
 2 course of urbanization. Ideally, infill development  
 3 involves more than just the piecemeal development of  
 4 individual lots. Instead, successful infill should  
 5 focus on the job of crafting complete, well-functioning  
 6 neighborhoods.  
 7 As a strategy, infill development means  
 8 focusing new growth inward in existing communities  
 9 instead of outward onto the island's natural areas, open  
 10 spaces and agricultural lands.  
 11 And here's an illustration of the Kahului Town  
 12 Center, Kaahumanu Avenue, before and after.  
 13 As Peter Calthorpe, author of The Next  
 14 American Metropolis, suggests, new infill -- new towns,  
 15 rather, should be planned only if a region's growth is  
 16 too large to be directed into infill and adjacent new  
 17 growth areas. They should be used to preserve the  
 18 integrity of the separation between existing towns --  
 19 that "they" meaning new towns -- as well as plan for a  
 20 regional balance in jobs and housing. Appropriate  
 21 sites -- that is appropriate sites for new towns --  
 22 should have a viable commuter transit connection, and  
 23 not on environmentally or culturally sensitive lands.  
 24 To illustrate what Calthorpe is talking about,  
 25 this illustration shows that the priority should be for,

1 first of all, infill development in these dark red areas  
2 here; then secondary expanding existing community out  
3 into new growth areas; and then, thirdly, creating new  
4 towns that have access to regional transit.

5 Here's another sort of sequence of what infill  
6 can do to existing suburban strip mall development.  
7 These are examples from California. So first thing you  
8 can do is add some street trees. Then you could add  
9 some new buildings that are actually oriented to the  
10 street rather than oriented to parking lots. And then,  
11 finally, when there's enough people living there, then  
12 it becomes an appropriate place for expanded, or adding,  
13 transit systems.

14 Another sequence of illustrations on a -- on a  
15 similar sort of commercial arterial street. The top  
16 illustration being an existing condition; the middle  
17 illustration being adding buildings, mixed use  
18 buildings, with people living above, retail and  
19 commercial; and the third illustration adding  
20 streetscaping, street trees, and transit.

21 Infill is about filling in those empty spaces  
22 within existing communities. It should be about making  
23 existing communities into better and more urban, more  
24 livable places.

25 And here's an aerial photograph of Kihei,

1 around the Azeka Mall area, the Safeway. And you can  
2 see just how many empty parcels there are. This is a  
3 figure grand -- what we call a figure grand diagram of  
4 that same area with the building -- with the buildings  
5 in gray, before, and infill development with new  
6 buildings -- new potential buildings in red.

7 What are some of the benefits of infill  
8 development? Infill utilizes existing infrastructure,  
9 such as the road network, water, sewer, electricity, and  
10 reduces per capita costs of public investment in new  
11 infrastructure. It, also, provides an additional  
12 population for local serving retail, transit networks,  
13 and public amenities. It can reduce vehicle miles  
14 traveled, and improves public health by creating a  
15 transit-friendly mix of uses in a walkable street  
16 pattern.

17 In addition, infill completes those blank  
18 spaces within existing communities and can increase the  
19 amount of public and civic space, the diversity of  
20 housing types, housing affordability, diversification of  
21 the tax base, the feasibility and efficiency of transit,  
22 and helps to create a local street network, an  
23 interconnected local street network.

24 Infill can fill in existing commercial strips.

25 And here's an illustration, once again, of a

1 car-oriented retail transformed into a more walkable  
2 retail. Still with parking. Parking located, however,  
3 behind where new retail, new mixed-use is located on the  
4 street, oriented to the street.

5 These are some examples of a recent design  
6 competition that was sponsored by Dwell magazine, called  
7 reurbia. This was the Peoples Choice Winner, actually,  
8 called The Urban Sprawl Repair Kit, Repairing the Urban  
9 Fabric, by Galena -- and I'm not sure if I'm able to say  
10 her last name right -- Tahchieva. These are examples of  
11 what one can do to some of the -- some of the existing  
12 typical suburban development forms that we see not only  
13 here in Maui, but, of course, all across North America.

14 So a typical drive-in restaurant, before and  
15 after. So there's drive-in restaurant still there, but  
16 there's some addition -- additional retail and  
17 residential located in mixed-use buildings oriented to  
18 the street.

19 Existing big box retail, before and after,  
20 with the addition of additional buildings and a green  
21 roof. Infill is about helping to make mixed-use town  
22 centers. So you can have your grocery store and housing  
23 on top. This is in Vancouver. You can have a main  
24 street which has people living on it as well as public  
25 space. And I believe the one on the right is Florida.

1 COMMISSIONER STARR: (Inaudible.)  
2 MS. KERN: Huh?  
3 COMMISSIONER STARR: (Inaudible.)  
4 MS. KERN: Oh, okay.

5 And infill is about intensification. Again,  
6 you can have a grocery store with people living on top.  
7 This is important. You can have streets that are also  
8 public spaces. Also, patio spaces.

9 So one of the things I'd like to say, if you  
10 wanna keep the country country, then you need to let  
11 urban be urban.

12 Infill is about place making. You can -- in  
13 infill areas, you can take over part of an old lane or a  
14 street and make it into a public space.

15 And here's an example from the Kahului Town  
16 Center proposal of doing just that, of taking what -- an  
17 old shopping mall, turning those parking lots into  
18 public streets, public spaces with people living above  
19 and people living around it.

20 So where infill isn't necessarily about  
21 cramming as much development as you possibly can into  
22 these old spaces, we're talking about an appropriate  
23 scale of development for the County of Maui. We're not  
24 talking about chockablock suburban houses with basically  
25 no lots, and we're not talking about (inaudible). We're

1 talking about the kind of housing which has shared green  
2 space and we're talking about a mixed-use scale that's  
3 appropriate for the County of Maui, which maybe is two  
4 or three stories of residential and office above retail  
5 on the ground floor.

6 There are barriers to infill development.  
7 Real estate developers are -- tend to be used to a  
8 single type of development. Either they're housing  
9 builders and they're used to building housing, or  
10 they're commercial builders and they're used to building  
11 all commercial. And they're often risk adverse to new  
12 forms of development.

13 There's the difficulty of land assembly. In  
14 existing communities, a lot of parcels are -- have a  
15 number of different owner -- owners. And amalgamating  
16 those owners or finding someone who's able to bring them  
17 together, it sometimes takes a long time.

18 Often the zoning is not in place. Making  
19 infill development can be, if you have to -- if the  
20 developer has to change the zoning, that can be costly  
21 and time-consuming.

22 Parking requirements can be onerous and make  
23 doing infill development expensive because doing  
24 structured parking is expensive. A structured parking  
25 stall is about \$15,000 per parking stall.

1 And there's often, at beginning when -- if a  
2 community hasn't done a lot of infill development,  
3 there's an untested real estate market. And real estate  
4 agents might not know how to market, or not might --  
5 might not be too sure if they -- if there's a market out  
6 there for new forms of development.

7 There are methods of encouraging infill  
8 development, however. One can prioritize infrastructure  
9 improvements into existing infill areas. One can use  
10 transfer of development rights from outlying areas and  
11 move it to infill. The county can initiate rezoning  
12 rather than relying on developers to do rezoning. The  
13 county or municipality can provide explicit and detailed  
14 and clear guidelines or even guidebooks.

15 An example would be in the community of Santa  
16 Cruz, in California, which has -- have had, for quite a  
17 while, a significant housing crisis because of the very  
18 expensive cost of land there. They are promoting infill  
19 housing even in single-family areas. And what they've  
20 done is create an accessory dwelling unit manual. And  
21 this accessory dwelling unit manual shows homeowners how  
22 they can go about getting an accessory unit on their  
23 property to the point where they've created plans for  
24 accessory dwelling units, and they will sell them to the  
25 prospective homeowner to go ahead and build an accessory

1 dwelling unit. So it becomes a very clear and easy and  
2 accessible process for each individual homeowner to go  
3 through to develop accessory dwelling units.

4 In addition, there's a mechanism of density  
5 bonusing, that is to say allowing additional density in  
6 exchange for providing public amenities. So infill can  
7 become much more feasible for a developer to do if  
8 they're given extra density for providing, for example,  
9 something like a public square, or good urban design, or  
10 a day care center, or other public or civic space, or  
11 square footage that a nonprofit agency could use.

12 So we have done some analysis of looking at  
13 the infill potential of both South Maui and Central  
14 Maui. In short, the method that we've used is we've  
15 looked at -- through the GIS maps, we've looked at both  
16 proposed developments as well as existing developments  
17 with each of those communities. We've made some choices  
18 regarding vacant sites as well as choosing underutilized  
19 or single-purpose commercial sites. And from the choice  
20 of sites, we then calculated future development  
21 potential by applying a typical site density to each of  
22 these sites.

23 So in the case of Kihei, for example, these  
24 purple sites are the kind of sites that we've chosen to  
25 calculate infill potential on. What you also see in the

1 green-hatched sites are proposed development that have  
2 already been counted within some of these County's  
3 projections.

4 This is what some of the infill development  
5 could look like with new buildings on sites, both on  
6 existing commercial sites as well as vacant sites. This  
7 is, actually, a proposal by Kraus Developers to do Kihei  
8 Town Center. And this is their site plan.

9 From there, I've calculated new -- new  
10 potential. So each site has taken its acres. I've  
11 tried not to on this -- on some of these examples,  
12 larger sites, not develop on the entire site, try and  
13 leave some of the site available for green space.

14 We've applied a net density to each of the  
15 sites and then tabulated how many new units could be  
16 produced. So in Kihei, there's an additional,  
17 approximately, 1,200 units that could be -- could be  
18 built under infill development scenarios.

19 In Kahului, here are some of the -- the purple  
20 sites, once again, are the sites that we've chosen to  
21 place infill. These are just outlines of potential new  
22 buildings.

23 This site is -- is -- this green site in the  
24 middle is the Kahului Town Center proposal, which I  
25 haven't infilled because there's already a proposal

1 there.

2 And these are some of the calculations for  
3 Kahului.

4 In this example, I've -- I've chose a kind of  
5 range by proposing both either a low density and/or a  
6 high density. So we have a range from 779 to 1,434  
7 potential new units.

8 This is downtown Wailuku. And these are the  
9 sites that we've chosen, the sites in purple.

10 And these are some of the calculations. The  
11 sites in Wailuku, of course, are much, much smaller than  
12 in Kahului or Kihei. And so the infill potential is a  
13 little lower, anywhere from 200 to 362 new units.

14 And I believe that's it.

15 ACTING CHAIR U`U: Thank you.

16 At this time we're gonna take questions from  
17 the Commissioners to the Staff. And immediately  
18 following that, we'll be opening it up for public  
19 testimony. Questions? Commissioner Mardfin.

20 COMMISSIONER MARDFIN: With infill, you're  
21 assuming that the people will do the infill. What if  
22 people don't wanna use their property that way?

23 MS. KERN: I believe in -- in the --

24 ACTING CHAIR U`U: Could you speak into the  
25 mic, please?

1 MS. KERN: I believe in the -- in the larger  
2 calculations that we've done, we've only assumed -- of  
3 the numbers that I've projected, we've only assumed  
4 about a 30 percent take over 20 years.

5 ACTING CHAIR U`U: Commissioner Guard.

6 COMMISSIONER GUARD: So one of -- say one of  
7 these Wailuku parties is able to get a higher density  
8 than they would be able to now, does that, in essence,  
9 kind of take away from people that were gonna do  
10 suburban sprawl, that are now being asked to keep their  
11 land Park, et cetera?

12 I mean, I see the -- the ability to keep  
13 people more in compact areas, keeping more open space,  
14 but, at the same time, I guess, the crux of the problem  
15 is that people maybe don't wanna be a greenway, that  
16 their investment is now a greenway or a park. So I  
17 wonder how that plays on -- if you're increasing density  
18 for one party, and you're asking another developer or  
19 landowner to -- oh, well, you'd make a great park for  
20 this higher density project, right, versus just, oh,  
21 we're gonna go with suburban sprawl across the old  
22 island. Because that's everyone's rights.

23 ACTING CHAIR U`U: Staff?

24 MR. SUMMERS: Thank you, Mr. Chairman.

25 I think the better analogy is those areas that

1 perhaps are currently Agriculture would remain in  
2 Agriculture or more areas would remain in Agriculture,  
3 because you're meeting some of the demand for future  
4 growth through infill opportunities. So it's not  
5 necessarily taking somebody on the urban fringe and  
6 designating them or downzoning them to a different  
7 category.

8 I think the main point, also, is that the goal  
9 is to provide choice, provide opportunities for  
10 different lifestyles.

11 COMMISSIONER GUARD: I was just going through  
12 the Director's or the Department's recommendation to  
13 recommend a higher density for one party, at the same  
14 time as saying, oh, we don't like your proposal, we want  
15 that to stay open space. Does that create somewhat of a  
16 conflict? I mean, here you have two tax-paying  
17 landowners, and you're giving one guy the benefit at the  
18 expense, somewhat, of another person.

19 If you got 1,000 units to build, and you would  
20 rather have them in the urban core of Kahului or  
21 Wailuku, which a lot of people would understand, but, at  
22 the same point, there's -- we've seen maps, we're like,  
23 oh, we don't like -- the Director or Department doesn't  
24 like this proposal, so we'll keep that as open space. I  
25 saw one in -- and we'll look at it pretty soon -- in

1 Paia. And then up in Haiku, it'll be like, oh, we don't  
2 like those proposals, let's condense everyone up at  
3 Hamakuapoko, let's say.

4 So, I mean, I just wonder how you -- I mean,  
5 everybody has their property rights. And so that's the  
6 -- I don't know how they did it in Portland or anywhere  
7 else.

8 ACTING CHAIR U`U: Questions? Commissioner  
9 Sablas.

10 COMMISSIONER SABLAS: Thank you for the  
11 presentation. In the perfect world that would be great,  
12 for infill.

13 My question is, can you clarify units? What  
14 do you mean by a unit in your graph there?

15 MS. KERN: A unit is a residential unit.

16 COMMISSIONER SABLAS: Could be a business,  
17 also, or just residential?

18 MS. KERN: These are just counting residential  
19 units. I didn't count the -- I mean, there isn't a  
20 significant amount of commercial space also added, but  
21 that hasn't been counted. We were just concerned about  
22 counting residential units here.

23 COMMISSIONER SABLAS: So like the chart that  
24 you showed for Kihei with all of that purple, that would  
25 be just potential residential or just --

1 MS. KERN: No. It would be Mixed Use.  
 2 COMMISSIONER SABLAS: Mixed Use?  
 3 MS. KERN: So there is a commercial retail  
 4 component to all those buildings, but I haven't  
 5 calculated that out.  
 6 COMMISSIONER SABLAS: Okay. I guess I'd like  
 7 to also know, I mean big picture, what the demand is for  
 8 certain areas. You know, for the Planning Department,  
 9 or Staff, maybe could give us an idea, just moving  
 10 forward, what the demand is in the time period that  
 11 we're looking at. If we can have any idea.  
 12 ACTING CHAIR U`U: Staff.  
 13 MS. KERN: The demand for infill, what we're  
 14 assuming is that the infill that we're projecting would  
 15 have about a 30 percent take-out. So we're not assuming  
 16 that it would be completely built out 100 percent, but  
 17 because of the various difficulties and barriers to  
 18 infill that perhaps, over 20 years, 30 percent might be  
 19 taken out.  
 20 ACTING CHAIR U`U: Commissioner Shibuya.  
 21 COMMISSIONER SHIBUYA: I just have a question.  
 22 Are these entitled and approved developments?  
 23 MS. KERN: No, they're not. We -- we --  
 24 entitled and approved developments have already been  
 25 counted under projections. These are --

1 \$10,000, that that would not be included in our vacant  
 2 land inventory. So these would be areas that have a  
 3 structure that are -- that's underutilized, where we've  
 4 assumed that there's a good redevelopment opportunity.  
 5 And as Kathleen indicated, we've assumed the 30 percent  
 6 build-out of those lands over the 20-year planning  
 7 horizon.  
 8 ACTING CHAIR U`U: Commissioner Shibuya.  
 9 COMMISSIONER SHIBUYA: To clarify, even for  
 10 Commissioner Sablas, the unit is each household. And  
 11 each household, by this ratio that we have here, is  
 12 2.72, would be the number of people in that household.  
 13 Would that not be correct?  
 14 MR. SUMMERS: That would be correct. If we're  
 15 counting dwelling units, then we would apply the number  
 16 of dwelling units to our household size assumptions,  
 17 which is 2.72 by the Planning Director's Report.  
 18 COMMISSIONER SHIBUYA: That would imply our  
 19 future population growth or accommodation of the  
 20 population need?  
 21 MR. SUMMERS: That's correct.  
 22 ACTING CHAIR U`U: Commissioner Shibuya.  
 23 COMMISSIONER SHIBUYA: I have three different  
 24 sets of these colored charts. One was sent out on the  
 25 18th of August, and two were just brought in today. And

1 COMMISSIONER SHIBUYA: So -- go ahead, please.  
 2 MS. KERN: These are -- these are infill  
 3 potential that hasn't yet been counted until now.  
 4 COMMISSIONER SHIBUYA: And you have determined  
 5 this, not the Community Plan or the GPAC has determined  
 6 this?  
 7 MS. KERN: Yeah, these are projections.  
 8 COMMISSIONER SHIBUYA: Oh, the --  
 9 ACTING CHAIR U`U: Staff. I mean,  
 10 Commissioner Shibuya.  
 11 COMMISSIONER SHIBUYA: Yes. I just wanted to  
 12 have it -- where's the source, the basis of this? Was  
 13 this the Community Plan or is this Long Range Planning  
 14 Department, was this the GPAC?  
 15 ACTING CHAIR U`U: Staff.  
 16 MR. SUMMERS: Thank you, Mr. Chairman.  
 17 Most of these sites are currently fully  
 18 entitled. Most of them that were used in the  
 19 redevelopment infill analysis are underutilized. In  
 20 other words, there are parcels where you do have some  
 21 development on the parcel, but it's -- it's not  
 22 developed to its fullest potential. So those are the  
 23 areas that we may not have counted in our existing land  
 24 use forecast because we had a criteria that if a  
 25 structure existed on our property that was in excess of

1 I see the numbers jumping around. For example, in the  
 2 area of West Maui -- and I don't know if this is the  
 3 appropriate time. Maybe I can bring this up another  
 4 time. Would you prefer another time that I bring this  
 5 question up?  
 6 MR. SUMMERS: Thank you, Mr. Chairman.  
 7 I think it would be more efficient if we  
 8 addressed it at a future time. As part of the  
 9 presentation, we did want to run the numbers through the  
 10 spreadsheets, how they work, the meaning of the  
 11 information.  
 12 COMMISSIONER SHIBUYA: Okay. Then I'll defer.  
 13 ACTING CHAIR U`U: Director Hunt.  
 14 MR. HUNT: On your agenda, we're under Item B,  
 15 and it's kind of broken out into different sub-elements.  
 16 And right now, Staff is intending to hold the discussion  
 17 and answer questions on revitalization and infill. Then  
 18 the next item we wanted to go do was growth boundary  
 19 types. And then the one after that was the growth unit  
 20 spreadsheet. So we would get to your spreadsheets under  
 21 that discussion item.  
 22 ACTING CHAIR U`U: So, for clarity, we're  
 23 gonna have two more presentations before public  
 24 testimony.  
 25 Questions? Commissioner Starr.

1 COMMISSIONER STARR: I appreciated the  
 2 presentation on infill. And I do believe that the  
 3 density creates a built environment that makes for  
 4 better life, lifestyle and more energy efficiency. How  
 5 we get from here to there has always kind of created a  
 6 quandary. What are the tools we can utilize to help  
 7 people understand that there's, you know, a choice of  
 8 lifestyle on Maui, including one where people can walk  
 9 to work and live a little more efficiently? How do we  
 10 get -- what are the tools we can use to get to that and  
 11 to encourage that in our onward process?

12 MS. KERN: I think through the Community Plan  
 13 Updates, we can spend time with each local community,  
 14 looking at their specific areas and looking at specific  
 15 sites and trying to forecast and imagine what this  
 16 community can become. That can happen through community  
 17 design charrettes, community workshops, where we spend  
 18 time creatively examining how each community can grow  
 19 and how it wants to grow. So through design -- a design  
 20 charrette is an exercise to using the -- using the  
 21 skills of architects and planners and designers and  
 22 landscape architects and artists and community members  
 23 to envision how that community can look in the future.

24 It takes time. A good charrette takes a  
 25 number of days to really sort of fill things out and

1 direction? Because I wasn't part of that.

2 ACTING CHAIR U`U: Staff.

3 MR. SUMMERS: Thank you, Mr. Chairman.

4 I'd have to go back and take a second look at  
 5 that study. That's my understanding, but, again, I'd  
 6 want to go back and read it.

7 The other thing that -- that parking is a  
 8 tremendous issue with respect to infill and  
 9 redevelopment. So that part of the zoning ordinance  
 10 would definitely have to be looked at.

11 We are seeing a lot of participation by the  
 12 private sector, even under existing scenario, with  
 13 Kahului Town Center project and the project out in  
 14 Kihei. So it is happening, but we could make it far  
 15 less difficult with some of these regulatory  
 16 adjustments.

17 ACTING CHAIR U`U: Director Hunt.

18 MR. HUNT: Just to clarify, the County  
 19 recently adopted a revision to our parking ordinance.  
 20 And the parking ordinance allows for mixed use  
 21 developments to share the parking. So if you have a  
 22 parking generation during the day and another use  
 23 generates it at night, then you don't have to  
 24 double-build, you can share that parking. So the County  
 25 already adopted that very recently. The Department

1 listen to what everybody has to say, and spend time  
 2 drawing and drawing and redrawing and drawing some more,  
 3 and building models and playing with SketchUp, which is  
 4 a 3D modeling program that's now produced by Google.  
 5 It's free and everybody can do it. So it's kind of --  
 6 it's -- it's a fun -- it can be a fun exercise to sort  
 7 of look at where the community wants to go in the  
 8 future. But it's best done at a really sort of  
 9 microscale level.

10 ACTING CHAIR U`U: Director Hunt.

11 MR. HUNT: To follow up with that, one of the  
 12 items that Kathleen had on her slide was that zoning is  
 13 sometimes prohibitive of these types of mixed use  
 14 developments. And the Department's already proposing  
 15 revisions to our zoning districts to allow mixed use so  
 16 that we could have residential uses above business uses  
 17 in a business district. So just by changing the zoning  
 18 ordinance, I think it would help facilitate some of this  
 19 mixed use. And we're already in the process, we're not  
 20 waiting for the update of the plan to do that.

21 ACTING CHAIR U`U: Commissioner Starr.

22 COMMISSIONER STARR: Yeah. Talking about  
 23 Kihei, there was an extensive charrette process done a  
 24 couple of years ago. I don't know, maybe Mr. Summers  
 25 might remember that. Was that heading in a mixed use

1 suggested that and the Council agreed with it. And so  
 2 that's just one more step towards implementing these  
 3 smart growth mixed use concepts.

4 ACTING CHAIR U`U: Questions?

5 COMMISSIONER STARR: Yeah.

6 ACTING CHAIR U`U: Commissioner Starr.

7 COMMISSIONER STARR: So what -- what are the  
 8 tools that we have before us right now in terms of the  
 9 land use segment of the General Plan that we can use to  
 10 help encourage this? What actions, you know --

11 ACTING CHAIR U`U: Director.

12 MR. HUNT: The County-Wide Plan has policies  
 13 that speak to urban growth, et cetera, urban densities.  
 14 And then in the Maui Island Plan, there's more specific  
 15 policies. And this body already passed those in your  
 16 Land Use element that speak to mixed use and infill and  
 17 restricting sprawl from going out into the agricultural  
 18 land. So you got your policies that are setting up the  
 19 -- the next step. And that's your mapping. So with  
 20 your mapping, you can determine how much growth acreage  
 21 you should provide.

22 And when John goes through the -- or his Staff  
 23 goes through the spreadsheet, that's another tool that  
 24 you'll have, is to -- to determine how much infill you  
 25 think will be -- will be -- will be used to accommodate

1 future growth and how much won't. And we'll go into the  
2 spreadsheets in the future discussion.

3 ACTING CHAIR U`U: Questions?

4 I got a question, Kathleen. Talking about  
5 infill, the statement made by Commissioner Sablas where,  
6 in a perfect world, it's doable. One comes to mind is  
7 the Safeway project we had, yeah, up in Sand Hills,  
8 where you're looking at building Safeway, but we had  
9 overwhelming testimony against Safeway infringing on  
10 their lifestyle up in Sand Hills. How do you mitigate  
11 that, how do you work around it, being that you guys  
12 pushing the infill? And it seems to me that the general  
13 public, at times, doesn't want the infill that you guys  
14 saying is smart growth.

15 My next question would be, when you get -- get  
16 the infill and we've maxed out at the infill, are we, at  
17 the same time, working in the process of making new  
18 towns and new cities to maximize the infill capabilities  
19 of Maui? We have some who are ready take off, so to  
20 speak, on new towns. So we got to infill someplace else  
21 rather than this infilling right now in Kahului and  
22 Wailuku?

23 MS. KERN: So you actually have two questions?

24 ACTING CHAIR U`U: Correct.

25 MS. KERN: Okay. As to the first question

1 about how do you deal with, in a way, what we might call  
2 NIMBYs, not in my back yard --

3 ACTING CHAIR U`U: I wouldn't say they NIMBYs,  
4 though. So you be careful with what you say.

5 MS. KERN: Okay.

6 ACTING CHAIR U`U: I wouldn't say they was  
7 NIMBYs. I think they were concerned citizens --

8 MS. KERN: They're --

9 ACTING CHAIR U`U: -- that have the right. So  
10 I think you need to be careful on how you (inaudible)  
11 NIMBYs.

12 MS. KERN: Sure.

13 ACTING CHAIR U`U: That is true.

14 MS. KERN: Generally, smart growth tends to  
15 happen from a planning base. So it's -- usually doesn't  
16 sort of -- you try not to land things, like a space  
17 ship, into a community that hasn't talked about these  
18 ideas beforehand. In a way, that's -- that's why  
19 working on infill through the Community Plan Updates is  
20 gonna be really important. Then you can spend time with  
21 each community, working with it, figuring out what that  
22 community wants to be.

23 So -- and infill is something that happens  
24 over a long, long time. It's -- it's -- it's not --  
25 infill is generally a fairly incremental and slow

1 process. So my sense would be that, you know, you spend  
2 time working with the community, starting with the Maui  
3 Island Plan, and working your way down into the  
4 Community Plan Updates to decide where infill is gonna  
5 be appropriate and to look at how it's gonna affect the  
6 community in the future.

7 ACTING CHAIR U`U: And the reason I ask,  
8 because you talked about maximizing the potential. I  
9 don't really see how you're gonna maximize the potential  
10 of the -- the graph you guys gave out if there is  
11 overwhelming people who living in that area who against  
12 certain things. So I don't know how you maximize that.  
13 And you gave me your comment. And some of those people  
14 been there seven generations, six generations, been  
15 there 60 years, 70 years. And that's the people we  
16 dealing with when you talk about infill.

17 And my second question, if you could answer my  
18 second question, are we looking further outside of the  
19 infill, say after 2030?

20 MR. SUMMERS: Thank you, Mr. Chair.

21 Yes. What we're looking at is utilizing all  
22 three of those options, infill options, some reasonable  
23 and logical expansion to our existing urban communities,  
24 as well as new towns, where appropriate.

25 I'd also like to note that in terms of the

1 infill and the resistance to communities, if there's a  
2 lot of upfront investment in -- in reaching out to the  
3 members of these communities, our experience has been  
4 that you tend to have a lot of support. And we're  
5 seeing that with the two largest proposals that I'm  
6 aware of, which are the redevelopment proposals in  
7 Kahului as well as Kihei. So you can have broad base  
8 public support if you invest early in the process and  
9 outreach.

10 ACTING CHAIR U`U: I agree. But at the same  
11 time, there's no residences in the area that will be  
12 affected doing that different locations.

13 Commissioner Starr.

14 COMMISSIONER STARR: Yeah. My recollection is  
15 that with the Safeway/Maui Lani issues, it was not so  
16 much that people in Sand Hills were against it, but it  
17 was the way it was being done that it -- the problem,  
18 partially, that it didn't take these principles and try  
19 to integrate into the community. Instead, you know, it  
20 was like there was a wall, then there was a sea of  
21 parking, and the access was disruptive to community life  
22 instead of, you know, kind of solution where the whole  
23 thing ends up kind of mixed and softer and -- and more  
24 human -- human-scale, you know. And not -- not just,  
25 you know, the -- the big box and the sea of parking and



1 then, you know, a fast route in and a fast route out.  
2 You know, also, this same kind of thing, where all the  
3 -- the dirt fill against the old neighborhoods was  
4 creating a completely separate entity, you know, this  
5 other cul-de-sac development hard against an old  
6 community, instead of integrating into it and doing less  
7 excavation. I think those problems wouldn't have  
8 happened had the concepts that we're talking about been  
9 -- been there. And I wondered, maybe we could get a  
10 comment on that.

11 ACTING CHAIR U`U: Staff?

12 MR. SUMMERS: Yeah. We would agree with the  
13 comments that have just been made.

14 ACTING CHAIR U`U: Thank you.

15 Any more questions? Commissioner Shibuya.

16 COMMISSIONER SHIBUYA: Many of these projects  
17 and proposals here, as you projected here, have another  
18 layer of the onion. And I'll use that onion analogy  
19 because when you peel to the next layer, it shows up  
20 infrastructure. And we had charrettes for the GPAC in  
21 Kihei. And I don't recall anything like this being  
22 drawn out or shown in that charrette. So I'm a little  
23 sensitive in this respect. I want to be a little bit  
24 more respectful for the residents in the South Kihei --  
25 I mean, South Maui area, because this does not reflect

1 anywhere close to what the residents are talking about.

2 The next layer on the onion, when you look at  
3 it in a topographical way, we are seeing not a flat  
4 land. We see slopes, we see drainage, natural drainage  
5 and gulches. We see areas in which there's large rocks.  
6 Yeah, man can move rocks and break rocks, but there are  
7 concerns here in terms of drainage. And this Commission  
8 has that charter to take care of Special Management  
9 Areas such as the shoreline and the reefs.

10 And so these are very much in my mind. Can  
11 you comment on that, too?

12 ACTING CHAIR U`U: Staff.

13 MR. SUMMERS: Thank you, Mr. Chair.

14 That type of analysis is very important. And  
15 as any formal development planning, we should look at  
16 the site and look at those areas where we have natural  
17 and physical constraints and make sure that those are  
18 not impacted.

19 And as noted, infrastructure, that's an area  
20 where -- where the public sector can play an important  
21 role in terms of making sure that, within our urban  
22 areas, we have the capacity to support these types of  
23 projects.

24 ACTING CHAIR U`U: Commissioner Starr.

25 COMMISSIONER STARR: Yeah. I'm looking at

1 this diagram on -- on the screen. And, you know, one of  
2 the things I -- I like -- and this relates to something  
3 that Commissioner Shibuya just mentioned -- is that  
4 we're very concerned about runoff and water that has  
5 pollutants in it getting onto the reef, and our  
6 sensitivity to that as it increases will take into  
7 account the fact that a lot of this area was wetlands at  
8 one time. And those wetlands kind of provided -- I call  
9 it the kidneys of, you know, the mountain. They were  
10 the place to process the water running down instead of  
11 it just being pushed out to the ocean. You know, I see  
12 two very, very large wetland areas. And assume that,  
13 you know, conceptually, instead of it all flowing this  
14 way, the idea is that what's built on the left would  
15 flow back, and what's built on the right, it would end  
16 up flowing into those areas for processing and end up in  
17 a situation where there's no direct runoff.

18 So, you know, these are the kind of things  
19 that can be integrated when we're not just taking it one  
20 little box at a time and adding it on, but, rather,  
21 looking at -- looking at a larger picture and figuring  
22 out how do we mix it together where people can walk and  
23 where the water can flow and the infrastructure can be  
24 built. And I think that's a lot of the concept that  
25 we're trying to get to and that the Department is trying

1 to move us toward. And I appreciate that.

2 ACTING CHAIR U`U: Commissioner Sablas.

3 COMMISSIONER SABLAS: I just want to add that  
4 I appreciate this type of presentation because it gives  
5 us an idea of the bigger picture so that, as developers  
6 come down the line to satisfy their -- their housing  
7 requirements, at least Planning can point out areas that  
8 make sense in the community to be building that would  
9 not need, you know, a lot of added infrastructure. That  
10 makes sense. It's walking community and it -- it all  
11 kind of like balances in the long run. So I look at  
12 this as just sort of like giving us an idea of what the  
13 big picture can be. And -- and it's just for the  
14 planning process. I see it as moving forward and not  
15 that it's gonna take action, but that we have now  
16 options to look at that's within our community that  
17 perhaps we never looked at before. So I particularly  
18 appreciate that kind of presentation that was just  
19 presented.

20 ACTING CHAIR U`U: Thank you.

21 Questions?

22 Just one more question. On one of the slides,  
23 you said that the potential -- that the plus would be --  
24 for an infill development will be County-initiated  
25 rezoning and, also, County guidelines and guide books.

1 Do you see that foreseeable in the future?  
 2 MS. KERN: From what Director Hunt says, it  
 3 sounds like there's already been -- there's already some  
 4 direction towards doing some County-initiated rezoning.  
 5 And it could be that, again, through the Community Plan  
 6 Updates, each community decides what kind of housing,  
 7 what kind of infill it would like to see. And that,  
 8 through the Community Plan Update process, we develop  
 9 those guidelines.

10 ACTING CHAIR U'U: Thank you.  
 11 Questions?

12 Seeing none, I'm gonna turn it back over to  
 13 the Director. Director Hunt.

14 MR. HUNT: We're still under Item B on your  
 15 agenda. The next subitem is the discussion on the types  
 16 of growth boundaries. And John Summers, I believe, will  
 17 lead this discussion.

18 MR. SUMMERS: Thank you, Mr. Chair.

19 The Members should have a matrix, 11-by-17  
 20 matrix, that describes the different growth boundaries  
 21 that are included in Urban Growth Boundary Maps. So we  
 22 would like to go through that quickly. I'd encourage  
 23 the Members to spend some time reading through this. It  
 24 provides some definition to the upcoming discussion  
 25 about the Urban Growth Boundaries. If we start on the

1 Country Town boundaries, we do have Country Towns  
 2 identified in the growth policy maps. Some examples of  
 3 Country Towns would be Makawao Town, Paia Town, small  
 4 portion of Hana perhaps. These communities tend to be  
 5 larger than, say, a Rural Service Center, have a broader  
 6 base of services available to the residents, but they're  
 7 typically not self-sufficient in terms of employment  
 8 opportunities. So oftentimes, our residents of a  
 9 country town will have to commute outside of that  
 10 country town to an urban area for employment.  
 11 Typically, these boundaries are intended to ensure that  
 12 we protect the character of our country towns which are  
 13 very unique to -- to Maui County.

14 Again, the purpose of the growth boundary is  
 15 to ensure that we have protection of these boundaries,  
 16 that the country towns don't bleed into one another. So  
 17 that's an important tool as well as identifying areas  
 18 for appropriate design guidelines and infrastructure  
 19 development.

20 Under the Rural category, we have two  
 21 different types of Rural Growth Boundaries. We have  
 22 what's called a Rural Service Center. These areas would  
 23 be communities that have, at a smaller scale than a  
 24 Country Town, residential opportunities, small little  
 25 retail services to provide for those communities.

1 far left, you'll see different descriptors for these  
 2 growth boundaries.

3 The first essentially describes the  
 4 characteristics of each growth boundary, the purpose of  
 5 the growth boundary, and different policy options or  
 6 opportunities that are provided for.

7 The first column, Urban Town, this would be  
 8 the most intensive type of urban growth you would see.  
 9 These growth boundaries, if you look at our maps, are  
 10 laid out in areas like Kihei or Lahaina Town proper,  
 11 Wailuku-Kahului. Those areas where we have significant  
 12 population base, we have a broad and diverse mix of  
 13 retail, commercial, industrial types of land uses, are  
 14 included within these Urban Growth Boundaries. These  
 15 areas usually have full sewer systems developed, water  
 16 systems, and other types of infrastructure.

17 Some of the policy options: Your Urban Growth  
 18 Boundaries is trying to use those growth boundaries  
 19 strategically to protect the open space between  
 20 different communities, and, again, to encourage and  
 21 promote infill and revitalization. That's a core  
 22 planning principle in your adopted Land Use Guiding  
 23 Principles.

24 Within the Country Towns, taking Urban and  
 25 going down a significant step. In looking at the

1 Employment, again, is generally a function of an urban  
 2 area or a country town. Basic services provided within  
 3 these Rural Service Centers.

4 And, again, the purpose of Rural Service  
 5 Center is -- the boundary itself is to protect the  
 6 character of those areas, but, also, to provide  
 7 opportunities where you have existing residential areas  
 8 without any commercial opportunities, to have little  
 9 Rural Service Centers to reduce trip generation and make  
 10 these areas more self-sufficient.

11 The second type of rural growth area, you have  
 12 what's called Rural Residential, which is primarily a  
 13 residential development pattern. The existing zoning  
 14 ordinance has half-acre and one-acre minimum lot sizes.

15 There was an issue I'd like to clarify, at the  
 16 testimony at the last meeting, regarding the Country  
 17 Town Estates subdivision, where there was concern that  
 18 those areas identified as Rural Residential would be  
 19 subdivided down from their two-acre minimum lot sizes  
 20 to, say, half-acre and one acre. That's not the case.  
 21 These Rural Residential areas that are identified, these  
 22 new areas, would have minimum lot sizes of two acres.  
 23 Limited agricultural activities would be allowed, but  
 24 you wouldn't have the same protection that you have in  
 25 the Ag District with right to farm and those kind of

1 issues. So it's a little different scenario with Rural  
2 Residential where there's a little more emphasis on the  
3 residential side of it, less emphasis on the ag part,  
4 although agriculture is allowed.

5 And it does get you out from under the farm  
6 dwelling requirement. So if you're in the Rural  
7 Residential category, you wouldn't have to do the farm  
8 plan that's required in the Ag District.

9 Again, the Rural Residential Growth Boundary  
10 can be used as a tool to protect adjacent important  
11 agricultural lands. And it provides a lifestyle choice  
12 for residents.

13 We have three different categories of  
14 Agriculture that are identified in the plan. For the  
15 first time, the County has actually gone out, looked at  
16 our Agricultural District comprehensively, and, based on  
17 that analysis, identified three different categories of  
18 agriculture.

19 An Ag 1 District, which would include our most  
20 important agricultural lands, based on soil  
21 productivity, based on limited fragmentation of those  
22 lands. Those lands in the Ag 1 District are typically  
23 greater than 50 acres and -- and provide tremendous  
24 opportunities for the expansion of our agricultural  
25 sector. Many of these lands are currently in sugarcane

1 agricultural operators that exist while providing sort  
2 of that country lifestyle that many of us enjoy.

3 We had a third category identified in the Ag  
4 District, which will be areas where we have large lots,  
5 but the soil productivities are lower than the Ag 1 and  
6 Ag 2 categories. These areas -- we've got a lot of that  
7 mauka, just outside of Kihei. These areas have been  
8 used historically for grazing. But it's much, much more  
9 difficult to do monocrop agriculture or diversified  
10 agriculture in some of these areas.

11 Conservation subdivision design. We've looked  
12 at that as an option in the Ag 3 category. We're still  
13 looking at that area. That's a more complex dynamic.

14 This table really outlines, again, the growth  
15 boundaries that are provided in the plan. So are there  
16 any questions?

17 ACTING CHAIR U`U: Commissioner Starr.

18 COMMISSIONER STARR: Yeah. What I think I'm  
19 seeing here is a partial description of the transect  
20 system where most modern planning -- planning thought is  
21 broken down into taking all of the land and dividing it  
22 into -- I believe it's 11 -- 11 different categories  
23 called transects. You know, that was a new urbanism and  
24 then, now, sustainable urbanism. There's a lot of  
25 different names and different systems, but most planning

1 operation or other intensive forms of agriculture.  
2 Within that category, the highest protection for those  
3 lands would be provided. And we would strongly  
4 discourage, outside of the Community Plan and General  
5 Plan updates, the up-designation of those lands to urban  
6 types of uses.

7 Transfer and development rights, purchase and  
8 development rights would be excellent tools that could  
9 be employed in the Ag 1 District to help protect those  
10 agricultural lands.

11 And favorable tax and water rates would be  
12 strongly encouraged or provided in those areas.

13 We have another category called Agricultural 2  
14 classification. These are the areas where we have a  
15 mixture of small two-acre lots, three-acre, four-acre  
16 lots, as well as larger agricultural lots that are  
17 oftentimes in diversified Ag production.

18 Haiku is a good example of an area that would  
19 include Agricultural 2 designation. These lands  
20 typically are prime important agricultural lands, but  
21 they have been fragmented to a large extent.

22 There's excellent opportunities in the Ag 2  
23 District to utilize the conservation subdivision design  
24 and other creative planning tools to allow agriculture  
25 to continue in these areas and to protect the

1 takes these 11. I believe that, you know, it would --  
2 it would start -- on the left would be several  
3 categories that we don't have, which is big city urban,  
4 you know, like downtown you would have in New York City  
5 and Chicago, and then kind of another category that's  
6 kind of not quite so urban, and then we get into our  
7 urban town country town. And the agriculture seems to  
8 be a little bit mixed up. I think that if we were  
9 looking at it that way, it's from dense to less dense.  
10 What you're calling Agriculture 2 should be next to the  
11 Rural. Agriculture 3 should be in the middle. And Ag 1  
12 should be over on the far right, followed by  
13 Conservation, and then Wilderness and then, you know,  
14 Protected National Park. We would end up with the 11  
15 tran -- with seven out of the 11 transects in correct  
16 order. So, you know, I -- you know, I don't know if it  
17 is meaningful, but probably that Ag 1 should swap over  
18 into the other side of Ag 3 to -- to be consistent.

19 ACTING CHAIR U`U: Staff?

20 MR. SUMMERS: It would certainly be easy for  
21 us to reorder this to better reflect the transect  
22 methodology. But this -- this does move us in that  
23 direction with opportunity for further refinement during  
24 the community plan process.

25 ACTING CHAIR U`U: Questions? Commissioner

1 Hiranaga.  
 2 COMMISSIONER HIRANAGA: Yeah, I agree with  
 3 Commissioner Starr's comment. It might make more sense  
 4 to have it transition that way.  
 5 ACTING CHAIR U`U: Questions?  
 6 Staff, you guys got another presentation?  
 7 MR. SUMMERS: Thank you, Mr. Chairman.  
 8 We did wanna walk you through quickly our  
 9 growth area spreadsheets before we actually get into the  
 10 maps.  
 11 The Members, in their -- in their binders had  
 12 spreadsheets in the April 2009 binder. And we have two  
 13 spreadsheets. These are gonna be very important as we  
 14 move through the mapping exercise. It allows us to look  
 15 at the impact of our decisions in terms of the number of  
 16 units that we're providing, land consumption and the  
 17 like. So it's a very useful tool. We have this. We  
 18 can project the maps and the spreadsheets concurrently.  
 19 Mark King developed this for us, this tool for us. So  
 20 it's a dynamic tool. We can do kind of realtime  
 21 sensitivity analysis with it as we move forward.  
 22 The April draft -- drafts we have, we have the  
 23 Planning Department's recommendation and a GPAC  
 24 recommendation. A couple of fundamental differences  
 25 between the two -- and I'm not gonna get into too much

1 Mark, did you want to add anything?  
 2 MR. HUNT: John, if I could add something real  
 3 quick. The two maps that are in your April draft --  
 4 again, there's a GPAC recommendation and a Department  
 5 recommendation -- they break 'em down by regions, by  
 6 Community Plan regions. But we kind of simplified it  
 7 and made it more geographical regions. Those regional  
 8 demands are based on taking the island demand and then  
 9 interpolating it out to the separate regions. So,  
 10 obviously, Hana would have far less projected demand for  
 11 housing into the future than Central Maui, West Maui,  
 12 South Maui. So there's a -- there's a regional  
 13 component as well as an overall island component. And  
 14 the spreadsheet breaks it down regionally.  
 15 ACTING CHAIR U`U: Commissioner Mardfin.  
 16 COMMISSIONER MARDFIN: I have two questions.  
 17 The first one is, the two pieces we got today -- this, I  
 18 think, is what Commissioner Shibuya asked -- how do I  
 19 differentiate the two? The headings seem to be the same  
 20 to me and, yet, there are two sets of numbers. What is  
 21 the difference between them and why?  
 22 ACTING CHAIR U`U: Staff.  
 23 MR. HUNT: If I could take the lead on that  
 24 just real briefly. Just to clarify, we got two  
 25 spreadsheets that were in your April Maui Island Plan

1 detail on this because we've covered it in previous  
 2 presentations -- the Director, in its recommendation,  
 3 suggested a household size of 2.72 people per dwelling  
 4 unit. And that would be a take-off of the 2020  
 5 projection. Again, this is a 20-year plan with 2010 as  
 6 being the first real year, and 2030 being the out year  
 7 of the planning horizon. The Department felt that it  
 8 was -- that the most logical and rational approach would  
 9 be to take the 2020 projection for household size, which  
 10 is the number that would be used during the update --  
 11 the next update. So in 2020, there's a legal  
 12 requirement that the County go back and update this --  
 13 this plan. So we felt it would be -- make the most  
 14 sense to use the 2.72 household size. The GPAC used  
 15 2.80 household size as a basis for their deliberations.  
 16 The spreadsheet is broken out by Community  
 17 Plan area. And on the far left, we've got the different  
 18 names of the projects. We have a column that has demand  
 19 as depicted by the Department of Business, Economic  
 20 Development and Tourism out to 2030. This -- the --  
 21 these numbers from DBEDT are based on the 2008 forecast  
 22 that we had at the time when we were going through this  
 23 with the GPAC. We had assumed density per acre for each  
 24 of these projects. And then based on -- on the assumed  
 25 density in acres, we come to units.

1 draft. Last week, we handed out a draft draft, a  
 2 working draft, and even had "in process" on part of it.  
 3 You can ignore that one. You can put it in -- you can  
 4 line your birdcage with it, or whatever you'd like to do  
 5 with that one.  
 6 Today, we handed out two updates. And one has  
 7 a purple title around it, or border around it, and one  
 8 has a red. So let's call the purple one -- well, let's  
 9 call the red Option B and the purple one Option C.  
 10 COMMISSIONER MARDFIN: What is the difference?  
 11 What is A, what is in our binder?  
 12 MR. HUNT: What's the question? I'm sorry.  
 13 COMMISSIONER MARDFIN: What is A? If you gave  
 14 me B and C, what's A?  
 15 MR. HUNT: A is the two that are in your April  
 16 binder.  
 17 COMMISSIONER MARDFIN: Okay.  
 18 MR. HUNT: So the A is the 2008 numbers;  
 19 Option B and C are the 2009 numbers.  
 20 COMMISSIONER MARDFIN: Based on new DBEDT --  
 21 MR. HUNT: Correct, based on new DBEDT  
 22 numbers.  
 23 COMMISSIONER MARDFIN: And my recollection --  
 24 excuse me. If I may continue?  
 25 ACTING CHAIR U`U: Sure.

1 COMMISSIONER MARDFIN: My recollection is  
2 DBEDT 2009 were lower numbers based on more  
3 up-to-date/perhaps realistic assumptions.

4 MR. HUNT: They're lower numbers. And the  
5 spreadsheets, these two, Option B and Option C, reflect  
6 those lower numbers.

7 COMMISSIONER MARDFIN: Okay. And the  
8 difference between B and C, again, is just two options?

9 MR. HUNT: Two different approaches. If the  
10 Commission supports the idea of going with the lower  
11 numbers, we've outlined two different options for you.  
12 And one is kind of a project by project -- one of them,  
13 we would take a list of the projects and prioritize  
14 those based on the criteria and then cut the one at the  
15 lowest on the list. The other option is to shave a  
16 little bit from several projects, to share the pain, so  
17 to speak, across the board. So there's two different  
18 options. If you look at the numbers, and Mark and John  
19 will go into this in more detail, that's -- that's the  
20 two different approaches on those two options.

21 ACTING CHAIR U`U: Commissioner Mardfin.

22 COMMISSIONER MARDFIN: This was done with  
23 2.72. Yet, we had some people give testimony -- well,  
24 GPAC wanted 2.80. I'm assuming this is a live  
25 spreadsheet. So we could change, hopefully, one number

1 population.

2 When we were working with the GPAC, the top  
3 row of these squares on the screen was our mathematical  
4 calculation from population to housing demand in terms  
5 of units. So each of these boxes represents a different  
6 combination of DBEDT population forecast and household  
7 size.

8 So the top row were all of the 2008 DBEDT.  
9 Notice how they all start with 183,000, 2030 resident  
10 population. That's just Maui Island, right, because the  
11 State gives us Maui County, we take out Lanai and  
12 Molokai, and we have our 2030 Maui Island population.

13 So the effect of these four on top is  
14 gradually decreasing household size. In the 2000  
15 census, the reported household size, this is actually  
16 fact, was 2.90, as reported in the census for our  
17 resident population. The projection in the  
18 Socioeconomic Forecast had that very smooth curve where  
19 we were following the trend and extrapolating what other  
20 smaller household sizes would produce in terms of a  
21 future unit demand. At the year 2010, we had an  
22 approximate household size of 2.80 people per household.  
23 So there was less people in each household. With this  
24 household number, with less people, you need more units  
25 to house them.

1 and turn it -- on the screen, turn it into a 2.80  
2 projection, if we needed to. Is that --

3 MR. HUNT: You have that ability.

4 COMMISSIONER MARDFIN: Okay. I'm not saying  
5 to do it now. At some point, probably when we're down  
6 the road, I might wanna do that.

7 ACTING CHAIR U`U: Director.

8 MR. HUNT: GPAC had a lengthy discussion on  
9 whether to use 2.7 and 2.8. I believe they even threw  
10 another one on the table. But, anyway, it's worthy of  
11 discussion.

12 ACTING CHAIR U`U: Commissioner Shibuya.

13 COMMISSIONER SHIBUYA: Perhaps maybe the  
14 Director or the Staff can address this. Unfortunately,  
15 or fortunately, I was on the GPAC. And the numbers that  
16 I got in the total numbers from Maui Island, which was  
17 given to the GPAC, was 19,784 units. Today's two  
18 options, B is 11,603 and Option C is 11,753. Please  
19 explain the differences.

20 ACTING CHAIR U`U: Staff.

21 MR. KING: Mark King, Staff. Aloha,  
22 Commissioners.

23 Well, here we go. This is the numbers. And  
24 when the State released their new numbers, we got a new  
25 version, new population forecast for resident

1 2020, the number was 2.72 people per  
2 household. Once again, you need more units because  
3 there's less people in each household.

4 Finally, at the 2030 number, there's the 2.66  
5 people per household. And that will need the most units  
6 to house that number of people because the -- there's  
7 less people in each one.

8 Since the GPAC, Commissioner Shibuya, this  
9 second row is new. You can see I've added 2009 DBEDT  
10 adjusted and the household sizes. Again, this  
11 mathematical exercise of 2.90, 2.80, 2.72, 2.66. So the  
12 starting population from DBEDT for Maui Island, 176,000.  
13 So you can see the decrease there. 183,371, to 176,686.

14 Let's walk through one of the squares real  
15 quick just to go over the mathematical step to convert a  
16 population forecast number into a future housing unit  
17 demand number, which we were sort of using as a guide.  
18 So looking at the one that the Planning Department has  
19 on your two spreadsheets today, what we are calling B  
20 and C, the number used in the demand for those is based  
21 on this population forecast from DBEDT for Maui Island,  
22 176,686 and a 2.72 household size. The population  
23 divided by the household size gives you the number of  
24 units. That's the total units needed to house this many  
25 people in the year 2030. With -- from that, we subtract

1 the existing units on the ground as of 2004 real  
2 property tax. That's the report that this report, the  
3 green land use forecast number, used as its base year  
4 for what was existing on the ground that we would then  
5 take out of the future supply. That increase, then, is  
6 24,000.

7 This green report, as we've seen in what we  
8 call the vacant lands inventory, the committed projects  
9 database and the entitled lands, was able to get a  
10 supply number of, if we didn't do any new Urban Growth  
11 Boundaries at all and we went with the existing  
12 entitlements between State Land Use, Community Plan and  
13 zoning approval, that this body's already approved, and,  
14 in the past, bodies, how many houses are in our supply,  
15 housing units, single-family and multifamily, are  
16 already on the ground -- are already potential, the land  
17 has the ability, the builder could go ahead.

18 That number from this report, and since  
19 revised last year through the GPAC process, we had a  
20 correction. And the planner that brought that to our  
21 attention was Heidi Bigelow. We refer to that as the  
22 Heidi Bigelow Correction Spreadsheet, where we  
23 reexamined how we did the 2004 count compared to what  
24 was on the ground being assessed by Real Property Tax  
25 and eliminated double counts and adjusted the supply

1 resident, so he is not in the DBEDT number, right? This  
2 DBEDT population forecast didn't count him. That's only  
3 a resident. So this is a house consumed by a  
4 nonresident, not here, but it's taking out of our  
5 supply, because we don't right now have the control of  
6 saying you can't buy it, you're not in our resident  
7 forecast, so you can't buy it.

8 So we've already seen, particularly, resort  
9 areas, we have Kapalua Mauka, Wailea 670, Makena, that  
10 have a target of this off-shore. Right? So this was  
11 our great equalizer.

12 Given the idea that, to accommodate the  
13 residents, we only need 1,400 more units over the next  
14 20 years, woah, we're done, you know, let's stamp it,  
15 send it to the Mayor and, you know, we don't need any  
16 boundaries. But that's not the truth on the ground. We  
17 know that. Right? So we have to pad this forecast with  
18 the same household -- the same projection with that  
19 percentage. See how the off-shore doesn't change all  
20 the way across, but it did change from the 2008 DBEDT to  
21 the 2009. These were all 10,000 going across, 10,089,  
22 these are now 9,520. We took off 500 with the same  
23 percentage decrease that DBEDT was decreasing the  
24 resident population.

25 And that just seemed logical because the same

1 accordingly to recent approvals such as Wailea 670 and  
2 Makena Resort. That supply number is 23,000 units,  
3 23,483.

4 So for our resident population, in 2030, if  
5 only residents lived in all of our units, we would only  
6 need 1,400 more units, if everything that had its  
7 current approval was built. Not even the infill  
8 analysis, right? This is not redevelopment. This is  
9 just going with are they on the ground.

10 So then we had this component in the  
11 Socioeconomic Forecast called off-shore demand. And we  
12 told the story about when the census taker goes around,  
13 you can only be in one house physically when you answer  
14 the census. So these people are not here, they're in  
15 California or Texas, wherever else, when they answer the  
16 census. However, they've purchased something here.  
17 It's could be sitting empty, it could have a renter, but  
18 that renter is gonna be counted in the resident forecast  
19 because the resident answered the census here. So this  
20 unit is something we have to account for in the future  
21 demand because somebody bought it, and, depending on the  
22 area of the island and the attractiveness to this  
23 off-shore market, part of this supply, the 23,000, is  
24 gonna be taken, consumed, by this off-shore person  
25 that's not answering the census here. He is not a

1 incremental step that DBEDT was reducing our future  
2 resident population, we've seen tourism declines, we've  
3 seen air -- airline declines, we applied the same  
4 decrease.

5 Now, the case could be made, hey, we went with  
6 10,000. Our resident population doesn't affect that,  
7 but it's about 500. You can see we decreased it 500.  
8 It was the same percentage, that same five percent, that  
9 DBEDT did that.

10 So adding that 9,500 back in that's gonna be  
11 consumed by the off-shore gives us our final number,  
12 10,954.

13 Now, at the bottom of the spreadsheets that  
14 you have, in the total demand, it's 200 more than that.  
15 See how it's -- 11,154, right, exactly 200 more. And  
16 that was because, during the GPAC process, we made a  
17 special Hana, East Maui demand number. Because  
18 mathematically, when we looked at the entitled lands and  
19 the population growth, the forecast wasn't forecasting  
20 population growth for Hana. But we -- we have a housing  
21 situation in Hana we need to accommodate. So we made  
22 both a 200-unit demand and a 200-unit supply for Hana.  
23 So that's why the number -- this number mathematically  
24 is 10,954 and we have put an additional 200-unit demand  
25 for Hana to help alleviate the housing situation in

1 Hana.  
 2 So that was a creation of GPAC, but the raw  
 3 mathematical number is this 10,954. So in your  
 4 Spreadsheet B and C, that's our demand target.  
 5 Commissioner Sablas was asking about how -- how did  
 6 these demand numbers fit in with the infill targets.  
 7 This tells that story.

8 Thank you.  
 9 ACTING CHAIR U`U: Thank you.  
 10 Questions? Commissioner Starr.  
 11 COMMISSIONER STARR: Yeah. First of all, I  
 12 really appreciate the work and intelligence that went  
 13 into this. And, you know, I do believe in planning and  
 14 I do believe that we're on to something here.

15 Looking at it this way, you know, I certainly  
 16 have no problem with the increases over the supply for  
 17 the resident population. It really sticks in my craw  
 18 when I see that we're looking at, you know, one, two,  
 19 three thousand additional units for residents and ten,  
 20 eleven thousand for off-shore. I don't really believe  
 21 that that off-shore market really makes our community  
 22 better. I think it detracts from it. And I don't know  
 23 if there's any mechanism, but I wish there was, of just  
 24 wiping those off-shore numbers completely off the board  
 25 and creating a policy that we're not going to build for

1 Even with those tools, we're going to see this  
 2 market continue with -- with current laws that are in  
 3 place at the federal level. That's -- it is what it is.

4 Jeff, did you want to add anything to that?  
 5 ACTING CHAIR U`U: Director Hunt.

6 MR. HUNT: I think the third element was the  
 7 type of unit. So the theory being that if we build  
 8 denser mixed use, even multifamily, that that will be  
 9 less attractive to a second homeowner from off-shore.

10 ACTING CHAIR U`U: Commissioner Mardfin.  
 11 COMMISSIONER MARDFIN: I have about three  
 12 questions.

13 Let me start off first by thanking -- you made  
 14 it very clear. I understand totally what you did. And  
 15 you did a very nice job of setting out all the options.

16 A technical question. On the off-shore, is  
 17 that number -- we're talking about housing units. So if  
 18 it's a timeshare, there might be 12 or 24 groups of  
 19 people in there, is that correct? Would I -- when  
 20 you're talking about that 9,520, that's -- that's  
 21 housing units, whether it's owned by one person for the  
 22 whole year, whether it's owned by 12 people for a month  
 23 at a time, like a timeshare. Is that correct?

24 MR. KING: Mark King, Staff.  
 25 Timeshare units on Maui -- and I think maybe a

1 it, but, rather, that -- you know, let's build some more  
 2 hotels or something where it benefits us. I mean, is  
 3 there any mechanism where we can just get rid of it --  
 4 you know, they're trashing our shoreline and changing  
 5 our culture -- and, instead, turn it into, you know,  
 6 tourist hotels and other things that do have some  
 7 benefits?

8 ACTING CHAIR U`U: Staff, don't be shy.  
 9 COMMISSIONER STARR: Come on.

10 MR. SUMMERS: Thank you, Mr. Chairman.

11 We have to remember that a number of these  
 12 areas are currently entitled and the land is vacant. So  
 13 there is not a whole lot we can do with a substantial  
 14 portion of this. Property tax is one way to have some  
 15 impact on the off-shore market, have a more graduated  
 16 property tax structure, the location of our growth  
 17 boundaries. If we provide large expansion of our UGBs  
 18 in areas where this type of market flourishes, we're  
 19 just going to be attracting that market. So, primarily,  
 20 the two areas that Staff focused on in terms of some of  
 21 the policy recommendations that this body has approved,  
 22 are that property tax structure and just the location of  
 23 our growth boundaries, trying to make sure we've got  
 24 growth boundaries that are gonna provide housing  
 25 opportunities for residents.

1 more applicable term would be prepaid accommodations on  
 2 Maui, the way these clubs are working -- we've drifted  
 3 quite away from the traditional timeshare where you're  
 4 fractionally owning a time with a property title of a  
 5 single unit. A lot of these we've seen are now vacation  
 6 clubs where you subscribe to the club and it is almost a  
 7 workaround of the traditional hotel where you can trade,  
 8 you can -- your title is no longer tied to a particular  
 9 unit, that you come traditionally for your week and you  
 10 go on vacation. These ones are almost like prepaid  
 11 hotel accommodations that change the profile of our  
 12 traditional resort hotel.

13 I guess more to the point of your question is  
 14 how are the units counted for the off-shore owner. The  
 15 timeshare units themselves and the location in the  
 16 resort areas are not counted as housing units for the  
 17 purposes of our land use forecast. I've created a  
 18 category called Visitor Accommodations. That  
 19 encompasses traditional hotel room nights in a hotel  
 20 room, bed and breakfast units, timeshare units and  
 21 transient vacation rental units. None of those are  
 22 occupied by resident households for the purposes of this  
 23 study.

24 COMMISSIONER MARDFIN: Thank you. That really  
 25 clarifies.

1 Can I do my follow-up?  
 2 ACTING CHAIR U`U: Commissioner Mardfin.  
 3 COMMISSIONER MARDFIN: I thought I understood  
 4 what your Hana thing was. But the 200 you're putting  
 5 in, is that for the off-shore market or is that for the  
 6 -- the full-time, year-round resident?  
 7 ACTING CHAIR U`U: Staff.  
 8 MR. SUMMERS: Thank you, Mr. Chairman. That  
 9 would be for the full-time, year-round resident.  
 10 COMMISSIONER MARDFIN: So you're saying we  
 11 need more housing in Hana for the people that are living  
 12 there all the time, even though the -- the projections  
 13 of DBEDT didn't seem to indicate that we needed any?  
 14 MR. SUMMERS: It was primarily the -- when we  
 15 looked at the land supply that exists out in Hana  
 16 Community Planned Region, there's a significant amount  
 17 of undeveloped, particularly rural, land, and that  
 18 particular type of land supply isn't reaching a lot of  
 19 working residents in Hana. So we augmented that  
 20 analysis with this 200 units of affordable housing.  
 21 COMMISSIONER MARDFIN: Thank you very much.  
 22 ACTING CHAIR U`U: Commissioner Shibuya.  
 23 COMMISSIONER SHIBUYA: First, thank you very  
 24 much, Mark King. This has been an outstanding  
 25 explanation. I did see the numbers different and that's

1 going further? Let me understand what's here first.  
 2 What does that number represent, the seventeen sixty-six  
 3 eighty-six, residents only?  
 4 MR. KING: Commissioner Hiranaga, on this  
 5 display, I have a number, 176,686. I don't have a 17.  
 6 COMMISSIONER GUARD: That's the one.  
 7 COMMISSIONER HIRANAGA: 6686.  
 8 COMMISSIONER GUARD: Same number.  
 9 COMMISSIONER HIRANAGA: Seventeen sixty-six  
 10 eighty-six.  
 11 COMMISSIONER GUARD: Same number.  
 12 COMMISSIONER HIRANAGA: I was just kind of --  
 13 it's the same number.  
 14 MR. KING: No, Commissioner, that number is  
 15 not 17. I don't quite follow you.  
 16 COMMISSIONER GUARD: 176,000.  
 17 COMMISSIONER HIRANAGA: 176,686.  
 18 MR. KING: Right. That is the Maui Island  
 19 resident population projection for the year 2030 from  
 20 the State Department of Business, Education -- no,  
 21 Business, Economic Development and Tourism.  
 22 COMMISSIONER HIRANAGA: I got it. So the  
 23 assumptions of 2.8, 2.72, 2.66 average household size,  
 24 where does that come from?  
 25 MR. KING: Staff.

1 why I wanted the clarification.  
 2 You did bring out Heidi Bigelow and the DBEDT  
 3 adjusted numbers. Thank you very much. It seems like  
 4 you were shuffling another set of decks here and -- a  
 5 card deck, and that's what I was concerned about. But  
 6 now that you've explained it, I understand it. Thank  
 7 you very much.  
 8 I also wanna -- I see the differences right  
 9 now with my GPAC numbers. And I'm probably gonna have  
 10 to put those away. I hope that we can put some kind of  
 11 comment to the effect that when the GPAC reviewed this,  
 12 they had a different set, they had a different card  
 13 deck, if you will. And so that needs to be clearly  
 14 explained to the Council Members.  
 15 Thank you.  
 16 ACTING CHAIR U`U: Commissioner Hiranaga.  
 17 COMMISSIONER HIRANAGA: I was hoping that  
 18 another Commissioner would ask this question. I need to  
 19 go to remedial class, and we need to go over this again.  
 20 The seventeen sixty-six eighty-six is the new forecasted  
 21 residential population?  
 22 MR. KING: Mark King, Staff.  
 23 Let me open one more spreadsheet.  
 24 COMMISSIONER HIRANAGA: Can you just answer  
 25 the question, if it's right or wrong, before you start

1 This report is the Socioeconomic Forecast to  
 2 the year 2030 which was prepared in 2006. On Page 18 of  
 3 this report, it shows a household size forecast curve  
 4 based on historic and projected population sizes.  
 5 COMMISSIONER HIRANAGA: One follow-up. Last  
 6 follow-up question. So why are there three options?  
 7 ACTING CHAIR U`U: Staff.  
 8 MR. HUNT: Is the question why are there three  
 9 household sizes or three spreadsheets?  
 10 COMMISSIONER HIRANAGA: Three household sizes.  
 11 MR. HUNT: The household sizes vary according  
 12 to the year. 2010, there's a household size; in 2020,  
 13 there's a projected household size; and 2030, there's a  
 14 projected household size.  
 15 COMMISSIONER HIRANAGA: So they're assuming  
 16 a -- like an aging population, therefore resulting in  
 17 less people per unit?  
 18 MR. HUNT: I'm not sure if it's aging, but  
 19 they are -- according to the graph, they are projecting  
 20 a smaller number of people per household according to  
 21 that. That has been the trend in the past and they  
 22 project it out into the future.  
 23 Correct me if I'm wrong, Mark.  
 24 ACTING CHAIR U`U: Commissioner Hiranaga.  
 25 COMMISSIONER HIRANAGA: If you'll indulge me



1 so we can go through this thing. So I understand where  
2 the 63,102 comes from. So increase of 23,061, where  
3 does that come from? There's a base -- there's an  
4 existing supply, I guess. Based upon that household  
5 size, you calculated the difference between the existing  
6 supply and the 63,102, is that correct, to get the  
7 23,061? So it's not on -- it's not up here. There's a  
8 assumed existing supply of household units, I guess.  
9 Another question, but --

10 ACTING CHAIR U`U: Staff.

11 MR. HUNT: That number is based on -- on  
12 existing inventory, units that are on the ground.

13 COMMISSIONER HIRANAGA: Subtracted from the  
14 63,102?

15 MR. HUNT: 63 is the projected need to house  
16 our population.

17 COMMISSIONER HIRANAGA: Right, based on the  
18 household.

19 MR. HUNT: But we already have some houses  
20 built. So we don't have to build all new houses.

21 COMMISSIONER HIRANAGA: Right.

22 MR. HUNT: We are not starting from scratch.

23 COMMISSIONER HIRANAGA: Right. So that's the  
24 difference, existing minus the 63 is the conditional  
25 supply projected to be?

1 answer? I wanted to borrow my wife's laptop so I can  
2 bring the CD, because we don't have hard copies, but she  
3 wouldn't let me borrow it. So I'm kind of at a loss  
4 here. So is that -- there's a baseline existing number  
5 of units that is subtracted from the 63 to get the 23.  
6 Is that basically what you're --

7 MR. HUNT: John, can you help us out?

8 MR. SUMMERS: Thank you, Mr. Chairman.  
9 Existing land use supply, if you look at your

10 Land Use forecast report, I would encourage --

11 COMMISSIONER GUARD: It's on a CD.

12 MR. SUMMERS: It's on a CD.

13 COMMISSIONER GUARD: Can someone tell us the  
14 number, that we could write it on this spreadsheet?

15 MR. SUMMERS: I'll get there. I'll get there.

16 Thank you, Mr. Chairman.

17 If you go to Chapter 3 of that report, it  
18 spells out in detail how we get to land supply.

19 COMMISSIONER HIRANAGA: What page, 3 --

20 MR. SUMMERS: That's 3-4.

21 COMMISSIONER HIRANAGA: Yeah, I read it.

22 MR. SUMMERS: Okay. So you got that

23 information. We start with the existing Land Use

24 Database. These were units that were on the ground in

25 2004, using our real property tax data. Chapter 2 of

1 MR. HUNT: Well, there's other rows. The  
2 increase is the existing buildings that are on the  
3 ground in 2004. The supply is land that has been  
4 entitled. So if it has Community Plan and zoning and  
5 State and it's gotten its SMAs, et cetera. And Mark may  
6 be able to refine those entitlements, but the supply is  
7 land that's entitled. So we can assume that will be  
8 built out. So the exercise before you is how much  
9 additional land do we need beyond the existing homes  
10 that are built, beyond the existing land that's  
11 entitled, how much additional land do we need to draw  
12 our Urban Growth Boundary to encompass.

13 COMMISSIONER HIRANAGA: So what's missing on  
14 this chart is the baseline number which is the current  
15 existing supply of units? That's what's missing up here  
16 to put this all together? Because you subtract that  
17 from the 63 to get the 23.

18 MR. HUNT: Mark, can you answer that?

19 MR. KING: Mark King, Staff.

20 I would refer, once again, to our published  
21 report, the Socioeconomic Forecast to the year 2030,  
22 Page 64, as Exhibit R-11, Housing Demand by Region. It  
23 starts from the historical housing on the ground, year  
24 2000.

25 COMMISSIONER HIRANAGA: Was that a yes or no

1 this report describes the methodology for how we created  
2 that database. Chapter 3 of the report takes that  
3 database plus the land that's fully entitled, okay, and  
4 walks through a series of steps to determine future land  
5 supply.

6 ACTING CHAIR U`U: Commissioner Hiranaga.

7 COMMISSIONER HIRANAGA: Yeah, I read it. So  
8 my question is, so to get this -- that number, you  
9 subtract the existing units on the ground from 63, is  
10 that -- so that -- if that number was footnoted, I would  
11 understood this a lot better. Is that what you  
12 basically did?

13 MR. SUMMERS: That's correct.

14 COMMISSIONER HIRANAGA: Okay. That was the  
15 answer I was looking for. Thank you.

16 ACTING CHAIR U`U: Questions?

17 At this time we're gonna take a 10-minute  
18 recess for the stenographer.

19 (Recess, 10:38 a.m. to 10:56 a.m.)

20 ACTING CHAIR U`U: Planning Commission is now  
21 back in session.

22 Director Hunt.

23 MR. HUNT: We just wanted to go through these  
24 spreadsheets just one time to kind of give you a little  
25 clarity on 'em, again. In your binder -- pardon me. In

1 your pack, you had a 2008 spreadsheet from GPAC. And  
2 essentially, because of the household number that Mark  
3 referred to, they had a demand of 12,254, and GPAC only  
4 recommended 11,582. So Mark's got the numbers up there  
5 now on the board.

6 So this is the GPAC recommendation. This is  
7 from your April draft. And, again, you can see the --  
8 the total demand, because they used a higher person per  
9 household. They suggested that or recommended that we  
10 only needed 12,254 units. When they went through their  
11 mapping exercise and based on the density calculation,  
12 they actually only recommended 11,582.

13 Now, regionally, what GPAC did was they put a  
14 lot more growth -- or recommended a lot more growth in  
15 West Maui.

16 Mark, if you can scroll down.

17 You can see the number of units that GPAC is  
18 recommending is almost 6,000 units in West Maui. One of  
19 the concerns that the Department had -- we really tried  
20 to agree with GPAC as much as we could. You could see  
21 that in our policies and a lot of our maps. But this is  
22 one area where we, as professional planners, had a  
23 difference of opinion.

24 If Kent can move his head back, I'll use my --  
25 they -- you lost me, Mark. Could you go back to the

1 And then in South Maui, the number -- the  
2 demand was 1,800 units and we recommended 1,900. So  
3 almost right on there. So those are the differences  
4 between the April GPAC recommendation and the Department  
5 recommendations. Then you have your two options, B and  
6 C, today. And, again, the difference is, the overall  
7 number, the demand is lower, and, as a result, we have  
8 given you two options. If you choose to support these  
9 lower numbers, Option B would kind of share the pain or  
10 spread the pain, it would shave a little bit off of  
11 several projects, particularly in West Maui.

12 You can see that Mahinahina is also known as  
13 Pulelehua. That has dropped from the Director's  
14 recommendation in April of 1,100 units down to almost  
15 700 units now.

16 COMMISSIONER GUARD: Zero.

17 MR. HUNT: Kaanapali 2020, in the 2008  
18 Director's version, was 1,800 units. And now it's down  
19 to 1,100.

20 The other big one was Lahaina Town South. In  
21 the Department's recommendation in April, it was 805  
22 units, and I think it's now 605. Option C, in the same  
23 area, would cut Pulelehua to zero. And the other  
24 numbers would remain.

25 There's arguments on both sides.

1 West Maui numbers? Oh, there it is. The demand was  
2 only projected to be 3,800, but they recommended 6,000.  
3 So 1,200 units more. 2,200?

4 MR. KING: This number.

5 MR. HUNT: 2,100. Thank you. So that's one  
6 of the major differences.

7 In the Central -- Central region, the forecast  
8 is demanding 5,500 units and GPAC only recommended  
9 3,200. So they had a deficit of 2,300 units.

10 And then, in Kihei or South Maui, the  
11 projection was 1,600 units. And they only recommended  
12 1,000. So, again, a deficit of 600.

13 So you can see the two deficits in Central and  
14 South Maui, and the surplus in West Maui. Most of the  
15 other areas, we pretty much agreed, a little minor  
16 insignificant disagreement here and there.

17 Now, Mark, could you go to the Director's 2008  
18 version?

19 So here's our demand. Because we used a  
20 smaller household size, we had a larger demand. And  
21 we're -- we recommended, in your packet, 5,000 units.  
22 So about 1,000 less than GPAC.

23 In Central Maui, the forecast is for a lot  
24 more need for development. And so we recommended 5,500.  
25 Still with a little bit of a deficit.

1 ACTING CHAIR U`U: Questions? Commissioner  
2 Guard.

3 COMMISSIONER GUARD: Thank you.  
4 So I don't know exactly what page it's on.

5 We're assuming that the supply of houses today is  
6 sufficient and there's 20,000 already committed units  
7 that could be developed without this plan? Is that the  
8 assumption?

9 MR. HUNT: Mark, can you answer that?

10 MR. KING: Mark King, Staff. Yes.

11 COMMISSIONER GUARD: Okay. So, in 2030, with  
12 this plan, for 2031, there will be zero units. All of  
13 these need to be built out to meet demands and there  
14 will be no more units available for the following year  
15 until you start this plan over again?

16 MR. HUNT: Well, we're not --

17 COMMISSIONER GUARD: Is that the assumption,  
18 Mark, with your numbers? From just the numbers  
19 perspective, if we're trying to just meet the demand for  
20 2030, for the 2031, we're gonna have to start all over.  
21 So if the next GPAC's a year or two late and planning's  
22 late, there's gonna be nothing happening with these  
23 numerical assumptions?

24 MR. KING: Okay. Let me just get the -- the  
25 idea that you're advancing. If there were no more

1 applications to change any more land and we just stopped  
2 with what we had now --

3 COMMISSIONER GUARD: Which is what this  
4 General Plan and people are assuming they're trying to  
5 do.

6 MR. KING: Right. Then if the -- the building  
7 community kept building, that would last beyond the year  
8 2030 --

9 COMMISSIONER GUARD: But that would mean --

10 MR. KING: -- to get us to our demand numbers.

11 COMMISSIONER GUARD: Then how many projects or  
12 how many units would be available in 2031 or '32? Zero?

13 MR. HUNT: Mark, if I'm correct, the projected  
14 units would accommodate the projected population at  
15 2030, no more, no less. But in the interim, in 10  
16 years, we'll go through the same exercise. And so  
17 there's always gonna be a 10-year timeframe ahead of us.  
18 So we're not gonna wait until 2030 to update the plan.  
19 In 2020, we'll go out to 2040.

20 MR. SUMMERS: Thank you. Thank you,  
21 Mr. Chairman.

22 That's correct. The supply, sufficient supply  
23 is available to meet 2030 demand. But the larger  
24 question, it's a very good question, something we spent  
25 a great deal of time on during the development of the

1 opportunities for incremental increases in land supply.  
2 So with those factors, it was really determined that  
3 this was sufficient.

4 ACTING CHAIR U`U: Commissioner Guard.

5 COMMISSIONER GUARD: Okay. So how accurate  
6 was the timing for how long the GPAC and the Commission  
7 would take? Because if this is gonna be updated every  
8 10 years, then this process is going on three-plus, were  
9 those numbers that accurate on what we're gonna hit? I  
10 mean, should we start mobilizing the troops now for the  
11 next -- the next plan?

12 MR. SUMMERS: Well, I think there were two --  
13 from a historical perspective, there were two things  
14 that happened that -- that were not usual.

15 The first was a complete and total overhaul of  
16 Maui County Code 2.80A. So the Council went through a  
17 lengthy deliberation to set up this new framework.  
18 They've already accomplished that.

19 The second is this Maui Island Plan is the  
20 first island-wide plan that the County has ever done.

21 So at this point, going forward, you're  
22 dealing with amendments to an existing plan rather than  
23 the formulation of a brand new plan from scratch,  
24 working with an ordinance that had never been tested, if  
25 you will, the ordinance. So I think, you know, those --

1 project, is explained in the Land Use Forecast, Page  
2 1-3. And it lays out the rationale for the way we've  
3 done it.

4 In many communities, they'll include a 20 to  
5 25 percent fudge factor, if you will, to deal with  
6 absorption assumptions. And in this case, after a  
7 comprehensive analysis of our laws, the laws in other  
8 jurisdictions, it was determined that that wasn't  
9 necessary because our -- our enabling ordinance, 2.80B,  
10 requires, at the 10-year mark, in 2020, that the plan be  
11 updated. So that, basically, provides for a 50 percent  
12 fudge factor.

13 In addition, after looking at the  
14 Socioeconomic Forecast prepared by DBEDT, it was clear  
15 that, historically, these forecasts have been very, very  
16 accurate. So we have good data on the demand side, we  
17 have the built-in fudge factor required by the  
18 ordinance, and we have the incremental changes that will  
19 occur.

20 There is a provision in the -- in the law that  
21 basically states, I think it's after the first year, you  
22 cannot have a community plan amendment proposed after  
23 the first year of adoption of that plan. It's either  
24 one year or two years, I'd have to go back into the  
25 ordinance. But following that, there would be

1 those questions are answered just by looking at the  
2 history of -- of the laws that have been developed.

3 ACTING CHAIR U`U: Commissioner Guard.

4 COMMISSIONER GUARD: I will pass.

5 ACTING CHAIR U`U: Commissioner Mardfin.

6 COMMISSIONER MARDFIN: Mark, can you go back  
7 to the other spreadsheet where you had the various  
8 assumptions? And I wanna point out one thing and then  
9 ask three related questions.

10 When I look at this, there were different  
11 kinds of assumptions, different timeframes. I tried --  
12 one of the things I tried to do is look at the maximum  
13 and the minimum. And if you look at to get the maximum,  
14 look in the upper right-hand corner. You have 183,371  
15 population with a need to accommodate an additional  
16 15,531. The minimum is in the lower left-hand corner  
17 where you have to accommodate an additional 6,922.  
18 That's the range. Everything else is in between. The  
19 number we're hoping is somewhere in that range. And we  
20 don't know whether its projections are gonna be in the  
21 middle or the -- the average household size is gonna be  
22 somewhere in there. But that's the range we're looking  
23 at.

24 Now, for both the -- the maximum and the  
25 minimum that we need to be considering, I have three

1 kind of questions. What did you do about what I would  
2 call infill on agricultural land? I think you talked  
3 about the supply of 23,483. Did that have any  
4 assumptions about what would happen on agricultural  
5 land?

6 ACTING CHAIR U`U: Staff.

7 MR. KING: In the Land Use Forecast, we  
8 established a category called Ag Rural, small lots that  
9 were five acres or less. And if Real Property Tax  
10 evaluated them as being vacant, then we applied a  
11 build-out assumption on those of 1.4 units, accounting  
12 for a 40 percent ohana or secondary farm dwelling unit  
13 provision. So that the assumption -- and that was based  
14 on the empirical of what was already on the ground as  
15 far as ohana and secondary farm units in addition to the  
16 primary residents. That was only on purely vacant Ag  
17 Rural small lots.

18 If I'm understanding your question correctly,  
19 there is also Ag Rural small lots that have a primary  
20 residence that was evaluated by Real Property Tax, but  
21 have not necessarily built their ohana or their  
22 secondary farm dwelling units. The potential for that  
23 building of an additional unit is not in the supply  
24 numbers.

25 COMMISSIONER MARDFIN: Okay.

1 continue?

2 ACTING CHAIR U`U: Commissioner Mardfin.

3 COMMISSIONER MARDFIN: I'm on a roll here, I  
4 hope. So the answer is, for lots of greater than five,  
5 you, basically, assume no residential units. And  
6 without -- even without subdivision, they could do a  
7 certain amount of building on them, couldn't they?

8 MR. SUMMERS: That's correct.

9 COMMISSIONER MARDFIN: So that's a second spot  
10 where we can get residences that aren't -- that we're  
11 not having to look at in the other areas? And --

12 ACTING CHAIR U`U: Commissioner Mardfin.

13 COMMISSIONER MARDFIN: Now, what I would call  
14 infill on rural and -- rural land, there -- you could --  
15 a lot of homes have the potential for an ohana addition,  
16 do they not?

17 MR. SUMMERS: That's correct.

18 COMMISSIONER MARDFIN: And was there any  
19 assumption made about those being built in the next 20  
20 to 30 years?

21 MR. SUMMERS: That's my understanding.

22 COMMISSIONER MARDFIN: That there was none?

23 MR. SUMMERS: I'd have to go back and look at  
24 that specific question.

25 COMMISSIONER MARDFIN: Okay. But -- so this

1 MR. KING: So as you refer to that as Ag Rural  
2 infill development, that would be a new area, new tool.  
3 Like Commissioner Sablas said, to think of these other  
4 tools that we have at our disposal, that tool of infill.  
5 Ag Rural small lots with their ohana potential and their  
6 secondary farm dwelling potential would be another  
7 source of supply that's not quantified in these numbers.

8 COMMISSIONER MARDFIN: Follow-up. Now, that  
9 was only for five acres or less. What about for Ag  
10 lands five acres or more, more than five acres?

11 ACTING CHAIR U`U: Staff.

12 MR. SUMMERS: Thank you, Mr. Chairman.

13 The assumption was that Ag Rural lots of five  
14 acres or less would be built out at a dwelling unit  
15 density of 1.4 per lot, which is a fairly aggressive  
16 assumption for the small lots. For the larger lots, the  
17 plan anticipated that we would have regulatory reform in  
18 our Ag District. In fact, some of the policies in our  
19 -- in our Urban Land Use element called for revisions to  
20 the Ag District to reduce subdivision potential of  
21 larger lots. This is primarily in the Ag 1 category.  
22 So we felt it wouldn't be appropriate to bring that  
23 assumption, the build-out of those lots, into this  
24 forecast.

25 COMMISSIONER MARDFIN: So -- if I can

1 seems to be a third place where we can get residences.  
2 I'm just looking at places where we haven't been  
3 looking. So there are sources from at least three  
4 different places, a more intensive use of Ag under five,  
5 some use without subdivision of Ag over five, and ohana  
6 dwellings.

7 ACTING CHAIR U`U: Staff.

8 MR. SUMMERS: Thank you, Mr. Chairman.

9 The Rural lots were considered. We took  
10 Agricultural lots and Rural lots of five acres or less  
11 and assumed a build-out of those lots with 1.4 dwelling  
12 units.

13 COMMISSIONER MARDFIN: So Rural is included?

14 MR. SUMMERS: That's correct.

15 COMMISSIONER MARDFIN: Thank you.

16 ACTING CHAIR U`U: Commissioner Starr.

17 COMMISSIONER STARR: Yeah, I want to change  
18 the subject for a moment, though. I appreciate this  
19 discussion. We have a lot of folks who have come here  
20 to testify. We have folks who have driven in from Hana  
21 specifically to testify. It's 11:15, we're headed into  
22 our lunch hour. Perhaps we should allow them an  
23 opportunity before lunch.

24 ACTING CHAIR U`U: I agree with you. Is that  
25 the consensus of the Commission? Seeing no objection --

1 Commissioner Hiranaga.  
 2 COMMISSIONER HIRANAGA: Is the Staff complete  
 3 with their Agenda Item B?  
 4 MR. HUNT: Yes, we're done.  
 5 COMMISSIONER HIRANAGA: This section regarding  
 6 Directed Growth Maps?  
 7 MR. HUNT: We don't need to talk about that.  
 8 We can talk about that after public testimony as we get  
 9 into the actual mapping exercise.  
 10 ACTING CHAIR U`U: Commissioner Starr.  
 11 COMMISSIONER STARR: Yeah, I have a couple of  
 12 questions, and maybe even a motion related to B, but I  
 13 don't want to do that until after the public has a  
 14 chance to speak.  
 15 ACTING CHAIR U`U: Okay. At this time we're  
 16 gonna now take public testimony. You're allowed a  
 17 maximum of three minutes. And we don't have the buzzer  
 18 readily available, so it's gonna be a cut-off sign. Oh,  
 19 they do have a buzzer. Three minutes. And for those of  
 20 you who didn't testify, I think there's a list to write  
 21 down.  
 22 Commissioner Hiranaga.  
 23 COMMISSIONER HIRANAGA: Commissioner Starr  
 24 said he wanted to ask questions about Agenda Item B. So  
 25 I'm wondering if you need a motion to defer Agenda Item

1 Staff. And as you know, the impacts of your decisions  
 2 here may not be felt for many years, and some of them  
 3 not until you're sitting at a traffic jam five or 10  
 4 years from now. But I -- I really want -- I'm so  
 5 impressed with what I saw here today and with your  
 6 questions. So thank you.  
 7 I served on this commission back in the last  
 8 century. And at that time the best advice we were given  
 9 was you need good information to make good decisions.  
 10 And I'm seeing a lot of good information here today.  
 11 And I'm here to bring you just one piece of  
 12 good information that will relate to the Paia-Haiku  
 13 growth map. There are two versions of that growth map.  
 14 There's the GPAC version and there's the Planning  
 15 Department version. And it shows growth of a rural  
 16 community adjacent to the Old Maui High School. And  
 17 whatever GPAC did, I don't know what they based it on,  
 18 but I'm here to show you what I've circulated to you,  
 19 the same aerial photograph that was in the yearbook of  
 20 the Old Maui High School in 1955. I don't know who was  
 21 brave enough to fly up there, but it shows that H'poko  
 22 Village was on the east side of the school. And I  
 23 believe the GPAC map indicates a Rural Growth area on  
 24 the west side of the school. So in support of historic  
 25 accuracy, I wanted to show you this.

1 B.  
 2 ACTING CHAIR U`U: I was told by Staff, the  
 3 Director, that they was going to do that at a later  
 4 time.  
 5 COMMISSIONER HIRANAGA: Point of --  
 6 ACTING CHAIR U`U: Do you want to make a  
 7 motion?  
 8 COMMISSIONER HIRANAGA: If we're not completed  
 9 with agenda B -- Item Agenda B, do you need a motion to  
 10 defer that?  
 11 MR. HUNT: Staff believes we're done. Item B  
 12 really was a presentation from Staff and then an  
 13 opportunity for questions and answers. We can entertain  
 14 questions and answers as part of Item D. So we're done  
 15 with our presentation.  
 16 ACTING CHAIR U`U: Thanks. Thank you, Staff.  
 17 At this time the first person to testify,  
 18 Barbara Long. Sorry about the wait. You can blame it  
 19 on Staff.  
 20 MS. LONG: I always do. Thank you.  
 21 Thank you, Jonathan.  
 22 Well, still good morning, Chair and  
 23 Commissioners. My name is Barbara Long. And I really  
 24 sincerely wanna thank you for your service to the people  
 25 of Maui. You're doing an amazing job here, as is the

1 And, also say that the only reason -- well,  
 2 several reasons that H'poko was there was, number one,  
 3 the jobs were there, there was a mill there, the  
 4 plantations were there, but the other really important  
 5 thing was that there was public transportation. Kahului  
 6 Railroad ran for some three decades to Central Maui.  
 7 And when they shut down in the mid Thirties, the silver  
 8 buses of the Kahului Railroad took over. So there was a  
 9 commuter line. So bear that in mind when you consider  
 10 Rural Growth out there in the boondocks.  
 11 That's about all I have to say. Thanks for  
 12 your consideration.  
 13 Any questions?  
 14 ACTING CHAIR U`U: Questions for the  
 15 testifier? Commissioner Starr.  
 16 COMMISSIONER STARR: So do you think that we  
 17 should be encouraging growth out there now?  
 18 MS. LONG: I think it should be considered  
 19 after you have used up all the other available options.  
 20 And with the consideration that without transportation  
 21 and without -- H'poko was a new town that was built a  
 22 century ago. It had three churches, it had a post  
 23 office, it had Salvation Army, it had an elementary  
 24 school, it had a high school. It was a self-contained  
 25 town. It's -- it's what you're trying to recreate, from

1 what I understand, in these new Rural Growth areas that  
 2 you're thinking about. So it worked because that was  
 3 the way it was.  
 4 ACTING CHAIR U`U: Director Hunt.  
 5 MR. HUNT: The project that you're involved  
 6 with, as I understand it, is rejuvenating the high  
 7 school site?  
 8 MS. LONG: We like to use the word  
 9 revitalizing.  
 10 MR. HUNT: Thank you. I stand corrected.  
 11 MS. LONG: Yes.  
 12 MR. HUNT: There's been some discussion, as  
 13 you noted, about adding additional growth outside of the  
 14 high school site. Is that critical to your project to  
 15 revitalize the high school?  
 16 MS. LONG: Not in any way.  
 17 MR. HUNT: Thank you.  
 18 MS. LONG: Thank you.  
 19 ACTING CHAIR U`U: Commissioner Shibuya.  
 20 COMMISSIONER SHIBUYA: I just wanted to know  
 21 that -- if you looked at the west side versus the east  
 22 side lands, which land would be better for Ag and which  
 23 would be better for homes?  
 24 MS. LONG: I have no knowledge about that.  
 25 All I can tell you is that in addition to the H'poko

1 Plantation Village, which was mostly workers, the lunas,  
 2 the Baldwins, the Dr. St. Sure, the elite of Maui also  
 3 lived adjacent to H'poko. And I don't think they would  
 4 have lived there if it hadn't been a nice place to live.  
 5 ACTING CHAIR U`U: Thank you. Any more  
 6 questions? Seeing none, thank you very much.  
 7 MS. LONG: Thank you, Commissioners.  
 8 ACTING CHAIR U`U: Next, Susie Baker. Please  
 9 state your name for the record.  
 10 MS. BAKER: I'm Susie Baker. I live in  
 11 Wailuku Country Estates. And I'm here to testify about  
 12 the Rural Residential designation.  
 13 I have planted 80 fruit trees. I have half an  
 14 acre of clumping noninvasive structural bamboo. So I'm  
 15 very concerned that we still are able to maintain our  
 16 water rates because my -- though my fruit trees are  
 17 young, they're just starting to produce fruit, some have  
 18 been in four years, most of them three, some two. But  
 19 in order to be able to sustain this, we need to keep the  
 20 water rate at something that isn't exorbitant.  
 21 Prior to living here, I had a fruit orchard  
 22 that I planted and tended for 10 years in Ulupalakua.  
 23 It's not something new to me. I chose Wailuku Country  
 24 Estates because of the land, the soil was good for  
 25 growing.

1 I'm not young. My husband and I are both in  
 2 our sixties. We spend two to three hours every day  
 3 outside working in the orchard.  
 4 So my -- my concern is that while I thank all  
 5 of you for the work you're doing for our community, it's  
 6 -- it's wonderful, you're giving your time, your energy,  
 7 trying to envision a -- a plan that will work for all of  
 8 the people on Maui.  
 9 I think that we need to realize that some of  
 10 the acreage, the designation of agriculture, doesn't fit  
 11 the picture that perhaps it once did of big land use,  
 12 you know, only a few owners who have a lot of land and  
 13 are able to farm it, but that there are people that can  
 14 farm, that can make a go of their property, with  
 15 different crops. Mine happens to be fruit trees. And  
 16 we should still be granted Agricultural status.  
 17 ACTING CHAIR U`U: Questions? Commissioner  
 18 Starr.  
 19 COMMISSIONER STARR: Yeah. So, to clarify,  
 20 your request is that Maui Country Estates be classified  
 21 Ag 2 on our new chart instead of Rural Residential?  
 22 MS. BAKER: Exactly.  
 23 COMMISSIONER STARR: Thank you.  
 24 MS. BAKER: Exactly. Then perhaps if you --  
 25 we had -- we had to submit a farm plan, we have to every

1 -- I think it's two years, in the -- at the present,  
 2 maybe it's three, have to re-submit a plan with the  
 3 County, I want to say assessors, the tax office, so that  
 4 we reshow what our farm looks like. We have to have  
 5 pictures, we have to redraw our plan. So, you know, we  
 6 are really using -- or I am personally really using my  
 7 land as a farm. And so if I could keep it that way,  
 8 keep my land, my water rights, I'd be very appreciative.  
 9 ACTING CHAIR U`U: Questions? Seeing none,  
 10 thank you very much.  
 11 MS. BAKER: Thank you.  
 12 ACTING CHAIR U`U: Next, we have Farrokh  
 13 Irani. Sorry if I mispronounce your name.  
 14 MR. IRANI: You did very well. Thank you.  
 15 ACTING CHAIR U`U: I asked for help, by the  
 16 way. Please state your name.  
 17 MR. IRANI: My name is Farrokh Irani. And I  
 18 live at the Wailuku Country Estates, also.  
 19 And I'd like to request that the properties in  
 20 Wailuku Country Estates be classified as Ag 2. As  
 21 everybody knows, it was an old mac nut orchard, the soil  
 22 is rich in organic products, easily cultivated, and  
 23 things really grow there. I, too, have a large fruit  
 24 orchard, over an acre and-a-half, hundreds of trees were  
 25 planted that I have been growing for year and-a-half to

1 maybe two years now. The advantage of being there is we  
2 are close to the populated areas, so the products that  
3 we grow can be sold locally very easily.

4 We also have a separate water meter for our Ag  
5 use, and potable meter. So we have two meters for each  
6 lot. So it makes it easy to separate out the -- the  
7 usage. And the Ag water doesn't have to be put to the  
8 same process as the potable water.

9 The County does control what happens in this  
10 Ag subdivision. The Farm Plan is required as part of  
11 your -- registered with the Bureau of Conveyances and as  
12 part of your title. So the next owner has to abide by  
13 the Farm Plan. There is a permitting process that the  
14 County goes through. And each time you get a new permit  
15 for a secondary dwelling, or if you have one dwelling,  
16 then they come and re-check your property to make sure  
17 you -- you've complied with the Farm Plan. And most of  
18 us have applied and got Ag exemptions.

19 The owners are working to set up the farm  
20 activities. It takes time. It's a new subdivision.  
21 It's gonna take time. It's gonna take four or five  
22 years to get everybody on track there.

23 And as everybody knows, Hawaii has a great  
24 growing period, all year-round, we can grow a lot of  
25 crops. That's what we do, lots of fruit stuff, food

1 sensitive lands. What does that mean?

2 But most important is, how do these proposed  
3 designations affect my ability to rebuild the homes on  
4 my property if destroyed by fire or other perils? My  
5 understanding is that all classifications have to be  
6 consistent before I can pull a building permit.

7 And you know, I'm kind of -- obviously, this  
8 thing is kind of upsetting me because there was -- there  
9 was no notice. You know, we're in the SMA. I realize  
10 that. But, I mean, how can things like this, you know  
11 -- I think there needs to be more communication with the  
12 people that are living out there and, you know, the --  
13 the impacts.

14 And, you know, I'm very familiar with dealing  
15 with the County. I mean, I've gone through all the  
16 hoops like everybody else. And that's why I'm here,  
17 because I want this thing changed.

18 And for one thing, I don't know how it got  
19 there.

20 So those are my questions.

21 ACTING CHAIR U`U: Staff, could you answer for  
22 clarity? What would happen if it was -- if it's  
23 designated Regional Park? That would be good  
24 clarification for myself and maybe anybody else in  
25 the --

1 stuffs. And I am proud to say that last year was the  
2 first year that I did make a profit on this small  
3 acreage. And it is possible.

4 Thank you.

5 ACTING CHAIR U`U: Thank you. Questions for  
6 the testifier? Seeing none, thank you very much.

7 Next up is Gerald Hokoana.

8 MR. HOKOANA: Mr. Chairman, fellow  
9 Commissioners, I asked the Staff to circulate a copy of  
10 a map of my property, which is located in Maliko. And,  
11 also, copy of the map that is being discussed right now.

12 Anyway, my name is Gerald Hokoana. I'm the  
13 owner of property located 1980 Hana Highway in Maliko.  
14 And TMK is 2-5-418. I have two farm dwellings on the  
15 property along with detached carport/storage structures.  
16 My property currently has the following designations:  
17 It's State classified Agriculture, it's in the  
18 Paia-Haiku Community Plan Agriculture, and it's, also,  
19 County-zoned Ag.

20 I would like answers to the following  
21 questions as it relates to this map:

22 Number one is, why on this map is my property  
23 being designated for Regional Park?

24 Two: It also appears that my property is  
25 affected by another land use element referred to as

1 COMMISSIONER STARR: Excuse me, Mr. Chair.  
2 Point of order.

3 ACTING CHAIR U`U: Yes.

4 COMMISSIONER STARR: We're taking testimony  
5 now. It is unusual and kind of goes against Robert's  
6 Rules of Order for commissioners to start asking  
7 clarifications from Staff during public testimony.

8 ACTING CHAIR U`U: Well, we can bring that up  
9 at a later time, Gerald.

10 COMMISSIONER STARR: I agree with that.

11 ACTING CHAIR U`U: We can bring it up at a  
12 later time.

13 Any questions for the testifier?

14 I got a question. So you were given no notice  
15 prior. Do you feel -- my question is, do you feel that  
16 a lot of people outside is unaware of what's happening  
17 right now?

18 MR. HOKOANA: Well, I -- you know, it seems  
19 like the sensitive area is all along the gulches. Okay.  
20 Haiku get plenty gulches. West Kuiaha, Waikina Loop.  
21 There's families living all in there.

22 So what does this sensitive lands mean? Does  
23 it create a problem as far as building?

24 And, you know, it's -- it's amazing because  
25 this -- this whole -- you know, how that line moved

1 inland. You know, I got a State boundary interpretation  
 2 from 1980 that shows my property as being Ag, and makai  
 3 of the highway is Conservation. Okay. And over the --  
 4 and I also have, you know, a letter of zoning signed by  
 5 Aaron Shimoto, years ago, stating that my property is in  
 6 the -- was Interim, but it was subsequent enact in the  
 7 Ag bill. And then anything -- my property was --  
 8 Community Plan, it was Ag, so that -- that gave me the  
 9 Ag zoning.

10 So, you know, I'm just really unhappy with  
 11 this. And I am particularly unhappy because any time  
 12 everybody -- anybody goes through any kind of major SMA,  
 13 you gotta notify all the -- the property owners across  
 14 from you and within -- I don't know -- I guess the  
 15 adjacent property owners. But where I live, I only have  
 16 three neighbors. We love it down there. And I farm.  
 17 So do my neighbors. And I need to know what kind of  
 18 impact this thing is gonna have on me and my neighbors.

19 ACTING CHAIR U`U: Thank you. And we'll bring  
 20 up the questions.

21 Questions for the testifier? Seeing none,  
 22 thank you very much.

23 Next on the list is Grant Chun.

24 MR. CHUN: Good morning, Mr. Chairman, Members  
 25 of the Commission. I'm Grant Chun from A&B Properties.

1 I know that you all will be starting your  
 2 review of the Maui Island Plan's draft maps and  
 3 boundaries. And I understand that you will be starting  
 4 that review with the Paia-Haiku area. So I'll just  
 5 focus my brief comments this morning on our lands within  
 6 that region.

7 Specifically, I note that -- and this could  
 8 all be moot depending upon what you do based upon this  
 9 morning's presentation, of course. But I note that in  
 10 both the Maui Planning Department and General Plan  
 11 Advisory Committee versions of the map, there is a  
 12 68-acre area at Hamakuapoko designated as Rural  
 13 Residential. And this area is also currently reflected  
 14 in the existing Paia-Haiku Community Plan.

15 In our presentation to the General Plan  
 16 Advisory Committee in September of '07, we had actually  
 17 indicated that, if this area were to present a viable  
 18 opportunity for community development, it would actually  
 19 need to be larger than what's reflected in the map. The  
 20 reason for this is that it lacks any infrastructure to  
 21 speak of. Plus, it's unlikely that it would ever be  
 22 economically viable to pursue development of an area  
 23 such as this at this particular location.

24 So what I would throw out to you all, is, as  
 25 an alternative to the proposal at hand, we would

1 respectfully request your consideration of inclusion of  
 2 our Kuau acreage within the Maui Island Plan. This  
 3 acreage -- and I have a map which I will provide to you  
 4 all for the record as well, but it's approximately 71  
 5 acres in size. And it's already situated within the  
 6 State Urban District. It's surrounded by existing  
 7 residential uses. And it's on Hana Highway, you know,  
 8 right in proximity to existing infrastructure. So --

9 And, further, with the progress that the State  
 10 is making in its review of the proposed relief route at  
 11 Paia, we see this as an area that, you know, again has  
 12 potential for increased viability and cost-effective  
 13 provision of affordable housing. Essentially an infill  
 14 kind of a project near town.

15 And I just throw that out.

16 And I know that, to the extent that the growth  
 17 projections that you all discussed this morning are what  
 18 you go with, maybe there's no need, but I'll leave this  
 19 with you, Mr. Chair. And you folks can use it for your  
 20 deliberations as appropriate.

21 ACTING CHAIR U`U: Thank you.

22 Question, Commissioner Starr.

23 COMMISSIONER STARR: Yeah. Thank you,  
 24 Mr. Chun. I do appreciate what I see as an attempt to  
 25 try to consolidate projects to be -- to be more workable

1 and to have a little more density within existing  
 2 communities.

3 And, you know, one of our other goals, of  
 4 course, is to try to protect shoreline areas, especially  
 5 lands makai of -- of the roads. I'm wondering whether  
 6 there is an interest on the part of the landowner, both  
 7 in the Kuau area as well as in the Spreckelsville area,  
 8 to possibly do transfer of development rights and allow  
 9 the shoreline area everything makai of the -- of the  
 10 existing road to be put into, you know, possible Park or  
 11 Conservation in exchange for granting more density  
 12 possibly extending boundaries mauka of the road.

13 MR. CHUN: Just to clarify -- thank you,  
 14 Mr. Starr, for the question -- the area I described is  
 15 mauka of the road. We don't actually own lands makai of  
 16 the road in that particular location.

17 But in -- in answer to your question, which  
 18 you actually asked me the last time I was here, yeah,  
 19 we're very interested in working with the County, the  
 20 Department, the Administration, on -- you know, on that  
 21 sort of strategy. As you know -- well, I realize that  
 22 the transfer of development rights is a mechanism that's  
 23 reflected in the Proposed General Plan Update, not yet  
 24 reflected in the ordinances of the County of Maui. But  
 25 as an implementing measure for the plan, as I understand



1 it, one of the implementing measures will be to  
2 institute such an ordinance. And we welcome the  
3 opportunity to work with you folks should such an  
4 ordinance be adopted.

5 ACTING CHAIR U'U: Thank you.

6 Commissioner Hiranaga.

7 COMMISSIONER HIRANAGA: Just to clarify.  
8 H'poko, you're talking about 68 acres?

9 MR. CHUN: Yes.

10 COMMISSIONER HIRANAGA: I know you don't have  
11 a copy of this map, but maybe the Staff can answer. The  
12 entire red area, is that 68 acres or is this --

13 MR. CHUN: Actually, I can speak to that. In  
14 the -- the General Plan binders that you all were  
15 provided with, under Tabs 4 and 5 are maps that reflect  
16 the General Plan Advisory Committee's work. And on both  
17 those maps are two blue lines in the H'poko area. One  
18 that surrounds the campus, that Mrs. Long just spoke of,  
19 and another that sort of frames that campus which  
20 reflects for Rural Residential activity.

21 And Mr. Starr is correct in -- in terms of the  
22 density reflected at that location is a rural density,  
23 however, at Kuau, you know, we do have an Urban  
24 designation. So theoretically, density could be  
25 increased there.

1 didn't propose the area to the General Plan Advisory  
2 Committee, I or others from our firm were, you know, at  
3 the meetings where they discussed the thoughts as far as  
4 inclusion in this area. And we agree that it, you know,  
5 presents a -- a good opportunity.

6 COMMISSIONER HIRANAGA: Warm, lukewarm, cold,  
7 hot?

8 MR. CHUN: I don't know. I'm not a  
9 temperature gauge kind of guy. But I think -- unlike  
10 H'poko, I think it's -- it's -- it's close to  
11 infrastructure, it's close to existing, you know, small  
12 town. It's got existing density of existing residential  
13 activity right in the corridor. So I think it presents,  
14 you know, potential, definitely.

15 ACTING CHAIR U'U: Commissioner Hiranaga.

16 COMMISSIONER HIRANAGA: First, clarification,  
17 is Haliimaile in the Paia-Haiku Community Plan or the  
18 Upcountry Community Plan?

19 MR. CHUN: Upcountry, I believe.

20 COMMISSIONER HIRANAGA: So these maps are not  
21 based upon community planned areas?

22 MR. SUMMERS: That's correct.

23 ACTING CHAIR U'U: I would assume so.

24 COMMISSIONER HIRANAGA: For the record, we  
25 need a verbal response.

1 ACTING CHAIR U'U: Commissioner Hiranaga.

2 COMMISSIONER HIRANAGA: So what you're saying  
3 is instead of developing that rural area that's  
4 recommended by GPAC, you would prefer the Kuau  
5 Residential lots?

6 MR. CHUN: I -- I think it's more viable,  
7 Mr. Hiranaga, yes.

8 COMMISSIONER HIRANAGA: Okay.

9 ACTING CHAIR U'U: Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: If no other  
11 Commissioners have questions.

12 The proposed GPAC boundaries for the expansion  
13 of Paia Town -- I don't know if you could pull up map  
14 N1, the Directed Growth and Development Projects Map.  
15 It's not proposed by the developer based upon these  
16 maps; it's proposed by GPAC. So I'm wondering what is  
17 the reality, assuming you own most of this land, A&B  
18 does --

19 MR. CHUN: Yes.

20 COMMISSIONER HIRANAGA: What is the reality of  
21 you actually developing this area?

22 MR. CHUN: We think that the work of the GPAC,  
23 as reflected on the map, is -- presents some -- a viable  
24 opportunity, actually, for accommodating for increased  
25 density in this small town area. We were -- although we

1 ACTING CHAIR U'U: Staff.

2 MR. HUNT: Mark King gave that a thumbs up.

3 COMMISSIONER HIRANAGA: I guess one last  
4 question. So Spreckelsville Mauka is actually in the  
5 Wailuku-Kahului Community Plan and not in the  
6 Paia-Haiku?

7 MR. CHUN: That's correct.

8 COMMISSIONER HIRANAGA: One last question.  
9 The Paia Rural Residential, is that something you guys  
10 are advocating?

11 MR. CHUN: Paia Rural Residential is which  
12 one? I'm sorry.

13 COMMISSIONER HIRANAGA: It sort of surrounds  
14 Paia School, east or west of it.

15 MR. CHUN: Oh, I see. We did speak to that at  
16 the General Plan Advisory Committee. To my knowledge,  
17 it's not included in the proposed maps that came out of  
18 that process. So we've kind of backed off from further  
19 discussion on that.

20 And, actually, to clarify, we actually spoke  
21 to it in the General Plan process because it was  
22 something that is also in the existing Community Plans.  
23 We thought we would be remiss if we didn't at least  
24 address it.

25 COMMISSIONER HIRANAGA: Okay.

1 ACTING CHAIR U`U: Commissioner Starr.  
 2 COMMISSIONER STARR: Yeah. There is a viable  
 3 coral reef off of Paia and Kuau, even though it's a  
 4 little ways off shore. I'm wondering if we do work to  
 5 move -- increase the density at Kuau and reduce it at  
 6 Hamakuapoko, wouldn't you be willing to give a -- you  
 7 know, at least a verbal commitment at this time that all  
 8 storm runoff will be retained mauka of the road?

9 MR. CHUN: You know, I'm really not situated  
 10 to speak to those kinds of issues today. But I'm sure  
 11 as we go through the process of obtaining the plan and,  
 12 of course, zoning and everything else, should we get  
 13 that far, we, you know, of course, would be able to  
 14 speak more conversantly. But, you know, I'm not an  
 15 engineer, I'm not familiar with what all you're asking  
 16 exactly means. So I would prefer not to make any verbal  
 17 commitments right now.

18 ACTING CHAIR U`U: Thank you.  
 19 Questions? Commissioner Mardfin.

20 COMMISSIONER MARDFIN: I think just a quick  
 21 one. In the beginning, you said that, if we stay with  
 22 the maps for Hamakuapoko, you have some lands within the  
 23 boundary, is that correct?

24 MR. CHUN: Within the boundary on the existing  
 25 map that was submitted by --

1 Hawaii's timeshare industry currently accounts  
 2 for 10 percent of the State's lodging inventory with  
 3 8,800 timeshare units and more planned for the future.

4 ARDA-Hawaii is concerned that the MIP has gone  
 5 off track as it relates to securing Maui as a  
 6 sustainable vibrant place that honors its past and  
 7 provides economic and lifestyle opportunities for today  
 8 and the future. Specifically, we are concerned with  
 9 policy statements in the draft MIP opposing future  
 10 timeshare development and ownership. The MIP should not  
 11 be an implementation manual with specific restrictions,  
 12 standards, prohibitions and limitations, but serve as a  
 13 general policy guidance document that current and future  
 14 policymakers can utilize.

15 Just as a sidebar, we wanna thank the  
 16 Commissioners for proposing to soften the language  
 17 against timeshare. We hope your proposed language is  
 18 retained.

19 Timeshare pays the highest rate of property  
 20 taxes in Maui County, where the current real property  
 21 tax rate for timeshare is \$14 per \$1,000 in building and  
 22 land value. All of the generated timeshare property tax  
 23 revenues stay in Maui, supporting Maui programs.

24 Timeshare also pays the Transient  
 25 Accommodations Tax, or the TAT, and a tax on maintenance

1 COMMISSIONER MARDFIN: Right.

2 MR. CHUN: Correct.

3 COMMISSIONER MARDFIN: But you said at the  
 4 beginning that would not be feasible to do if it's only  
 5 that amount, is that correct?

6 MR. CHUN: Yes.

7 COMMISSIONER MARDFIN: So you would want that  
 8 essentially withdrawn? If we don't give you a larger  
 9 one, you may as well withdraw it.

10 MR. CHUN: It essentially won't occur. Yes.

11 COMMISSIONER MARDFIN: Thank you.

12 MR. CHUN: There's no water, there's no sewer,  
 13 there's inadequate road.

14 ACTING CHAIR U`U: Questions?  
 15 Seeing none, thank you very much, Grant.

16 MR. CHUN: Thank you. Chairman, I'll leave  
 17 the testimony with the Staff.

18 ACTING CHAIR U`U: Thank you.

19 Next we got Ed Thompson.

20 MR. THOMPSON: Good morning, Chair U`u and  
 21 Members of the Planning Commission.

22 My name is Ed Thompson. And I'm representing  
 23 the American Resort Development Association of Hawaii,  
 24 which is the local chapter of the National Timeshare  
 25 Trade Association.

1 fees for each timeshare interval, all of which goes to  
 2 the State. So statements made by timeshare detractors  
 3 who say we don't pay our fair share of tax are simply  
 4 not true. We pay the highest taxes in the visitor  
 5 industry.

6 There is, also, a misconception that timeshare  
 7 visitors do not spend money in the community. In fact,  
 8 current research indicates otherwise, that timeshare  
 9 visitors spend an average of \$4,200 during their stay in  
 10 Hawaii. And their vacation spending adds to about \$1.6  
 11 billion a year for the State.

12 Another important fact is timeshare provides  
 13 good-paying jobs for Maui residents. And these jobs are  
 14 less vulnerable to peaks and valleys in the visitor  
 15 industry. So while hotels have been laying off  
 16 employees due to low occupancy, timeshare occupancy has  
 17 remained stable which has allowed timeshare to retain  
 18 their employees during these tough economic times.

19 Timeshare properties give back to the  
 20 community as reflected in significant contributions  
 21 during the annual Visitor Industry Charity Walk, which  
 22 raised over \$310,000 on Maui this year. We also made a  
 23 contribution to support the Maui Interscholastic League  
 24 in supporting their high school athletic programs,  
 25 because of this very tight budget year for the -- for

1 the league. We have also been a partner with community  
 2 programs that help children and youth.  
 3 Timeshare occupancy is proven to be resilient  
 4 in Hawaii and on Maui, even during these tough times.  
 5 In yesterday's article in the Pacific Business News, it  
 6 was reported that -- I'll wrap it up really quick.  
 7 ACTING CHAIR U`U: Please.  
 8 MR. THOMPSON: We just wanted, again, to ask  
 9 that the Commission, you know, support removing some of  
 10 these negative policy statements. And we do support the  
 11 language that you have put in and we hope that's  
 12 retained.  
 13 ACTING CHAIR U`U: Thank you.  
 14 Questions? Commissioner Starr. I mean,  
 15 Commissioner Guard.  
 16 COMMISSIONER GUARD: Thank you.  
 17 Did you follow the GPAC? Because we've been  
 18 talking to people outside of this arena here and just  
 19 wondering if you feel like the visitor industry was well  
 20 represented on the GPAC?  
 21 MR. THOMPSON: We don't believe we were well  
 22 represented in the GPAC.  
 23 COMMISSIONER GUARD: Just -- okay. Thank you.  
 24 ACTING CHAIR U`U: Questions? Seeing none --  
 25 Commissioner Shibuya.

1 MR. THOMPSON: Yes.  
 2 COMMISSIONER SHIBUYA: I just wanted to find  
 3 out. Of this 88 units that you have today, they're  
 4 maintained by employees from Hawaii, from Maui, per se.  
 5 How many of them are actually more than 20 hours a week  
 6 type workers and how many are less than 20 hours a week?  
 7 MR. THOMPSON: Okay. I would have to find  
 8 that information for you.  
 9 COMMISSIONER SHIBUYA: Okay. Thank you.  
 10 ACTING CHAIR U`U: Commissioner Mardfin.  
 11 COMMISSIONER MARDFIN: I'm just -- here's a  
 12 technical question. You talked about the TAT.  
 13 MR. THOMPSON: Yes.  
 14 COMMISSIONER MARDFIN: I'm assuming -- correct  
 15 me if I'm wrong -- if somebody comes in and rents,  
 16 you're gonna pay the TAT on it. What if the owner comes  
 17 in and stays his two weeks or whatever happens?  
 18 MR. THOMPSON: The owner would pay -- it's  
 19 called a TOT, the Transient Occupancy Tax, which is a  
 20 tax on the maintenance fee that they pay while they stay  
 21 here.  
 22 COMMISSIONER MARDFIN: So the maintenance fee  
 23 they pay on, but not -- you wouldn't be charging them a  
 24 rent, so there wouldn't be a TAT involved?  
 25 MR. THOMPSON: That's correct.

1 COMMISSIONER MARDFIN: Thank you.  
 2 ACTING CHAIR U`U: Questions? Seeing none,  
 3 thank you very much.  
 4 MR. THOMPSON: Thank you very much.  
 5 ACTING CHAIR U`U: Next, Hilary -- oh, I'm  
 6 sorry, one last question.  
 7 COMMISSIONER HIRANAGA: Actually, it's a  
 8 question for the Chair.  
 9 ACTING CHAIR U`U: My bad. My mistake.  
 10 Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: Or for the Director.  
 12 It's my understanding we are done with the narrative  
 13 section of this Maui Island Plan, we're not going back  
 14 there, is that correct?  
 15 MR. HUNT: You're done with virtually all of  
 16 it. You still have the implementation and monitoring.  
 17 But, yeah, the next step is the mapping and then, after  
 18 that, implementation and monitoring. You did -- the  
 19 body did adopt softer language, you know, in regards to  
 20 timeshares.  
 21 COMMISSIONER HIRANAGA: Okay. Thank you.  
 22 ACTING CHAIR U`U: Thank you.  
 23 Please state your name for the record.  
 24 MS. HARTS: My name is Hilary Harts. Good  
 25 morning, Chairperson and all Commissioners.

1 First off, thank you for this wonderful  
 2 presentation. And for the Staff, it's an excellent  
 3 education.  
 4 I'm here on behalf of Na Mama O Muolea Point  
 5 out in Hana. I'm also a resident of Hana and speaking  
 6 for myself, also.  
 7 My understanding is, is from the community --  
 8 from the General Plan, there's an overlay of future  
 9 potential development that can be brought along,  
 10 especially the coastlines, all along the Hana area,  
 11 mainly from Hana Bay all the way down south, along.  
 12 And I wanna thank you, Commissioner Starr, for  
 13 bringing up your, numerous times today, attention to  
 14 prevention along and protecting the coastal shorelines,  
 15 which I feel is an asset to all the island, but  
 16 especially in Hana.  
 17 Hana is definitely referred to as one of the  
 18 last Hawaiian places. And anybody who goes out there  
 19 loves the open spaces.  
 20 There has been -- when I was talking with  
 21 David Michaelson, he referred that the overlay that has  
 22 been presented for the Interim and Ag lands was kind of  
 23 grandfathered in and overlaid. And it seems excessive  
 24 that so much land be brought to potential development.  
 25 So as you review this in the future here,

1 shortly, I just would like to bring to your attention  
2 to -- maybe, as a preventive measure, to try to shrink  
3 what could be future potential land towards Ag or  
4 Interim and as it may be shifted in its zoning towards  
5 Rural.

6 Also, in terms of speaking on behalf of Na  
7 Mama O Muolea, it is owned by the County. It's your  
8 land, our land. And any development that is (inaudible)  
9 from the land there, we have extensive organizations  
10 with DLNR.

11 MS. STALEY: Two minutes.

12 MS. HARTS: So I just would like for you to be  
13 aware of the impact along the coastal lines -- lands of  
14 Hana and help protect them.

15 Thank you so much.

16 ACTING CHAIR U'U: Thank you.

17 Questions? Commissioner Starr.

18 COMMISSIONER STARR: I -- I believe you're  
19 referring to these blue areas?

20 MS. HARTS: Yes.

21 COMMISSIONER STARR: From -- heading from Hana  
22 towards Kipahulu?

23 MS. HARTS: Correct.

24 COMMISSIONER STARR: And, you know, the way  
25 it's set down, they would be put into Rural, they would

1 of lands makai of the highway and lands mauka of the  
2 highway?

3 MS. HARTS: Of course I'm in favor of all  
4 makai lands, all shore land lines -- lands be protected.  
5 And I think if there's development that the -- the -- up  
6 the mountainside land be the area that would be the  
7 first that would go towards development. So that the  
8 shore lands -- line lands would be protected.

9 ACTING CHAIR U'U: Commissioner Mardfin.

10 COMMISSIONER MARDFIN: I know you are with Na  
11 Mama O Muolea.

12 I wonder if Mark could zero in on that and see  
13 what the current mapping looks like for that area. I  
14 don't know if you quite know where that is.

15 And I would remind the Council Members that  
16 this organization did provide --

17 COMMISSIONER STARR: Down.

18 COMMISSIONER MARDFIN: -- to the Commission a  
19 10-page paper on Muolea Point and what the protections  
20 are. So we do have that in the stuff we've received  
21 over the last several months.

22 MS. HARTS: So Muolea Point, you can see right  
23 there, is quite a large point. And all the lands,  
24 there's some of the -- the lands that would be  
25 potentially for development would -- would -- if there

1 be inside Rural Growth Boundaries. Did I get it right  
2 that you don't think that they should be made to move  
3 from Ag to Rural?

4 MS. HARTS: Correct.

5 COMMISSIONER STARR: Thank you.

6 ACTING CHAIR U'U: Questions? Commissioner  
7 Mardfin.

8 COMMISSIONER MARDFIN: I think a lot of it is  
9 from Interim to Rural. And you would prefer not to see  
10 it become Rural no matter what the current zoning is?  
11 Is that --

12 MS. HARTS: Yes. It's -- it's -- I must say I  
13 still have a little confusion around it myself. But as  
14 I understand from the General Plan that was  
15 grandfathered in, there suddenly is this overlay of  
16 potential development that could just suddenly be put  
17 into the plan for allowing future development. And so  
18 if that could be reviewed as -- and brought up to date  
19 from everybody's wishes, and not to just have a  
20 mandatory overlay and potential, so the County Council,  
21 et cetera, wouldn't have -- we wouldn't have to go back  
22 and do preventive. We could do preventive at this point  
23 in time.

24 ACTING CHAIR U'U: Commissioner Mardfin.

25 COMMISSIONER MARDFIN: You make a distinction

1 was development, there would be -- from the silt,  
2 everything that would be coming down. We're now doing a  
3 lot of work to protecting it, taking out invasives and  
4 bringing in children and projects, et cetera, et cetera.  
5 I don't need to get into all that. But it's just the  
6 sense of -- of allowing that to stay intact and all the  
7 hard work that has gone forth there.

8 COMMISSIONER MARDFIN: And the part that your  
9 organization guards is the --

10 MS. HARTS: There's --

11 COMMISSIONER MARDFIN: -- makai of the  
12 highway, it looks green to me with the -- woops, we just  
13 lost the --

14 MS. HARTS: It's makai of the highway, it's 72  
15 acres. It's been in Conservation now.

16 COMMISSIONER MARDFIN: It was the green with  
17 the hatching on it, as I --

18 MS. HARTS: It jumped away so quickly.

19 COMMISSIONER MARDFIN: I know. The green with  
20 hatching makai of the freeway, light green?

21 MS. HARTS: Yes, I believe so.

22 COMMISSIONER MARDFIN: Thank you very much.

23 MS. HARTS: Okay.

24 ACTING CHAIR U'U: Any further questions?

25 Seeing none, thank you very much.

1 MS. HARTS: Thank you so much.  
 2 ACTING CHAIR U`U: Next we got Rick -- I'm not  
 3 gonna attempt to pronounce your last name. Rick  
 4 Erhincrook. It says that he submitted written  
 5 testimony.

6 Next up is Randy Ragon.

7 MR. RAGON: Just a note on Rich Erhincrook.  
 8 He's in Montana. He just wanted his testimony  
 9 submitted.

10 ACTING CHAIR U`U: Thank you.

11 MR. RAGON: Thank you. My name is Randy  
 12 Ragon. I'm a resident of Olowalu and the current  
 13 President of the Olowalu Mauka Homeowners Association.

14 After many months of public testimony, there  
 15 should be some clear conclusions that can be drawn  
 16 regarding the inclusion of Olowalu in the General Plan.  
 17 Only a small group of people have testified in favor of  
 18 leaving Olowalu in the plan. That group includes the  
 19 developer and a few locals who are already receiving  
 20 benefits from the developer or who have been promised  
 21 personal gain in the future.

22 It should be noted that many of this group sat  
 23 on the GPAC board as voting members and controlled those  
 24 meetings despite obvious conflicts of interest.

25 Those opposed to the plan include Maui

1 Tomorrow, the marine biology and marine activity  
 2 community, environmentalists, as well as several  
 3 concerned citizens who do not live in Olowalu.

4 In addition, you have heard strong and  
 5 passionate testimony from the majority of Olowalu  
 6 residents, including locals that are opposed. Its  
 7 ancestry in Olowalu, date backs -- dates back longer  
 8 than any other landowners or residents.

9 Even the former Planning Director, Mike Foley,  
 10 in addition to the current Planning Director, Jeff Hunt,  
 11 publicly stated that Olowalu should not be put into the  
 12 plan, citing the lack of infrastructure in the area.

13 We have proven that the money people, OEA,  
 14 have a blatant disrespect for the environment, the  
 15 community and the government. We have proven that  
 16 Frampton and Ward have not been forthright and honest  
 17 and were also involved in disrespecting the environment,  
 18 the community and the government.

19 If approved, there is no guarantee that this  
 20 group would not sell out to someone like another  
 21 mainland investor who knows nothing about the culture  
 22 and the history of the area. If they stay, we can only  
 23 expect more of the same, which currently is an absolute  
 24 mess.

25 As we move into the future, we need to send a

1 strong message to developers like Peter Martin and his  
 2 team. We need the Planning Commission to enforce  
 3 maximum fines against him for violations of several of  
 4 their permit conditions. We absolutely should not  
 5 reward bad development and dishonest dealings by  
 6 allowing this group to further develop Olowalu.

7 If the Olowalu homeowners and the citizens of  
 8 Maui cannot get the Planning Commission to enforce  
 9 against the developer, we may be forced into litigation  
 10 with the developer and the County and the State  
 11 enforcement agencies, costing more taxpayer money which  
 12 nobody wants or needs during these difficult economic  
 13 times.

14 MS. STALEY: Two minutes.

15 MR. RAGON: It will be the only choice left  
 16 for -- for us to protect our environment, our health and  
 17 safety and welfare, and to ensure completion of the  
 18 existing development. If not, the citizens of Maui and  
 19 our homeowners will probably have to pay for what the  
 20 developer should have finished a long, long time ago.

21 A "no" vote by the Planning Commission,  
 22 followed by enforcement and a bond, not only protects  
 23 the community and environment, but it also allows us to  
 24 evolve naturally, to perpetuate the culture of Olowalu.

25 In the old days, the people of Olowalu lived

1 by faith to kokua and shared aloha with one another.  
 2 They truly lived malama aina, loving and respecting the  
 3 land.

4 Our community and the citizens of Maui are  
 5 respectfully asking that the Planning Commission leave  
 6 Olowalu out of the plan so we can begin to transform our  
 7 agricultural community back to what it was in the days  
 8 of Kamehameha.

9 Thank you very much. Appreciate your time.

10 ACTING CHAIR U`U: Thank you.

11 Questions for the testifier?

12 (Applause.)

13 ACTING CHAIR U`U: Seeing none, thank you very  
 14 much.

15 Next we have Irene Bowie.

16 Commissioner Starr?

17 COMMISSIONER STARR: Yeah. I just -- I just  
 18 wanna make a correction on something I said when I asked  
 19 a question of the last testifier. Those lands in Hana  
 20 that are blue, they're actually shown as Rural currently  
 21 on the County Community Plan map. I said they were Ag,  
 22 but I was wrong.

23 ACTING CHAIR U`U: Thank you for the  
 24 clarification.

25 MS. BOWIE: Good afternoon, Chair and

1 Commission Members. My name is Irene Bowie. I'm with  
2 Maui Tomorrow Foundation.

3 Maui Tomorrow supports a strong Maui Island  
4 Plan with clear specific policy language consistent with  
5 GPAC and Planning Department guiding principles and  
6 compliant with best planning practices in order to  
7 restore balance and maintain quality of life for Maui  
8 residents. We must resist the call for broad, flexible  
9 language, as a policy which is open to multiple  
10 interpretations is worse than no policy at all.

11 Developers favor outlying areas because those  
12 locations place the fewest constraints on their process,  
13 but modern planning principles suggest infill and  
14 revitalization followed by the expansion of existing  
15 boundaries to fulfill development needs first.

16 With those principles in mind, we've rated  
17 four projects for Central Maui.

18 The first is Waiale, on the western edge of  
19 Kahului, on flat land adjacent to Maui Lani. It was  
20 rated as average, as it's expected to slightly exceed  
21 the minimum number of affordable housing units required  
22 by County Code. Of the Central Maui projects evaluated,  
23 Waiale is closest to existing jobs and near at-capacity  
24 schools and a fire station. Located on an existing  
25 highway, water and sewage lines can easily extend to

1 Waikapu and Wailuku, in conflict with the adopted  
2 Community Plan.

3 An open space greenbelt is essential to  
4 separate the existing towns. Otherwise, this project is  
5 comparable to Waiale and Waikapu projects.

6 Maui Tomorrow's rating system follows the  
7 general principle of modern planning policy which seeks  
8 a balance of employment and housing locations, keeping  
9 them close to minimize new infrastructure and community  
10 needs.

11 We applaud the planned A&B Kahului Town as a  
12 good model for Central Maui to follow. And we support  
13 the Planning Director's Urban Growth Boundaries and the  
14 priority given to revitalization and infill.

15 Thank you.

16 ACTING CHAIR U'U: Thank you. Questions for  
17 the testifier? Seeing none, thank you very much.

18 Next we have Ke`eaumoku Kapu.

19 MR. KAPU: Good morning, Ladies and Gentlemen  
20 of the Council. My name is Ke`eaumoku Kapu, from  
21 Lahaina.

22 Just brief little history. When you talk  
23 about that agriculture lands based upon the 50 percent  
24 of agriculture that needs to be implemented in the plan,  
25 well, let me broaden everybody's manao the way that

1 this land. GPAC recommended the number of units be  
2 reduced from 3,780 to 2,552. And we support that  
3 recommendation.

4 Next is Maalaea Mauka, at the western end of  
5 Maui's Central valley. Three to ten miles from Kahului,  
6 Kihei and Lahaina. This was given the lowest rating  
7 because of its distance from jobs and because the high  
8 cost of providing needed infrastructure and basic public  
9 services will make building affordable housing very  
10 difficult. The site runs along a State highway that  
11 must be widened and may be rerouted through the  
12 development.

13 Waikapu Town Center was rated a little above  
14 average. It's expected to slightly exceed the minimum  
15 number of affordable housing units required and be  
16 fairly close to existing jobs in Central Maui and near  
17 at-capacity schools. This site is within a reasonable  
18 distance of a fire station. And the new station is  
19 included on the master plan.

20 MS. STALEY: Two minutes.

21 MS. BOWIE: It's located on a congested  
22 section of Honoapiilani Highway. It includes extensions  
23 to significant regional roads.

24 Last is Puunani, rated below average as it  
25 would eliminate the existing agricultural buffer between

1 actually came from.

2 Back in 2003, maybe 2004, Kuleana Kuikahi, LLC  
3 filed a lawsuit against the County. And we're in the --  
4 the declaratory ruling with the State Land Use  
5 Commission based upon agriculture lands that were in  
6 Launiupoko, from Launiupoko to Kauaula, my place. We  
7 filed this declaratory ruling with the State Land Use  
8 Commission. And that case is still pending. We're in  
9 the -- we're right in the midst of an appeal right now.

10 So I giving you a little history based upon  
11 the things that we had to do, basically, file suit with  
12 the County of Maui. And it was during the last director  
13 of Planning Department, Mike Foley's time, yeah. So  
14 that little scenario, based upon the requirement of 50  
15 percent growth on agricultural lands, that came, yeah,  
16 as a requirement or a compromise for us to back off of  
17 the lawsuit on how these lands would be allocated  
18 through the County, well, the County Planning  
19 Department, on how they gonna deal with these  
20 agricultural growth subdivisions to implement the Farm  
21 Plan. That came from us. That's the eulogy. That's  
22 the history of it.

23 When you're talking about urban growth and all  
24 this kind of things, or rural and all that, it sort of  
25 puts it up on the back of the wall again as pertaining

1 to now where we gonna have to take this issue next.  
 2 Kuleana Kuikahi will not tolerate any more --  
 3 the last gentleman testifier up here, I assume he was  
 4 from Maliko. That's a prime example of Kuleana, like  
 5 for ourself, being so far out there, not even  
 6 understanding what is going on over here. We have to  
 7 take the time for come down from the mountains, pack up  
 8 our car, (Hawaiian) my moopunas. They have been kind of  
 9 a little bit disruptive this morning, but it's always  
 10 good to have a little bit of that spice and -- you know,  
 11 when we talking about political things like this. But  
 12 we have to take the time to come over here and look at  
 13 these plans on how we gonna be affected. Like how the  
 14 last presenter, he doesn't even know what he's gonna do  
 15 and what these lands is gonna be once it's designated  
 16 and how it's gonna affect his life.  
 17 We being affected right now. And the only  
 18 resolution for us was to file this suit against the  
 19 County. And it's still pending with the State Land Use  
 20 Commission. So I really want to encourage you all,  
 21 before you start jotting down and planning the growth  
 22 for Maui Tomorrow, to consider Kuleana Kuikahi's words  
 23 that we're not done yet, and we're gonna watch and we're  
 24 gonna monitor what happens.  
 25 Thank you.

1 Growth Boundaries, if they modify the -- and include  
 2 Pulelehua on the west side. Partially because the State  
 3 is already designing Maui's next school to be at  
 4 Pulelehua.  
 5 I also agree with the Planning Department's  
 6 opposition to development at Maalaea Mauka and Olowalu.  
 7 There were a couple of questions that come  
 8 up -- came up earlier, in testimony, that I'd like to  
 9 respond to. One was how should the County encourage or  
 10 inspire infill. The most successful technique that I'm  
 11 aware of to encourage infill is to raise the taxes on  
 12 vacant lots in urban areas.  
 13 Right now, the people with vacant land in  
 14 urban areas pay extremely low taxes. If they had to pay  
 15 higher taxes, they would be encouraged to develop that  
 16 land or sell it to someone who would. This is a  
 17 technique that's very popular -- sorry, not popular --  
 18 very successful in France.  
 19 Freudian slip.  
 20 The other comment that I -- or question I  
 21 heard was how can we emphasize workforce houses --  
 22 housing instead of housing developments for off-shore  
 23 markets. And, once again, this comes down to location,  
 24 location. The subdivisions that you find on the  
 25 hillsides of Kaanapali, Makena and Wailea are,

1 ACTING CHAIR U'U: Thank you. Questions for  
 2 the testifier? Seeing none, thank you very much.  
 3 Next we got Mike Foley.  
 4 MR. FOLEY: Good morning, Planning Commission  
 5 and Staff. I -- I am modifying my -- my presentation  
 6 because Irene Bowie has already spoken eloquently for  
 7 Maui Tomorrow. So I'm Mike Foley, I live in Makawao,  
 8 speaking as an individual.  
 9 I wanted to just mention that the Directed  
 10 Growth Maps are the heart of the Maui Island Plan. I'm  
 11 very concerned that the Planning Commission is gonna  
 12 spend inadequate time on the maps. It really is very  
 13 important for you to get to the maps as soon as possible  
 14 because they illustrate the proper locations for future  
 15 development.  
 16 The criteria, really, for future development  
 17 should be location, location and location.  
 18 The infill projects should be supported  
 19 because they're near jobs, schools and sewer systems,  
 20 and adjacent to existing developments.  
 21 I recommend that you do use the new State  
 22 population projections because it's appropriate to use  
 23 the best data available.  
 24 I, basically, support the Planning  
 25 Department's recommendations with respect to the Urban

1 obviously, going to appeal much more to the second home  
 2 off-shore market than they are to workforce housing.  
 3 Thank you.  
 4 ACTING CHAIR U'U: Thank you. Questions for  
 5 Mr. Foley? Seeing none, thank you very much.  
 6 Next we have Pauline Feine, Feine.  
 7 MS. FEINE: Hello. My name is Pauline Feine.  
 8 And I have about 7,500 hours underwater around the  
 9 coastline of Maui over the last 23 years, studying  
 10 marine life and teaching other people about marine life.  
 11 And I'm here as an individual. And I would just like to  
 12 add to the written testimony that I gave you based on  
 13 what I've heard here this morning as I sat here.  
 14 I'm really encouraged. It sounds like you've  
 15 heard a lot of testimony on the specialness of the  
 16 Olowalu reef and uniqueness and, also, that you  
 17 understand the seriousness of the runoff situation.  
 18 So I would like to just give you some  
 19 different comments than what I -- than what I wrote  
 20 based on the runoff.  
 21 Each developer who comes before you, I'm sure,  
 22 says that they will use the latest engineering tactics  
 23 and the best engineers to prevent soil from washing into  
 24 the ocean. And I would just like you to know that the  
 25 most recent development on Maui, which was the

1 Ritz-Carlton Club, which just opened recently, laid the  
2 soil bare for 37 months. And during that three years,  
3 soil and mud poured into Kapalua Bay and into the ocean  
4 up there.

5 And it's not just storm runoff. It was just  
6 mistakes, just your basic construction mistakes. Water  
7 mains were broken five to six times a year during that  
8 time. And every time one of those incidents happened,  
9 soil just poured in until -- for hours, until they were  
10 able to fix that.

11 So I would just like to point out that even  
12 though each developer says that, I don't believe that  
13 can happen in the proximity of the Olowalu reef to the  
14 shoreline. It's right there. It's pretty much a  
15 guarantee that if urban development occurred there, soil  
16 would end up on that reef.

17 MS. STALEY: Two minutes.

18 MS. FEINE: And have a huge impact on it. So  
19 thank you.

20 ACTING CHAIR U'U: Thank you.

21 Questions? Commissioner Starr.

22 COMMISSIONER STARR: Yeah. I -- I spent a lot  
23 of time underwater at Olowalu as well. I've hardly ever  
24 been in the water at Kapalua. I did go fairly recently  
25 and found the bay barren. You know, there's old coral,

1 compared to the soil and the chemicals washing in.

2 COMMISSIONER SHIBUYA: I wasn't asking about  
3 the runoff impact. I was asking how do you mitigate  
4 human behavior interaction with the reef.

5 MS. FEINE: Well, there are organizations that  
6 are working to educate both visitors and residents about  
7 what to do when they visit the reef. Is that what you  
8 mean? Like not to stand on the coral and not to feed  
9 the fish. And there's a constant education campaigns  
10 going on.

11 COMMISSIONER SHIBUYA: But they still drop  
12 anchor and they still step on it. So how do you  
13 mitigate that?

14 MS. FEINE: Oh, education. And I think the --  
15 the fines have sent a huge message to people that the  
16 State is not messing around in terms of -- in terms of  
17 the value of coral to the State.

18 ACTING CHAIR U'U: Any questions for the  
19 testifier?

20 Seeing none, thank you very much.

21 Next, Kaniloa Kamaunu.

22 MR. KANILOA KAMAUNU: Good morning,  
23 Commission. My name is Kaniloa Kamaunu, I come from  
24 Waihee Valley. And today I'm just representing myself.

25 My question is, basically, on kuleana. With

1 but it's all bleached and dead. Was there more live  
2 coral cover there before -- before the projects? Were  
3 you familiar with it?

4 MS. FEINE: Yes. And it was never like  
5 Olowalu. I mean, Olowalu is truly special. But, of  
6 course, there had been developments, you know, prior to  
7 the most recent one. So there were -- you know, there  
8 are human impacts everywhere on Maui. There's no place  
9 that's been spared except for places like Molokini.

10 ACTING CHAIR U'U: Commissioner Shibuya.

11 COMMISSIONER SHIBUYA: Ms. Feine, in terms of  
12 mitigating human behavior on the impacting of coral  
13 throughout Maui, how do you see a means to allow for the  
14 visitors as well as residents to continue to view and  
15 enjoy the beauty of this coral life as well as the sea  
16 life in that area and, yet, maintain and protect it?  
17 How do you do this?

18 MS. FEINE: I agree that visitors and  
19 residents do have an impact, a small impact, on the reef  
20 when they visit it. But it in no way compares to what  
21 each of us does with the lifestyle that we live here,  
22 all the chemicals that we use, the fertilizers, the oil  
23 washing off of our streets from the cars that we drive.  
24 It is -- it is our American lifestyle. And the -- the  
25 impact that visitors to a reef have is so minute

1 all -- with all the -- the building and development  
2 coming on, we -- and we know this, that not all title is  
3 clear. Some titles are still clouded. So some of these  
4 developments coming on are still in question.

5 So as a kuleana owner, I have been recently  
6 studying the laws that pertain to me as kuleana owner.  
7 And the Civil Code in the Hawaiian Islands passed in the  
8 year of 1859 states, Chapter 34 of certain specific  
9 rights of the people, and you have it as HRS 7-1, where  
10 the landlords have obtained, or may hereafter obtain,  
11 allodial titles to their lands, the people on each of  
12 their lands shall not be deprived of their right to take  
13 firewood, house timber, aho cord, thatch, or ki leaf,  
14 from the land on which they live, for their own private  
15 use, but they shall not have a right to take such  
16 articles to sell for profit. The people shall also have  
17 a right to drinking water, and running water, and the  
18 right-of-way. The springs of water, running water, and  
19 roads shall be free to all, on all lands granted in fee  
20 simple; provided that this shall not be applicable to  
21 wells and watercourses, which individuals have made for  
22 their own use.

23 The government reefs is the Section 1470. The  
24 reefs shall be free for the use of the people, whoever  
25 being Hawaiian subjects shall desire coral or sand from



1 the (inaudible) reefs, and as we freely take the same,  
2 either for its own use or for sale or exportation,  
3 provided a section apply to government domains in  
4 Honolulu, Lahaina, and other reefs that may, from time  
5 to time, be a part from the Minister of Interior.

6 So my thing is, rather than developments  
7 infringe on -- on my rights, because they start to  
8 devour land that surrounds me, it interrupts the ocean  
9 that I -- I do dive in and take food from. It does  
10 infringe on my rights to my water for my kalo and other  
11 purposes like for my area. I use it domestically. It  
12 runs through my house, not just for the kalo.

13 So my thing is, you have to consider -- this  
14 is a law. And you guys have it as an HRS 7-1. So I  
15 think that has to be looked at as whether or not that's  
16 being violated in these developments by doing that.

17 Thank you.

18 ACTING CHAIR U`U: Thank you. Questions for  
19 the testifier? Seeing none, thank you.

20 The last one on the list is Lesley Bruce.

21 MS. BRUCE: My name is Lesley Ann Bruce.  
22 Thank you for this opportunity to testify.

23 My neighbors and I have homes on Waikoloa  
24 Peninsula, in Hana, where there are 12 fishponds and  
25 many legendary places. Our roads are unpaved, they are

1 areas that were noted in our community plan. Please  
2 take note of that.

3 Thank you.

4 ACTING CHAIR U`U: Thank you.

5 Questions? Commissioner Mardfin.

6 COMMISSIONER MARDFIN: I'd ask Mark if he  
7 could pull up Hana Bay in tight so we can see the area  
8 that Ms. Bruce is referring to. Can you go in more?

9 MS. BRUCE: Waikoloa Peninsula is the mauka  
10 part of this picture. It has a orange patch around it  
11 of ocean.

12 COMMISSIONER MARDFIN: And that dotted -- may  
13 I go to the map?

14 MS. BRUCE: Yes, that's right. And the  
15 Piilani Trail goes through there.

16 COMMISSIONER MARDFIN: Is this what you're  
17 talking about?

18 MS. BRUCE: Yes, the whole peninsula. And the  
19 people live from that -- there's two little bays that  
20 encroach into that area. And I don't know what that --  
21 oh, wait. What is the turquoise line? I'm sorry. I  
22 don't -- I haven't seen this map before.

23 COMMISSIONER MARDFIN: I believe that the blue  
24 dotted line is rural growth box, so it's in the Rural  
25 Growth Boundary.

1 owned neither by the State nor the County. And when the  
2 flash floods remove the roads, the County restores it.  
3 We have County water service. We have no electrical  
4 service and no telephone service. We are content not to  
5 have telephone and electrical service.

6 On the Land Use map, some of us are designated  
7 Rural Residential, like Kula 200. Please correct this  
8 error. My neighbors and I will be grateful.

9 Recently, Samson Noa, Jr. had medical bills to  
10 pay that required him to sell his bayside home. His lot  
11 was sold for half a million dollars to someone who built  
12 a house worth almost \$1 million. The kanaka maoli and I  
13 fear being pushed off our land if we are classified with  
14 Kula 200, with which we share no common qualities,  
15 except for, perhaps, lot size.

16 Thank you for your consideration of our  
17 request to remove the blue Rural Residential lines.  
18 Hana's Community Plan requested no further development  
19 of the Hana -- below the Hana road. Please accept the  
20 people's wishes.

21 The Community Plan also defines a cultural  
22 overlay area at Kaiwioppele, just by Hamoa, and also  
23 includes the railroad from Kaeliku Plantation, which is  
24 over by the airport, all the way to Kaiwioppele. And  
25 those -- I'm not sure you're aware of these cultural

1 MS. BRUCE: We -- we need something rather  
2 special that relates to a legendary place that has --  
3 it's Kaahumanu's puunoa lands and it's different from  
4 Kula 200.

5 ACTING CHAIR U`U: Commissioner Starr.

6 COMMISSIONER STARR: Yeah. I'm in a little  
7 bit of a conundrum about that. This is something I'm  
8 sure we'll have a spirited discussion about later.  
9 Because, you know, seeing these blue areas of Rural  
10 Growth Boundaries in Hana, and, you know, especially  
11 where they come down to the shoreline or sensitive  
12 areas. And, you know, I -- I was really concerned. I  
13 thought, gee, we should, you know, wipe all these off  
14 the map. But then doing a little analysis, what I'm  
15 realizing the Department did was take all the land  
16 that's community planned Rural, in the Community Plan,  
17 and mark it as Rural, which kind of makes sense.

18 So I don't know if we're really in a position  
19 to take that land that's community planned Rural and say  
20 it should be Ag or Conservation, which really are two  
21 options, you know. Apart from serious taking issues,  
22 I'm not sure, you know, if that's really the -- the  
23 right thing to do. So I don't know quite what the  
24 answer is unless there's some kind of, you know, area  
25 that is rural, but it's more protected or something.

1 You know, I don't know if -- I'll let you say the last  
 2 couple of words on it, but it's a complex issue.  
 3 MS. BRUCE: I -- I have said all I need to  
 4 say. Thank you.  
 5 ACTING CHAIR U`U: Commissioner Shibuya.  
 6 COMMISSIONER SHIBUYA: Lesley, can you tell me  
 7 if you were a member on that Hana Planning Commission?  
 8 MS. BRUCE: No, I was not. And there are many  
 9 people more knowledgeable than I am. Perhaps they  
 10 submitted their testimony in writing. I'm not sure.  
 11 COMMISSIONER SHIBUYA: Were you part of the  
 12 Community Plan development?  
 13 MS. BRUCE: No.  
 14 COMMISSIONER SHIBUYA: Thank you.  
 15 MS. BRUCE: I've only been in Hana since '94.  
 16 Thank you.  
 17 ACTING CHAIR U`U: Any more questions? Seeing  
 18 none, thank you very much.  
 19 Next on the list, Dick Mayer.  
 20 MR. MAYER: Thank you very much,  
 21 Commissioners.  
 22 I just want to comments on some of the things  
 23 said this morning regarding the number of units. And I  
 24 -- Mr. Mardfin raised some very, very valid points on  
 25 that.

1 and I had a house on it, I want to put up an ohana unit,  
 2 those houses, those ohana units, were not yet included  
 3 in your thing. In other words, they only looked at  
 4 vacant lands in rural and -- and the small Ag lots, not  
 5 the lands that already had a single house on it that may  
 6 have -- or maybe there's an ohana on that land, they can  
 7 put up a main dwelling on that land. Those numbers were  
 8 not given. And it would be very interesting to see what  
 9 supply number that would be.  
 10 So when we talk about the number of potential  
 11 units, in addition to the numbers the Department has  
 12 given you, there are many, many others, in the  
 13 thousands, that could be added to that supply.  
 14 The one other thing that I want to testify on,  
 15 the first --  
 16 MS. STALEY: Two minutes.  
 17 MR. MAYER: Two minutes?  
 18 MS. STALEY: Just two.  
 19 MR. MAYER: When you began your deliberations  
 20 the first time, I gave a request to you all, and that  
 21 was please ask for the infrastructure costs for each of  
 22 these areas of the island, for West Maui, Central, et  
 23 cetera. And not just County costs; State costs as well.  
 24 Because I think it may -- you may find it really  
 25 prohibitive to put some of the development in that's

1 The number of units in the supply that we were  
 2 given at GPAC did not include -- and I don't think  
 3 they've been given to you yet -- the number of potential  
 4 units from agricultural lots over five acres. In other  
 5 words, if somebody has a 10-acre lot or a 20-acre lot or  
 6 40-acre lot out there, and they were to put up a single  
 7 house, that would be one number, but if they were to go  
 8 ahead and subdivide, they would be able to put up many  
 9 more lots than that. And the number that was given to  
 10 us at GPAC, near the very end of our process -- and it  
 11 was never incorporated into the supply number -- was a  
 12 potential between five acres and up to 130 acres, lots  
 13 anywhere between five and 130. There were 1,500 of  
 14 those lots. So we could have -- even if they only put  
 15 up one house, that would be an additional 1,500 in the  
 16 supply. But since many of them would be allowed to  
 17 subdivide, that would be 5,735 units.  
 18 This was given to us by the Department. And  
 19 you should ask for that graph, for that chart, that  
 20 table, that would indicate that additional supply in  
 21 addition to all the other supply that has already been  
 22 mentioned to you.  
 23 Secondly, the number which was never given to  
 24 us, but was -- the concept was given to us, if I owned a  
 25 house, let's say, in Pukalani Terrace, half-acre lot,

1 being proposed.  
 2 Let me just give you one number that's in one  
 3 of the technical documents you gave. That was the  
 4 number of 282 portable classrooms. The DOE right now  
 5 has 282 portable classrooms in the Island of Maui.  
 6 That's not the whole County. And those, hopefully,  
 7 presumably, over this 20-year period, be taken care of,  
 8 in addition to building places like Kihei High School  
 9 and many of the other high schools and elementary  
 10 schools and intermediate schools that are needed.  
 11 And we all know the traffic problems, medical,  
 12 hospital facilities, et cetera.  
 13 I don't think the County has the capital to  
 14 build the infrastructure needed to support all this  
 15 development. And I would hope that you would get an  
 16 assessment on that number.  
 17 ACTING CHAIR U`U: Thank you. Questions for  
 18 the testifier? Seeing none, thank you very much.  
 19 Next on the list Johanna Kamaunu.  
 20 MS. JOHANNA KAMAUNU: Aloha. I'm Johanna  
 21 Kamaunu from Waihee. I'm as hungry as you are, so one  
 22 important thing.  
 23 Not enough protection for the resources. And  
 24 as I have been sitting here thinking about it, and we've  
 25 discussed it in our association committees, that there

1 needs to be some way to protect it. And there's really  
 2 not a lot out there.  
 3 And so one of the ideas that came up in our  
 4 group was that maybe there needs to be another zoning  
 5 designation. And the zoning designation could be  
 6 labeled ahupua`a. Because we -- I'm hearing that  
 7 there's intact reefs. I hearing that there's waters and  
 8 valleys. I'm hearing that there's rich soil lands and  
 9 people are trying to farm, but they're not being  
 10 protected. At least they don't feel that there's a  
 11 protection for them. We can say that, in Waihee, we're  
 12 very much aware of those kinds of things.  
 13 Now, I'm also more aware that some of the big  
 14 landholders here have bought Ag land. And although they  
 15 understand when they bought it as Ag, they would use it  
 16 as Ag, they are waiting to turn it around. There's no  
 17 question about that. And as I see the plans that have  
 18 come forward, we know that development is -- how should  
 19 we say, they're anxiously trying to engage this County  
 20 in a lot of development. And I just really think that  
 21 the -- this plan or the County or this Planning  
 22 Commission, you need to go back and address that issue  
 23 of our resources. Because without those resources, we  
 24 won't survive.  
 25 And that's all I have to say.

1 accepting the new numbers, there's two options on how to  
 2 implement those numbers, that we can cross that bridge  
 3 if we get to it.  
 4 ACTING CHAIR U`U: Commissioner Starr.  
 5 COMMISSIONER STARR: Yeah. I'd like to move  
 6 that we utilize the 2009 DBEDT numbers.  
 7 COMMISSIONER SHIBUYA: Second.  
 8 ACTING CHAIR U`U: Motion made by Commissioner  
 9 Starr, second made by Commissioner Shibuya. Discussion?  
 10 (Silence.)  
 11 ACTING CHAIR U`U: I was wondering if we could  
 12 have that posted on the screen. That is what is  
 13 recommended right now?  
 14 Commissioner Hiranaga.  
 15 COMMISSIONER HIRANAGA: Just for clarity, so  
 16 you're basing the 11,000 units by dividing the 163,000  
 17 projected population by 2.72 units per household? 176?  
 18 MR. SUMMERS: That's correct.  
 19 ACTING CHAIR U`U: Discussion? Commissioner  
 20 Hiranaga.  
 21 COMMISSIONER HIRANAGA: So that's sort of a  
 22 gross number. That's just -- doesn't include existing  
 23 supply and proposed supply. This is just based on if  
 24 that population is what it is, in 2010, with that number  
 25 of average household size, that's the total number of

1 ACTING CHAIR U`U: Questions for the  
 2 testifier? Seeing none, thank you.  
 3 At this time there's no other -- if there is  
 4 any other member out there who would like to testify,  
 5 please come forward and state your name. Seeing none,  
 6 public testimony is now closed.  
 7 We'll break for lunch until 1:35. Thank you.  
 8 (Recess, 12:34 p.m. to 1:33 p.m.)  
 9 ACTING CHAIR U`U: Planning Commission now  
 10 back in session. At this time we're gonna turn it over  
 11 to the director, Director Hunt.  
 12 MR. HUNT: Thank you, Chair. The Item D on  
 13 your agenda involves the Commission discussion of and  
 14 recommendations relating to the Draft Maui Island Plan's  
 15 Directed Growth Area Unit Count Spreadsheet, boundaries  
 16 and maps. The intent is to review the island by  
 17 community planned region in the following order. We can  
 18 rearrange that if you -- if you please.  
 19 The first item of business that we suggest you  
 20 folks deal with is the issue of the DBEDT numbers. You  
 21 have a spreadsheet in your packet from the Director,  
 22 back in April. And that unit demand was 14,181. With  
 23 the new DBEDT numbers, we are offering you options that  
 24 shows the demand at 11,154. And then there's two  
 25 options, either B or C. Should you go down the road of

1 units we need, or is that the delta numbers we need?  
 2 ACTING CHAIR U`U: Staff.  
 3 MR. KING: Mark King, Staff. Yes,  
 4 Commissioner, that would be the delta, the change that  
 5 we would need between what's currently entitled and what  
 6 our demand forecast is going towards.  
 7 COMMISSIONER HIRANAGA: I guess just a  
 8 follow-up. Before I can accept this number, I need to  
 9 know the assumptions that are made for coming up with  
 10 the existing supply. Because we're talking delta --  
 11 COMMISSIONER STARR: That's what -- that's  
 12 total.  
 13 COMMISSIONER HIRANAGA: If I don't agree with  
 14 the existing supply, I can't agree to the delta.  
 15 ACTING CHAIR U`U: Fine. Staff.  
 16 MR. SUMMERS: Thank you, Mr. Chair.  
 17 Just a clarification. If we're talking about  
 18 this number here, that would be the total units needed  
 19 to meet the 2030 forecast that was done last month.  
 20 COMMISSIONER STARR: Includes existing.  
 21 COMMISSIONER HIRANAGA: That's gross amount?  
 22 MR. SUMMERS: That's correct.  
 23 COMMISSIONER HIRANAGA: What's in place and  
 24 what's proposed?  
 25 COMMISSIONER MARDFIN: Mr. Chairman?

1 ACTING CHAIR U`U: Commissioner Mardfin.  
 2 COMMISSIONER MARDFIN: As I understood the  
 3 motion, it was not to talk about the average household  
 4 size, the motion was merely to use the DBEDT 2009  
 5 numbers. In other words, it's to use 176,686 instead of  
 6 183,371, if I understand the motion.  
 7 ACTING CHAIR U`U: Commissioner Starr.  
 8 COMMISSIONER STARR: Yeah. No. The intent  
 9 was to utilize both the projected numbers, which is  
 10 176,686 as well as the average household size, which  
 11 also is a DBEDT number of 2.72.  
 12 COMMISSIONER MARDFIN: Oh.  
 13 ACTING CHAIR U`U: Thank you for the clarity.  
 14 Commissioner --  
 15 COMMISSIONER STARR: There's exactly the third  
 16 number there, which is the total number of housing units  
 17 including what we have now, which will be expected to  
 18 have them, which is 64,958.  
 19 COMMISSIONER HIRANAGA: I thought your motion  
 20 was to accept the 11,154, that were needed units.  
 21 ACTING CHAIR U`U: Commissioner Starr.  
 22 COMMISSIONER STARR: No. I don't believe that  
 23 that was a DBEDT projection. My understanding is a  
 24 DBEDT projection is the -- the total and the household  
 25 size.

1 You know, Staff can correct me if I'm wrong.  
 2 ACTING CHAIR U`U: Staff?  
 3 MR. KING: Staff.  
 4 Yes, Commissioner Starr, you're right. The  
 5 DBEDT goes to here. And then this is our -- part of our  
 6 policy, some of our theory. Particularly the off-shore  
 7 piece, DBEDT never addresses that. That's a Maui --  
 8 County of Maui Planning Department creation.  
 9 COMMISSIONER STARR: Yeah. So my -- my motion  
 10 is for, basically, that top line, the first two numbers,  
 11 which came from DBEDT, the third, the 64,958, which is a  
 12 function of division.  
 13 ACTING CHAIR U`U: Commissioner Mardfin.  
 14 COMMISSIONER MARDFIN: Well, I can live with  
 15 this. I'm actually gonna vote against it initially  
 16 because I like the 2009 total number of 176  
 17 some-odd-thousand, but I would argue that we should be  
 18 somewhere between the 2.72 and the 2.80. I would like  
 19 2.75, so I'm gonna vote against it. But I don't have  
 20 any real problems if it -- the body accepts it.  
 21 ACTING CHAIR U`U: Any more discussion?  
 22 (Silence.)  
 23 ACTING CHAIR U`U: Seeing none, all those in  
 24 favor, say "aye" or raise your right hand.  
 25 (A chorus of ayes.)

1 ACTING CHAIR U`U: All those opposed? We have  
 2 one opposed. Motion passes.  
 3 Director.  
 4 MR. HUNT: Based on your recommendation, we  
 5 will -- let me back up a little bit. We took the  
 6 initiative to have several scenarios lined out in  
 7 anticipation of you'd go down the road one way or  
 8 another. And so based on your direction, we have  
 9 spreadsheets and we also have Draft Urban Growth  
 10 Boundaries to match Urban and Rural Growth Boundaries to  
 11 correspond to this spreadsheet. And so we will use that  
 12 as a starting point. It's just a frame for your  
 13 discussion as we start in on the mapping now.  
 14 And, again, there's -- there's a regional area  
 15 that we'll go to and there's a regional spreadsheet. So  
 16 you've got lines on maps and you've got numbers on a  
 17 spreadsheet, and we will recommend to you that those  
 18 correspond to some extent. And we can take that as a  
 19 regional basis. That was our intention.  
 20 ACTING CHAIR U`U: Thank you.  
 21 Commissioner Mardfin.  
 22 COMMISSIONER MARDFIN: Could I ask Mark to go  
 23 back to the thing I was trying to copy down numbers  
 24 with?  
 25 ACTING CHAIR U`U: Staff.

1 MR. KING: Chairperson, thank you.  
 2 Commissioner Starr pointed out that we did  
 3 motion on these. Do we want to formally adopt the rest  
 4 of the methodology to get us to the number?  
 5 COMMISSIONER STARR: Yeah. My hand was up to  
 6 go there.  
 7 ACTING CHAIR U`U: I assuming we're getting  
 8 there. Any more discussion?  
 9 COMMISSIONER HIRANAGA: Discussion of what?  
 10 ACTING CHAIR U`U: Discussion, Commissioner  
 11 Shibuya.  
 12 COMMISSIONER SHIBUYA: I just wanted to have  
 13 that line that's not shown displayed, or at least  
 14 discussed, that 40,041 units. Those units are entitled  
 15 and approved. Can you at least tell us, and we can at  
 16 least review it and accept it? And that will be the  
 17 beginnings of the chart.  
 18 COMMISSIONER HIRANAGA: Assumptions?  
 19 COMMISSIONER SHIBUYA: These are actual  
 20 assumptions of what is approved and entitled, correct?  
 21 So if you can show it to us and discuss it.  
 22 ACTING CHAIR U`U: Commissioner Starr.  
 23 COMMISSIONER STARR: Yeah. I believe that the  
 24 40,000 number is what's actually built and on the ground  
 25 and occupied now.

1 And just for clarification, I -- I would like  
2 to have an understanding of the basis for it, but I  
3 believe the 40,000 is what's there now. And then the  
4 24,900, the 23,400 and the rest of those our four are --  
5 are kind of almost assumptions. So maybe we could have  
6 Staff give us a little more info.

7 ACTING CHAIR U`U: Please do clarify. Thank  
8 you, Staff.

9 MR. KING: Thank you.

10 The starting number on the ground is in the  
11 Socioeconomic Report, Page 61, Exhibit R-8. And it's  
12 the total from the census 2000, houses on the ground.  
13 So that's Column 2 on this page. And that, as you  
14 allude, is fact. That was real property tax assessed.

15 ACTING CHAIR U`U: Commissioner Hiranaga,  
16 question?

17 COMMISSIONER HIRANAGA: When you say houses on  
18 the ground, you mean existing vertical structures  
19 occupied by humans?

20 MR. KING: Yes, single-family and multifamily.

21 COMMISSIONER HIRANAGA: Not that they're fully  
22 zoned, fully entitled, these are existing vertical  
23 structures occupied by human beings?

24 MR. KING: Yes. With certificate of  
25 occupancy, yes.

1 of things. The supply side is handled in the Land Use  
2 Forecast through the existing land use database. So we  
3 have a database that identifies, pursuant to 2004, the  
4 number of units that are -- have been constructed and  
5 are in -- in place on the island.

6 ACTING CHAIR U`U: Commissioner Starr.

7 COMMISSIONER STARR: Now I'm really confused  
8 because I'm looking at Page 61, Exhibit R-8, households  
9 by region. And what I see for the year -- well, wait a  
10 second. What year am I supposed to be looking at?  
11 Because I'm looking -- I'm looking at 2010, I see  
12 50,146. But are we talking about 2030? I'm sorry, I --  
13 I have (inaudible).

14 ACTING CHAIR U`U: Staff, could you clarify?

15 MR. KING: Yes. The term that -- the 40,041  
16 is households. So Commissioner Hiranaga is right. It's  
17 occupied units that contain the number of people that  
18 make up those family size. That's why we're able to use  
19 the conversion from population through people per unit  
20 to unit. So, yes, Commissioner is exactly right. I  
21 didn't mean to say the wrong thing. This is occupied by  
22 a family, yes, with the appropriate household size of  
23 2.72. That's how we're able to convert people into  
24 units. So that is true.

25 The off-shore ones are the ones that are not

1 COMMISSIONER STARR: Can I get the page  
2 number?

3 ACTING CHAIR U`U: Director Hunt.

4 MR. HUNT: Just to be very precise, correct me  
5 if I'm wrong, these are constructed houses per the State  
6 tax records.

7 MR. KING: Yes.

8 MR. HUNT: They're not necessarily occupied by  
9 a human being. They could be empty second home or --

10 COMMISSIONER GUARD: But it's built?

11 MR. KING: Yes. And I see where you're going.  
12 We would probably need to define the difference of a  
13 housing unit and a household.

14 MR. HUNT: Well, I was just -- I believe  
15 Commissioner Hiranaga asked the question, these are  
16 houses constructed and occupied by a human being. And  
17 the first part is accurate. And I don't mean to split  
18 hairs, but just be very precise, they're not necessarily  
19 all occupied by a human being.

20 ACTING CHAIR U`U: Staff.

21 MR. SUMMERS: Thank you, Mr. Chairman.

22 That number would be households based on  
23 census data, not units constructed. So that's a  
24 household number based on census data out of the  
25 Socioeconomic Forecast, which deals with the demand side

1 necessarily occupied by a person. And that person is  
2 not answering the census here in Maui County, they're  
3 answering it somewhere else.

4 MR. HUNT: And the off-shore is not included  
5 in that number.

6 MR. KING: Right.

7 MR. HUNT: Because it's a census number.

8 MR. KING: That's right.

9 MR. HUNT: Thank you.

10 ACTING CHAIR U`U: Commissioner Hiranaga.

11 COMMISSIONER HIRANAGA: Again, for me to  
12 understand fully, this 40,000 number are households or  
13 households living in houses? Just because you're a  
14 household doesn't mean you have a house. So this 40,000  
15 number is households or households and houses?

16 MR. KING: Yes. Thank you, Commissioner.

17 And, in fact, from the Census Bureau, they  
18 have a definition. And if you wouldn't mind, I'll read  
19 it real quick. Definition of household includes all the  
20 persons who occupy a housing unit. A housing unit is a  
21 house, apartment, mobile home, group of rooms, or a  
22 single room, that is occupied, or vacant, is intended  
23 for occupancy, has separate living quarters. Living  
24 quarters are those which occupants live and eat  
25 separately from any other persons in the building which

1 have direct access.  
 2 I know I'm talking really fast. Sorry about  
 3 that.  
 4 ACTING CHAIR U`U: You should be. Kidding,  
 5 Mark.  
 6 MR. KING: I know. The court reporter gives  
 7 me notes here.  
 8 ACTING CHAIR U`U: Commissioner Starr.  
 9 COMMISSIONER STARR: I'm still -- I got myself  
 10 real confused here. That's a -- that's a 2000  
 11 historical number, the 40,041. How does that relate to  
 12 now and how does it relate to 2030?  
 13 ACTING CHAIR U`U: Staff, please.  
 14 MR. KING: Yes. The key to this whole  
 15 conversation is taking the population number and turning  
 16 it into a way of counting potential units. So this is  
 17 the very crux of that. The 40,000 is a fixed number of  
 18 households. So when the population either adjusts up or  
 19 down according to DBEDT, and then we populate those  
 20 units by putting, in this case, 2.72, that controls the  
 21 number of units.  
 22 See how, in the previous column, when it was  
 23 2.80, we're putting a little bit more people in, so we  
 24 had less units.  
 25 ACTING CHAIR U`U: Commissioner Starr.

1 is powerful.  
 2 ACTING CHAIR U`U: Commissioner Starr.  
 3 COMMISSIONER STARR: Yeah. But the number  
 4 that they have for the year 2010, which will soon be  
 5 upon us, is 50,146. How come we're not using the 50,146  
 6 number?  
 7 ACTING CHAIR U`U: Staff.  
 8 MR. KING: The year 2000 census is the only  
 9 rock solid numbers we can use for historical accuracy.  
 10 In 2005, there was the American Community Survey that  
 11 was a sampling. But the rock solidness of this data  
 12 goes all the way back to 2000 because that was reported.  
 13 ACTING CHAIR U`U: Commissioner Shibuya.  
 14 COMMISSIONER SHIBUYA: If I can help here.  
 15 Back on Page 18 on this same study, you'll see a graph  
 16 chart. And the assumption here is that, 2010 -- I think  
 17 Commissioner Starr was mentioning 2010 -- the intercept  
 18 line would be at two-point -- I mean, 2.8. So that's  
 19 approximately why the ratio is there.  
 20 When you extrapolate it onto 2030, the line  
 21 actually intersects at 2.65, approximately 2.65, 2.66.  
 22 And so that's the basis for this. And all you're doing  
 23 is taking this slope and applying it to the constant,  
 24 which is the population taken in 2009.  
 25 Am I on the same page?

1 COMMISSIONER STARR: Okay. I'm still trying  
 2 to figure out the time relationship. I mean, if I take  
 3 the 40,041 households and multiply that times 2.72, I  
 4 get a little bit over 100,000 people, which I believe  
 5 was probably around the population back in the year  
 6 2000. Now 2000 is gone, it's now 2009 and we're  
 7 projecting to 2030. So I don't understand how we're  
 8 projecting those numbers forward.  
 9 ACTING CHAIR U`U: Staff.  
 10 MR. KING: Yes. In 2000 --  
 11 COMMISSIONER STARR: Uh-huh.  
 12 MR. KING: -- the census showed this number,  
 13 that there were 2.90 people per household.  
 14 COMMISSIONER STARR: Uh-huh.  
 15 MR. KING: But what we're doing in this  
 16 exercise is not saying how many people are just gonna  
 17 live in the new houses, we're saying that, overall, on  
 18 all of Maui Island, the household size is gonna drop.  
 19 So even though these families lived there in 2000, in  
 20 our forecast years, less people are potentially gonna be  
 21 living in the same places that they were in 2000. So  
 22 we're not just filling up the new houses with people,  
 23 we're actually turning the total population into how  
 24 many houses or units they're gonna be living in, in the  
 25 future. So it affects the past. That's why that number

1 MR. KING: Commissioner, that's correct.  
 2 COMMISSIONER SHIBUYA: Thank you.  
 3 ACTING CHAIR U`U: Thank you.  
 4 Commissioner Mardfin.  
 5 COMMISSIONER MARDFIN: I agree with  
 6 Commissioner Shibuya that's how they get their average  
 7 household size. I thought Commissioner Starr, however,  
 8 was making a different point. I thought Commissioner  
 9 Starr's point was, while we know how many households  
 10 there were in 2000 -- how many households there were in  
 11 2000, the number of households has increased since then.  
 12 And so he wants to have -- even if it's not rock solid,  
 13 I think he wants to have some estimate of how many  
 14 households there are now so we subtract that number, not  
 15 the number that existed nine years ago. And so we'd  
 16 have to make a guess. But a guess, as of now, is  
 17 probably more accurate than a rock solid that was only  
 18 effective nine years ago.  
 19 MR. KING: Exactly, Commissioner. And this is  
 20 where we had to declare what we call the line in the  
 21 sand. As far as our technical studies and our reports,  
 22 what was the point in time that we were gonna call on  
 23 the ground and what were we gonna call in the future.  
 24 So that was -- in the Land Use Forecast, you'll see that  
 25 line in the sand became 2004, at the beginning of the

1 General Plan Update process. Houses in the supply that  
 2 have since manifested then for the purposes of the  
 3 supply number are still considered future. So even  
 4 though time has been going on, and people are occupying  
 5 these units as they're built, our line in the sand had  
 6 to have a starting point, not a moving target. So as  
 7 long as we had the count from census and the count from  
 8 supply at the same level at the same point in time,  
 9 we're able to move forward from that line in the sand.

10 ACTING CHAIR U`U: Thank you.  
 11 Commissioner Mardfin.

12 COMMISSIONER MARDFIN: I -- I think now I  
 13 agree with you. You are not -- you're not going to  
 14 subtract the bigger number, but you're gonna -- under  
 15 supply, you're gonna add it in there. Okay.

16 ACTING CHAIR U`U: Questions? Commissioner  
 17 Starr.

18 COMMISSIONER STARR: Okay. I'm willing to  
 19 take a leap, which is a little bit of a leap of faith --  
 20 because I -- I kind of get it, but not totally -- which  
 21 is to accept the number -- the numbers shown before us  
 22 as the 2009 DBEDT adjusted projected year 2020 average  
 23 household size. And those numbers being 24,917 for  
 24 increase, 23,483 for supply, 1,434 for resident, and it  
 25 really sticks in my craw, but 9,520 for off-shore.

1 plan and zoning consistency?

2 MR. SUMMERS: That's correct.

3 COMMISSIONER HIRANAGA: It does not include  
 4 planned and designated?

5 MR. SUMMERS: That's correct.

6 COMMISSIONER HIRANAGA: And then it includes a  
 7 1.4 ratio for small Ag and Rural lots?

8 MR. SUMMERS: That's correct.

9 COMMISSIONER HIRANAGA: But you don't take  
 10 into consideration whether domestic water is -- is  
 11 available to these lots? Say like Upcountry where  
 12 there's still very, very slowly distributing water  
 13 meters, and Pookela Well that became operational several  
 14 years ago. So that's not taken into consideration?

15 MR. SUMMERS: Not in the aggregate supply. It  
 16 is considered in the regional distribution.

17 COMMISSIONER HIRANAGA: Thank you.

18 ACTING CHAIR U`U: Commissioner Mardfin.

19 COMMISSIONER MARDFIN: My understanding by the  
 20 passage of the previous motion, we've basically agreed  
 21 that the population -- for purposes of our exercise, the  
 22 population is 176,686, average household size of 2.72,  
 23 average number of households needed, 64,958. We've  
 24 implicitly, because -- accepted, I think, the 40,041  
 25 number for historical actually built. So that gets us

1 ACTING CHAIR U`U: Was that a motion --

2 COMMISSIONER STARR: Yes.

3 ACTING CHAIR U`U: -- Commissioner Starr? Is  
 4 there a second?

5 COMMISSIONER SHIBUYA: Second.

6 ACTING CHAIR U`U: Motion made by Commissioner  
 7 Starr, seconded by Commissioner Shibuya. Discussion?  
 8 Commissioner Hiranaga.

9 COMMISSIONER HIRANAGA: Just, again, what --  
 10 what is supply comprised of? Entitled and committed?

11 MR. SUMMERS: Thank you, Mr. Chairman.

12 If the Members go back into their Land Use  
 13 Forecast report, there is an appendix that has lands  
 14 that are both planned and zoned. So those would be  
 15 fully entitled. We're basically taking the existing  
 16 stock that existed in 2004, adding known projects,  
 17 projects that we've had proposals for, for lands that  
 18 are both zoned and community planned. So we're adding  
 19 that with the ag, rural, small lots, vacant lands that  
 20 are entitled, and adding all of those up -- when I say  
 21 vacant lands, I'm talking about both single-family and  
 22 multifamily -- and that would constitute supply.

23 ACTING CHAIR U`U: Commissioner Hiranaga.

24 COMMISSIONER HIRANAGA: Again, so supply  
 25 includes planned and committed, which means community

1 to an increase of 24,917. I think what we're now  
 2 talking about is the supply figure. And I think -- and  
 3 we understand how you got the supply figure that you've  
 4 said. I think there are two offsetting effects. We  
 5 suggest -- I suggested earlier today that that doesn't  
 6 count Ag lots of more than five acres, it could be used,  
 7 it doesn't count ohana dwellings, except on Rural and  
 8 small Ag. And, on the other hand, it -- it assumes that  
 9 these things will all get built. And who knows whether  
 10 that's true or not. So there are kind of offsetting  
 11 things. But I think the 23,483 number is worth debating  
 12 further.

13 ACTING CHAIR U`U: Any more discussion? Call  
 14 for the question.

15 COMMISSIONER MARDFIN: What's the question?

16 ACTING CHAIR U`U: The motion was made by  
 17 Jonathan Starr to accept the numbers as previously  
 18 stated by Staff or stated by Commissioner Starr,  
 19 seconded by Commissioner Shibuya. And we're in  
 20 discussion. Commissioner Mardfin.

21 COMMISSIONER MARDFIN: I think that the 23,483  
 22 is a little too low. I would -- I think that ought to  
 23 be a higher number to account for some of these other  
 24 things. And so I -- I think it should be sort of around  
 25 25,000. Don't ask me how I got that. I just looked

1 through that and seemed to think that there are other  
2 things that we're not counting in. So I'm gonna vote  
3 against it, figuring it should be more like 25,000.

4 ACTING CHAIR U`U: Any more discussion?  
5 Commissioner Starr.

6 COMMISSIONER STARR: Yeah. While I personally  
7 would like it to be a higher number, because that would  
8 imply less headroom in this, I kind of feel that I would  
9 not be able to really justify that. And while, you  
10 know, there is probably some error on both the upside  
11 and the downside to this, it's probably empirically the  
12 best numbers we have or likely to get. And it's  
13 certainly defensible and based on a lot of research.

14 And although part of me would like to go  
15 25,000 or 30,000, I don't feel it's defensible. And I  
16 think that, you know, we -- I -- I don't know if I could  
17 really feel -- feel right about it. So, you know, I  
18 think that this is probably as good a number as we're  
19 likely to get.

20 And I -- and I think there's a lot of good  
21 work been put into it. And so I -- I'm supporting this  
22 -- this number since it is based on a lot of -- a lot of  
23 hard work.

24 ACTING CHAIR U`U: Thank you.  
25 Commissioner Shibuya.

1 COMMISSIONER SHIBUYA: I like this baseline  
2 because once we have this baseline in mind, then when we  
3 start looking at the map and designating areas, then we  
4 have the opportunity to increase it as we see fit.  
5 Because we can be working from this empirical  
6 guesstimation here and then come in with our application  
7 on the maps and do due diligence, if you will, making  
8 adjustments accordingly.

9 Thank you.  
10 ACTING CHAIR U`U: Thank you.  
11 Commissioner Hiranaga.

12 COMMISSIONER HIRANAGA: So the 10,954 number  
13 replaces the 11,154 number on your scenario B?

14 ACTING CHAIR U`U: Staff.

15 MR. KING: The 10,954 is the --

16 COMMISSIONER HIRANAGA: 2020.

17 MR. KING: -- mathematical calculation. And  
18 the Hana community has a 200 supply and demand special  
19 Hana policy number. So that makes the 11 at the bottom  
20 of this page. So this 11,154 uses this special 200.

21 And that's a creation from GPAC. So, mathematically,  
22 this supply and demand for Hana is added to that. And  
23 they counterbalance each other. The Hana area would  
24 fulfill that supply to meet that additional 200 demand.

25 ACTING CHAIR U`U: Thank you.

1 Commissioner Mardfin.

2 COMMISSIONER MARDFIN: I agree with  
3 Commissioner Starr that the Long Range Planning group  
4 have done a great job and put a lot of work in on this.  
5 But the reason we're using the -- we're proposing to use  
6 the 23,483 number is because they didn't include housing  
7 on Ag lots greater than five acres. If they had done  
8 that, we'd be using another one. And that would be --  
9 we would say at that point that that's defensible.

10 I understand that there are some 1,500 units,  
11 some 1,500 properties, Ag properties of greater than  
12 five acres. If there were even one unit on each of  
13 those 1,500, that 1,500 would raise 23,483 to  
14 essentially 25,000. So I think the 25,000 is -- is  
15 equally defensible.

16 So I'm gonna vote against the motion. Again,  
17 I can live with whatever this group comes up with.

18 ACTING CHAIR U`U: Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: I'm sorry to keep  
20 asking this question, but on this matrix you have here,  
21 spreadsheet, Line 33, you showed East Maui, 200 units.  
22 It is included in -- that's the 200 that GPAC just  
23 decided to add these?

24 MR. KING: Commissioner, that's correct.

25 COMMISSIONER HIRANAGA: Another question. On

1 this Land Use Forecast, Page 3-4, there's this  
2 statement, second line at the top, as noted in Chapter  
3 2, the 2004 ELUD may understate the number of existing  
4 housing units by as many as 5,000 units. What does that  
5 mean?

6 ACTING CHAIR U`U: Staff.

7 MR. SUMMERS: Thank you, Mr. Chairman.  
8 That's on Page 3-4?

9 COMMISSIONER HIRANAGA: Yeah, second sentence.

10 MR. SUMMERS: Okay. Essentially, if you take  
11 households in 2000 and you take the building stock, the  
12 housing stock that was identified through the existing  
13 Land Use Database, you'll notice that there's not an  
14 exact match. There's about a 5,000-unit deficit of  
15 existing houses to the number of houses we should have  
16 if we were to provide a house for every household under  
17 the forecast.

18 And the reason for that is twofold.

19 One: The vacancy factor. There's a five  
20 percent vacancy factors that's built into the -- into  
21 the forecast to provide for a healthy and functioning  
22 housing market. And at the time of the census, we felt  
23 that, in all likelihood, the vacancy factor was more  
24 like two or three percent that we didn't have a healthy  
25 housing market. So that accounts for a part of the



1 difference.  
 2 The second factor is -- are situations where  
 3 we've got doubling up in existing houses. There have  
 4 been a number of dwelling units that have likely been  
 5 constructed that are not being captured in the Real  
 6 Property Tax Database because they haven't received  
 7 adequate permits. So this is something that would lead  
 8 to that 5,000 unit discrepancy as well.

9 ACTING CHAIR U`U: Thank you.  
 10 Commissioner Mardfin.

11 COMMISSIONER MARDFIN: Wouldn't both of those  
 12 factors argue for us using a higher number than the  
 13 23,000?

14 ACTING CHAIR U`U: Staff.

15 MR. SUMMERS: Thank you.

16 It could, but then the assumption would be  
 17 that this crowding that's occurring in existing  
 18 neighborhoods is healthy. I think most people would  
 19 agree that it's not, that the building permits that have  
 20 not been secured would be secured. So there are a  
 21 number of assumptions that one would have to employ.  
 22 Also, we'd like to shoot for at least a five percent  
 23 vacancy factor to achieve a healthier real estate  
 24 market.

25 ACTING CHAIR U`U: Call for the question. Any

1 ACTING CHAIR U`U: Dan the man, go ahead.  
 2 MR. McNULTY-HUFFMAN: Dan McNulty-Huffman,  
 3 Staff.

4 We do have CDs prepared that have the Option A  
 5 growth boundaries on them. But what you're working with  
 6 now are B and C. My Staff is currently working on  
 7 preparing a CD that we're hoping to have ready for you  
 8 before the end of the day that'll have the PDFs of the  
 9 maps for Option B and C as well. But if you want the  
 10 CDs now, you can, that's fine, but it's just that it's  
 11 only the Option A, which don't reflect the 2009 DBEDT  
 12 numbers.

13 COMMISSIONER MARDFIN: Point of --

14 ACTING CHAIR U`U: Commissioner Mardfin.

15 COMMISSIONER MARDFIN: I have a point of --  
 16 it's off topic for this, but it's a point of information  
 17 for what we just approved. My understanding is we just  
 18 approved the 23,483 number as the one -- the amount  
 19 being -- the already approved and in there. That gets  
 20 us to the 1,434 resident demand. Would the motion also  
 21 include the off-shore demand at 2,520?

22 ACTING CHAIR U`U: Yes.

23 COMMISSIONER MARDFIN: Did it also include the  
 24 200 Hana adjustment?

25 ACTING CHAIR U`U: Correct.

1 more discussion? Seeing none, all those in favor, say  
 2 "aye."

3 (A chorus of ayes.)

4 ACTING CHAIR U`U: All those opposed, say  
 5 "nay."

6 COMMISSIONER MARDFIN: Nay.

7 ACTING CHAIR U`U: One opposed, Commissioner  
 8 Mardfin. Motion passes.

9 Director?

10 MR. HUNT: If there's no objection from the  
 11 Commission, we'll start out with the growth area maps in  
 12 Paia.

13 ACTING CHAIR U`U: Commissioner Starr.

14 COMMISSIONER STARR: Yeah. I understand that  
 15 we have those available on disk for us. I -- I never  
 16 received them via email. I received all the others. So  
 17 -- I mean, I, for one, would be happy if I could get  
 18 it -- get a CD. I think we have them here in the room.

19 ACTING CHAIR U`U: Staff.

20 COMMISSIONER GUARD: Did they make copies for  
 21 us?

22 COMMISSIONER HIRANAGA: Jonathan.

23 COMMISSIONER GUARD: This big packet right  
 24 here.

25 MR. HUNT: Dan, you got a response?

1 COMMISSIONER MARDFIN: Okay.

2 ACTING CHAIR U`U: Did it include? Yes, it  
 3 did.

4 Commissioner Starr.

5 COMMISSIONER STARR: Yeah. Since I believe  
 6 that, you know, the -- these maps are also Option A,  
 7 right? If I could, I -- I'd like to receive that now  
 8 and work on it and look forward to update of it.

9 ACTING CHAIR U`U: Director Hunt.

10 MR. HUNT: And, again, we have Option B and  
 11 Option C electronically, so we can broadcast them.

12 ACTING CHAIR U`U: Commissioner Mardfin.

13 COMMISSIONER MARDFIN: Can you again explain  
 14 the difference between B and C? I -- I -- I seem to see  
 15 the same assumptions and, yet, a different bottom tally.

16 MR. HUNT: Uh-huh. Essentially, they're the  
 17 same. If you look at all the regional numbers, they're  
 18 all the same. So if you look over to the far  
 19 right-hand-side column, Central Maui has a deficit in  
 20 both of the spreadsheets, South Maui has a surplus, et  
 21 cetera, all the way down. The middle column with the  
 22 bold numbers, the demand numbers, are virtually  
 23 identical. So the only difference is up in West Maui  
 24 and because of the growth projections and the surplus  
 25 from the previous recommendation, we felt that was the

1 area to make adjustments. There are some other  
2 adjustments from the previous recommendation.

3 COMMISSIONER MARDFIN: I understand it now.  
4 It's only on -- when you disperse regionally that you're  
5 -- you're -- you have different options?

6 MR. HUNT: And there are cuts across all  
7 regions, I believe. Well, virtually all regions. But  
8 the biggest difference is, in West Maui, where the --  
9 not to point at a particular project, but to illustrate  
10 a point, is Mahinahina, which translates to Pulelehua,  
11 in Option B is reduced down to match the GPAC  
12 recommendation, and Option C, you would cut it  
13 altogether. The difference being that, in Option C, you  
14 would argue, well, it's better to keep projects whole so  
15 they can kind of function according to their site plan  
16 and have integrity to -- to the internal workings of  
17 that project. Option B is more like, you know, we're in  
18 hard times and everyone should take a little hit and you  
19 kind of spread the pain across all the projects. You  
20 give all the projects a chance to get established. And  
21 then next time we go through this exercise, you add a  
22 second phase or something.

23 So those are the two options we've prepared  
24 for you folks. You can choose which one you prefer.

25 ACTING CHAIR U`U: Commissioner Hiranaga.

1 Coming out of the GPAC, both the Department  
2 and the GPAC had the same recommendation for Paia Town.  
3 When we received the July 2009 DBEDT numbers, and you  
4 had to go region by region to make adjustments for the  
5 drop in projected population, the Department did reduce  
6 the size of the Paia expansion. So we left intact the  
7 expansion on the Kahului side of Paia Town and removed  
8 the proposed expansion on the Haiku side of Paia Town.  
9 Now, we felt that the Kahului side had better access  
10 from Hana Highway. It was on the right -- the correct  
11 side of a potential bottleneck. It will be more  
12 feasible to move forward first with that part of the  
13 project.

14 ACTING CHAIR U`U: Commissioner Hiranaga.

15 COMMISSIONER HIRANAGA: So why is that map  
16 different from the map that I was given this morning?

17 ACTING CHAIR U`U: Staff.

18 COMMISSIONER HIRANAGA: In the map that was  
19 sent to me on Thursday, okay, I finally got yesterday,  
20 is that the same as this map or that map?

21 MR. SUMMERS: The map that you have in your  
22 hand would reflect the adjustments that were made.

23 COMMISSIONER HIRANAGA: This is what I've got  
24 right there.

25 MR. SUMMERS: Right. On -- on that map, we

1 COMMISSIONER HIRANAGA: Okay. Looking at Paia  
2 Town, you designated 46 acres which will create 100  
3 units. The 46 acres, is that what is located in and  
4 around Paia Town exclusive of GPAC or inclusive?  
5 Because it appears that GPAC's UBGs [sic] are larger  
6 than the Director's.

7 ACTING CHAIR U`U: Director?

8 MR. HUNT: If we could, Mark, can you take us  
9 to Paia?

10 MR. McNULTY-HUFFMAN: Mr. Chair?

11 ACTING CHAIR U`U: Staff.

12 MR. McNULTY-HUFFMAN: If I may, while he's  
13 going there. I just wanted to clarify the packet of  
14 maps that you were handed this morning, if you look on  
15 the left side, say "24 August," is that correct?

16 ACTING CHAIR U`U: Correct.

17 MR. McNULTY-HUFFMAN: Those are Plan C, Option  
18 C, just to clarify what you have in front of you.

19 ACTING CHAIR U`U: Thank you.

20 Commissioner Guard.

21 COMMISSIONER GUARD: Are we being given --

22 COMMISSIONER HIRANAGA: I did not get the  
23 answer to my question.

24 ACTING CHAIR U`U: Staff.

25 MR. SUMMERS: Thank you, Mr. Chairman.

1 have a number of different boundaries displayed so you  
2 can compare -- can compare and contrast the changes that  
3 were made. So it's a useful tool. It can be kind of  
4 busy. So if you find that having all these different  
5 boundaries on the map gets complicated, we can go back  
6 and forth easily.

7 COMMISSIONER HIRANAGA: I need to go back to  
8 the map that's in my book, the other map?

9 MR. SUMMERS: No. No. You can see it here.

10 MR. McNULTY-HUFFMAN: Mr. Chair, if I may?

11 ACTING CHAIR U`U: Staff.

12 MR. McNULTY-HUFFMAN: Just to clarify or add a  
13 little more to what John said, with the GIS, we can  
14 display a lot of different information in the  
15 background. So I think what you're saying is the same  
16 boundaries displayed as far as the growth boundaries,  
17 but different background information.

18 COMMISSIONER HIRANAGA: Okay. My original  
19 question is where's the 46 acres?

20 ACTING CHAIR U`U: Staff.

21 MR. HUNT: The 46 acres is to the west and  
22 mauka of Paia.

23 COMMISSIONER STARR: Can you slide us over?

24 No, the other way, Mark. Okay. There it is.

25 ACTING CHAIR U`U: Commissioner --

1 MR. HUNT: Mark, can you pull off the GPAC  
 2 urban growth and just leave option -- I believe it's  
 3 Option C we're dealing with? So that would reflect  
 4 Option C. It's different from your map in your April  
 5 packet because this area here was -- was cut. That's  
 6 part of the reduction in the units. The Department felt  
 7 this was a better site to keep because of proximity to  
 8 Kahului and to have frontage on Baldwin. And I believe,  
 9 other than that -- correct me if I'm wrong, John. Other  
 10 than that, the growth boundaries are the same as in the  
 11 April version.

12 MR. SUMMERS: That's correct.  
 13 MR. HUNT: So that's the only difference is we  
 14 -- on Option C, this area is cut.  
 15 COMMISSIONER HIRANAGA: Okay. Thank you.  
 16 ACTING CHAIR U'U: Commissioner Guard.  
 17 COMMISSIONER GUARD: So are these our only  
 18 options, B and C, that we're being given?  
 19 MR. HUNT: No. No.  
 20 COMMISSIONER GUARD: So these are -- like  
 21 those changes are fairly just arbitrary changes to see  
 22 what would happen on a spreadsheet?  
 23 MR. HUNT: I wouldn't call them arbitrary. We  
 24 had intense discussions and analysis about it.  
 25 COMMISSIONER GUARD: Okay. So I guess what

1 fine-tuning, the site planning of the development within  
 2 that urban growth area.  
 3 COMMISSIONER GUARD: Okay. So just out of  
 4 curiosity then, the Kuau Residential lots, along the  
 5 highway, there's already a sewer line, there's a  
 6 waterline in place. What was the theory that that one  
 7 should be taken out?  
 8 MR. HUNT: John, can you help?  
 9 COMMISSIONER GUARD: Just so I get some  
 10 background on what we're looking at.  
 11 MR. SUMMERS: Thank -- thank you,  
 12 Mr. Chairman. The Kuau Bayview project, just to be  
 13 clear, was not included in the Director's recommendation  
 14 or the GPAC's recommendation. The property, as I  
 15 understand it, has -- State Land is Urban, but Community  
 16 Ag and it's zoned for agricultural use. But the primary  
 17 rationale for not originally including it in the growth  
 18 boundary, there were a couple of issues.  
 19 The first thing, the linear shape of the  
 20 parcel. It runs in a linear fashion along the highway,  
 21 rather than narrow. It's a greater distance from Paia  
 22 Town, the activities and employment, than the existing  
 23 proposed areas. So there was a feeling that if we were  
 24 gonna have expansion in the Paia area, that those areas  
 25 adjacent to Paia would be more cost-effective to develop

1 I'm wondering is if we're trying to empower a Community  
 2 Plan process, wouldn't you give people a few options  
 3 instead of saying, oh, this is where we feel it should  
 4 go is Hamakuapoko and right in Paia Town. I mean, I  
 5 live within that Kuau Residential area that they  
 6 proposed that got nixed. But if people wanted it in  
 7 that community -- I mean, I wouldn't want to have to  
 8 live with the construction, but I'm not the only one in  
 9 the community, other people may want that, so I'm just  
 10 trying to see at what point in the process they get to  
 11 see these potential proposals come up. Because if --  
 12 like all these maps keep nixing it and nixing it, and if  
 13 what the Commission says also nixes it, I don't see the  
 14 Community Plan being like, oh, we all really want this.  
 15 MR. HUNT: Well, the way that Bill 84 works is  
 16 the Maui Island Plan establishes your Urban Growth  
 17 areas. So that's -- that's the exercise before you now.  
 18 During the analysis of these areas, we often get into  
 19 review of the site plans and other locational issues.  
 20 But that shouldn't be confused that you actually are  
 21 doing the site approval. That's where the Community  
 22 Plan would come in.  
 23 Hypothetically, the County Council would adopt  
 24 this Urban Growth Boundary here around Paia. And then  
 25 during the Community Plan, they would do the

1 and would result in less trip generation.  
 2 We also had some concern about the  
 3 encroachments mauka of the highway into some of our best  
 4 agricultural lands. So that was a concern.  
 5 That particular area is adjacent to the  
 6 highway and a very short distance from the shoreline.  
 7 So we were also trying to mitigate impact on aquatic  
 8 resources.  
 9 ACTING CHAIR U'U: Commissioner Guard.  
 10 COMMISSIONER GUARD: Do you know how far that  
 11 is from Paia Town?  
 12 MR. SUMMERS: We can do a quick and dirty  
 13 estimate.  
 14 COMMISSIONER GUARD: It's about -- yeah, it's  
 15 less than a half mile, probably. But I guess my  
 16 concern, as someone who lives there and walks there -- I  
 17 mean, again, I wouldn't want to have construction there  
 18 for five years right in my back yard. But their runoff  
 19 already runs all over the highway and into the ocean.  
 20 So I see the potential for improvement if they had to  
 21 put in drainage basins.  
 22 It's a death trap for pedestrians along there  
 23 because you're right up against the hill. So, for me, I  
 24 see people walking their dogs, kids hitchhiking all the  
 25 time, there's accidents all the time, that there may be

1 room for improvement by a developer having to come in  
2 and put in a sidewalk, et cetera. It may improve the  
3 existing community's way of life and decrease the amount  
4 of runoff into the ocean.

5 And I think when we're talking about transfer  
6 of development of -- TDRs, we use that Kuau Bayview park  
7 quite a bit. It's up in the back. It's one of the few  
8 ball parks.

9 And I think the North Shore is at a loss for a  
10 lot of parks. And up in Paia, too, that we're looking  
11 at, may not be the only spot. Baldwin Avenue has its  
12 own problems, so Hana Highway up there.

13 So, again, I don't know how many people from  
14 Long Range, or everyone that lives in Paia, I would like  
15 to just see options left for the community to go back  
16 and forth with.

17 I can see that if it's Ag -- and that's why  
18 we're here today -- is to say, oh, we don't think maybe  
19 the Community Plan should change for this and that. I  
20 thought that was a better spot than Hamakua, looking at  
21 the map. But same idea, it's just one person's thought.

22 ACTING CHAIR U`U: Commissioner Starr.

23 COMMISSIONER STARR: Yeah. If not now, when,  
24 and, if not us, who? You know, unless we're willing to  
25 follow the lead of the professionals. And I really do

1 Department?

2 ACTING CHAIR U`U: Staff.

3 MR. SUMMERS: Thank you, Mr. Chairman.

4 There would be an opportunity for a concurrent  
5 amendment so that the Island Plan can be amended  
6 concurrently with the Community Plan when it's adopted.  
7 You know, we analyzed this -- this area in great detail.  
8 And we're not saying that this is a bad place to go.  
9 Looking at this planning horizon, this day we're in  
10 right now, the next 10 years in particular, because  
11 we'll have an update in 2020, this area seemed the most  
12 logical. Very close to existing commercial services and  
13 employment, on the right side of the bottleneck. This  
14 area also has better access.

15 This seemed like the second best option. A  
16 little trouble getting to it, so that was a bit of a  
17 challenge, but it's still very close to the existing  
18 activities in Paia Town.

19 And then going out a little further, this  
20 seemed like sort of a third bet, but it was hard to  
21 justify all of that during this planning horizon.

22 ACTING CHAIR U`U: Commissioner Starr.

23 COMMISSIONER STARR: I want to go back and  
24 talk about the Hamakuapoko Rural Reserve, the fifty, I  
25 think, six acres. I'd like to understand why it's here

1 think that our planners are as good as anyone anywhere,  
2 you know. And I have been going around the country  
3 looking at a lot. I really think they -- they're  
4 leading us in the right direction. And, you know, it's  
5 tough to have the discipline to be able to accept it and  
6 to say "yes" and to say "no." But, you know, this is an  
7 opportunity, and maybe the one opportunity we'll ever  
8 have, to try to guide what Maui is gonna be like in the  
9 future.

10 And, you know, whatever we do, it's gonna be  
11 possible to pick at it later. I'm sure we'll all regret  
12 stuff we voted for or against. But, you know, at least  
13 it's -- you know, we're in the best situation to at  
14 least try. And I -- you know, and I accept that. And I  
15 really do think we should try our best. And my  
16 understanding of the process is that, you know, say in  
17 the general -- you know, the -- the comprehensive plan  
18 now, we decide and the Council agrees to accept that  
19 area, you know, to the left of Paia, and then it turns  
20 out in the Community Plan process that there's  
21 compelling reason not for that, that the community wants  
22 it on the other side, I'm sure there's a legal option to  
23 be able to deal with that, if there's overwhelming  
24 community support of it.

25 Can I hear from that department -- from the

1 because it sounds like the landowner says that it's, you  
2 know, unbuildable in this horizon. I'd like to -- it's  
3 not there on that. I'm wondering why it was there and  
4 whether we should feel any compulsion to beef up  
5 something else somewhere, or is that already happening  
6 now?

7 ACTING CHAIR U`U: Staff.

8 MR. SUMMERS: Thank you, Mr. Chairman.

9 The Department, in its original  
10 recommendation, did not include Hamakuapoko. During the  
11 GPAC process, there was a desire among the members to  
12 include additional rural lifestyle opportunities. This  
13 area here is in the existing Community Plan. It doesn't  
14 have zoning. So we thought that this would be the best  
15 approach in terms of providing that diversification in  
16 lifestyle choices. And we respected the GPAC's comments  
17 at the time.

18 With the -- looking back after the revision to  
19 the population forecasts, however, this did not seem to  
20 be the best alternative for this area. So we took it  
21 off.

22 ACTING CHAIR U`U: Director Hunt.

23 MR. HUNT: Just to remind you, we asked the  
24 proponents of the revitalization of the high school  
25 whether it was critical to that project. And she said

1 it was not.  
 2 ACTING CHAIR U`U: Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: Yeah. Returning to  
 4 Kuau Residential, I -- I feel that that option should be  
 5 included in the Planning Commission's recommendation.  
 6 You're -- you're giving this Paia option to A&B. And  
 7 everyone knows A&B is the largest private landowner on  
 8 this island. They're gonna have projects proposed in  
 9 Upcountry, Wailuku, Kahului. This is -- they may never  
 10 address this -- this area for the next 20 years.  
 11 They're -- they're not forced to develop everything  
 12 that's designated. And I feel if they're not hot on  
 13 something, which he -- which Mr. Chun was not able to  
 14 say, my feeling is that's not gonna get built. They  
 15 seem to desire Kuau Residential, and if you look at the  
 16 existing Kuau Bayview project --  
 17 ACTING CHAIR U`U: Could somebody point out  
 18 Kuau Bayview?  
 19 COMMISSIONER HIRANAGA: Actually, the aerial  
 20 photo is the best shot. You see that big large green  
 21 patch up above, that's a retention basin to capture  
 22 surface runoff coming off of the mountain. Pan back a  
 23 little bit. Yeah. Looks like a football field or  
 24 soccer field. Yeah, that's a retention basin. And  
 25 they've also got a retention basin there, to collect the

1 supportive of doing the swap that A&B had requested.  
 2 And that was why I asked the question of whether we  
 3 could know in advance whether they were going to be  
 4 willing to retain 100 percent of the runoff mauka and  
 5 not have to worry as much about shoreline issues. I was  
 6 a little upset when we did not get a positive reply from  
 7 Mr. Chun on that issue. So it kind of leaves me a  
 8 little less excited about -- about that option. Because  
 9 that is a real sensitive coastline.  
 10 My feeling is, also, that if there were to be  
 11 an extension, it should be close in around Paia, it  
 12 should be, you know, additional -- you know, kind of --  
 13 maybe an additional area, but right in so that it  
 14 remains walkable with Paia and not extending all the way  
 15 to the northeast.  
 16 So, anyway, to get the ball rolling,  
 17 Mr. Chair, if it's acceptable with you, my thoughts were  
 18 that I would make a motion to accept one of the options  
 19 that the Department -- let me call it -- can I say the  
 20 very latest departmental recommendation? Is that a  
 21 meaningful term? And then you can put that and that  
 22 alone up on the screen? And then we can put -- or take  
 23 from that by amendments? I guess that's a question  
 24 before I make a motion.  
 25 ACTING CHAIR U`U: Staff.

1 surface runoff created by the subdivision itself. So by  
 2 developing that project, Kuau Bayview, they have  
 3 improved the water quality in the Pacific Ocean across  
 4 from the property tremendously because of those  
 5 improvements. And I believe that that was the same type  
 6 of improvements that would occur if they did so-called  
 7 Kuau Bay II.  
 8 Right now, I'm not sure exactly what the total  
 9 number of units are in that subdivision. It might be  
 10 about 55. I think it was one house for sale. So there  
 11 is a demand for housing in that area. Kuau is a very  
 12 desirable area to reside. I know one of my  
 13 commissioners -- fellow commissioners lives in Kuau. I  
 14 lived in Spreckelsville for the past 15 years. And my  
 15 opinion, I think that Kuau Residential should be added  
 16 on as an additional option to the Paia proposed UBG  
 17 [sic].  
 18 I did wanna make one qualification. I did not  
 19 want it to extend into the proposed Preservation area.  
 20 If you go further east a little bit. You cut off that  
 21 one little section. Right. Or you could stop at that  
 22 point. So at some point, I'll be making a motion.  
 23 ACTING CHAIR U`U: Commissioner Starr.  
 24 COMMISSIONER STARR: Yeah. I actually was  
 25 thinking at one point today that I -- that I would be

1 MR. HUNT: There's -- there's two options  
 2 before you --  
 3 COMMISSIONER STARR: Uh-huh.  
 4 MR. HUNT: -- that would be consistent with  
 5 your already made recommendation --  
 6 COMMISSIONER STARR: Uh-huh. Uh-huh.  
 7 MR. HUNT: -- regarding numbers.  
 8 COMMISSIONER STARR: Uh-huh.  
 9 MR. HUNT: So at this point you would need to  
 10 decide whether you wanna go with what we arbitrarily  
 11 described as Option B or Option C. And I -- I tried to  
 12 explain the difference to you. If you want me to do it  
 13 again, I'll try again.  
 14 COMMISSIONER STARR: I would rather -- can I  
 15 see it right here in this area as an example of it?  
 16 MR. HUNT: The -- the two options, B and C,  
 17 are the same across the board except -- until we get to  
 18 West Maui.  
 19 COMMISSIONER STARR: Okay. So it doesn't  
 20 matter.  
 21 MR. HUNT: So it doesn't matter until we get  
 22 to West Maui. You have -- you have -- the body's  
 23 already made the recommendation to go with those numbers  
 24 per your motion.  
 25 COMMISSIONER STARR: So my motion is to accept

1 the B, C Director's recommendation for the Paia-Haiku  
 2 area. And I'll be happy to restate it if someone can  
 3 tell me how I should be describing this.  
 4 ACTING CHAIR U`U: Motion made by Commissioner  
 5 Starr. Is there a second?  
 6 COMMISSIONER SHIBUYA: Second.  
 7 ACTING CHAIR U`U: Seconded by Commissioner  
 8 Shibuya. Discussion? Commissioner Mardfin.  
 9 COMMISSIONER MARDFIN: I just wanna make sure  
 10 I understand what's going on. On both B and C, I'm  
 11 looking at the spreadsheet, it has Paia Town, 4.5 acres  
 12 -- oh, density per acre, it has -- for Paia Town, it has  
 13 46 acres and 200 units. For Haiku, it has zero acres  
 14 and zero units. And for Hamakuapoko, it has zero acres  
 15 and zero units. Am I reading this correctly?  
 16 MR. HUNT: That's correct.  
 17 COMMISSIONER MARDFIN: And those are the  
 18 numbers. And when you say Haiku area, it includes those  
 19 borders in yellow, is that also correct?  
 20 MR. HUNT: Yes. We can show you the Haiku  
 21 area. This -- I like the way you're -- you're  
 22 incorporating the spreadsheet and the map, but we have  
 23 to remember that the spreadsheet doesn't show all the  
 24 map growth.  
 25 COMMISSIONER MARDFIN: Uh-huh.

1 MR. HUNT: You -- you don't have to accept it.  
 2 That's the recommendation from the Department and GPAC.  
 3 COMMISSIONER MARDFIN: Okay.  
 4 MR. HUNT: If you do modify it.  
 5 COMMISSIONER MARDFIN: If we were to cut  
 6 things out?  
 7 MR. HUNT: It affects the spreadsheet.  
 8 COMMISSIONER MARDFIN: Okay.  
 9 MR. HUNT: Okay.  
 10 ACTING CHAIR U`U: Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: So we're only  
 12 discussing Urban Growth Boundaries, correct? This is an  
 13 Urban Growth Boundary matrix exclusive of Rural and Ag  
 14 potential units.  
 15 MR. HUNT: The way the GPAC did it is they  
 16 would go to an area and they would make a motion to  
 17 accept the growth areas, so it was Urban and Rural. The  
 18 reason we didn't put Rural on here, with the exception  
 19 of one, is that most of it's already entitled. So,  
 20 really, this spreadsheet is new entitlement beyond  
 21 what's already existing.  
 22 ACTING CHAIR U`U: Commissioner Hiranaga.  
 23 COMMISSIONER HIRANAGA: So because we adopted  
 24 the 11,154 in the unit demand, are we precluded from  
 25 enlarging the proposed units, say, in the North Maui,

1 MR. HUNT: There's -- there's Rural Growth  
 2 areas in Haiku. So it would be misleading to look at  
 3 the spreadsheet and say there's zero growth proposed in  
 4 Haiku. This is beyond the -- beyond the existing Rural  
 5 Growth areas that were essentially mapped around  
 6 existing Community Plan designations.  
 7 ACTING CHAIR U`U: So we need a distinction  
 8 between Urban and Rural?  
 9 MR. HUNT: In Haiku, you can see we do have  
 10 growth areas proposed. But those were essentially  
 11 placed upon existing Community Plan designations. So  
 12 those already exist. So we are not proposing to entitle  
 13 additional lands in Haiku.  
 14 COMMISSIONER MARDFIN: Does that mean that if  
 15 we approve those, we're basically just -- that's part of  
 16 the 40,000 -- no. That's part of the 28 -- I don't have  
 17 it in front of me anymore. That's the ones that they've  
 18 already said we're -- are entitled and going to be  
 19 built?  
 20 MR. HUNT: 23,483.  
 21 COMMISSIONER MARDFIN: Right. Right. That's  
 22 already included in that?  
 23 MR. HUNT: Correct.  
 24 COMMISSIONER MARDFIN: So we have to accept  
 25 those areas unless we're gonna lower that number?

1 from 200 to 3,000?  
 2 MR. HUNT: No, you're not precluded. But the  
 3 Department will caution you that don't pull a GPAC and  
 4 throw 6,000 units out in West Maui when only 30 -- only  
 5 3,000-plus were projected. So there has to be some --  
 6 we would recommend there be some correspondence between  
 7 projected need and your entitlement that you're adding.  
 8 COMMISSIONER HIRANAGA: So my question is on  
 9 the -- I guess what are you calling the property west of  
 10 Paia, Paia 1? Is there a name for it? Paia 2? Paia 2?  
 11 MR. HUNT: Yes.  
 12 COMMISSIONER HIRANAGA: Is that State Land Use  
 13 Urban or Ag?  
 14 MR. SUMMERS: That's Agriculture. You're  
 15 talking about this little area here, I assume?  
 16 COMMISSIONER HIRANAGA: No. That one.  
 17 MR. SUMMERS: This one?  
 18 COMMISSIONER HIRANAGA: Yeah.  
 19 MR. SUMMERS: It's Ag across the board.  
 20 COMMISSIONER HIRANAGA: So in order to develop  
 21 the -- the owner would have to go before the State Land  
 22 Use Commission and petition for a State Land Use  
 23 Boundary Amendment from Ag to Urban?  
 24 MR. SUMMERS: That's correct.  
 25 COMMISSIONER HIRANAGA: Versus Kuau

1 Residential which is already in the State Land Use Urban  
2 within the Urban Boundary? So they were given the  
3 Community Plan designation, all they would have to do is  
4 go to the County for zoning?

5 MR. SUMMERS: For those areas that are in the  
6 State Land Use District Urban classification, they would  
7 have to go before the County Council and receive a  
8 Community Plan Amendment and a Change in Zoning. And we  
9 do have areas that the State historically has designated  
10 without looking at County policy. And this is one of  
11 those instances where our County Council, exercising its  
12 home rule authority, has not decided to move forward  
13 with urbanization of the area.

14 COMMISSIONER HIRANAGA: But if -- if the  
15 Commission recommends including Kuau Residential and  
16 it's adopted by the Council, basically two of the three  
17 steps have been accomplished with regards to  
18 consistency, State Land Use Urban, Community Plan,  
19 within the Urban Growth Boundary.

20 MR. SUMMERS: Yes.

21 COMMISSIONER HIRANAGA: Versus the Paia 2  
22 West, which would still have to go before the State Land  
23 Use Commission. And if they denied the application, no  
24 houses there, maybe one.

25 MR. SUMMERS: If -- if this area is included

1 So you can make an argument on either side.  
2 What we came down on was it would be better to develop  
3 proximate to the Paia Town, existing town, in this area,  
4 as opposed to out here.

5 COMMISSIONER HIRANAGA: One final comment and  
6 then I'll yield the floor.

7 And Commissioner Guard can correct me, but,  
8 from Charley's, it probably takes less than 10 minutes  
9 to walk to this project site. So we're talking half a  
10 mile. By bicycle, maybe three minutes. So it may look  
11 deceiving on the map, but it's really not that far from  
12 Paia Town.

13 ACTING CHAIR U'U: Just to add to that. It  
14 takes me about seven minutes from my house to walk to  
15 Paia. And that's a cruising walk. I make reservations  
16 10 minutes in advance. I live at -- abutting Kuau  
17 Bayview. And that is pushing one stroller at night.  
18 And the beauty of it is you have the sidewalk there that  
19 the Kuau Bayview tie into the -- the Paia Town. So that  
20 is the beauty of the development, where it's actually  
21 safer walking on that raised sidewalk for walkability,  
22 which we talked about in the smart growth.

23 They did add a detention basin which will take  
24 care of the runoff for that area.

25 It's a very short walk.

1 on the Maui Island Plan map, the applicant would have to  
2 get a Community Plan Amendment and Change in Zoning.

3 That being said, the Department is looking at  
4 some concurrent zoning as part of the community plan  
5 process to streamline things.

6 COMMISSIONER HIRANAGA: Yeah. But if -- if we  
7 include that in our recommendation to the Council and  
8 the Council adopts it, that amends the Community Plan,  
9 correct? Or does CAC still have to take action on that?

10 MR. HUNT: The Community Plan would still have  
11 to be amended. But as we've stated in the past, the --  
12 the direction would be to the Community Plan, this is  
13 where urban development is intended. And we've also  
14 suggested, as a policy, the Department will recommend to  
15 Council that we do a comprehensive rezoning. So the  
16 developer won't have to go through those steps.

17 And your points about this land already being  
18 Urban designated by the State is a good point. That's a  
19 point well-taken. And we took that into consideration  
20 on all of our analyses, what's the State existing  
21 designation, what's the Community Plan, is it already  
22 zoned. But there's other factors that we took into  
23 account. And that's the proximity to downtown areas and  
24 walkability and that whole smart growth concept that we  
25 talked about.

1 And I think Kent and -- I think what JB  
2 brought up early about having the community decide, I  
3 think we have two people or three people on this  
4 Commission that has experience within that community.  
5 And I think that's -- the reason is why they bring it up  
6 to put it in the Community Plan. Commissioner Starr  
7 suggested we leave it up to Long Range Planning who  
8 probably hasn't had one clue how we live in Paia.

9 And no offense to what you guys doing. I  
10 think you guys doing a great job. But that's the  
11 difference in Jonathan Starr saying leave it up to you  
12 guys, but you guys never live there. So I wouldn't want  
13 to leave it up to you guys to (inaudible) Hana. And  
14 that's why part of the Community Plan should be placed  
15 on the citizens or -- or the people, like us, who live  
16 in the community. No offense, but not to outsiders.

17 Commissioner Mardfin.

18 COMMISSIONER MARDFIN: I have three short  
19 things.

20 One, was there any -- for this area that we're  
21 talking about, was there any difference between the GPAC  
22 recommendation and the Department's recommendation?

23 MR. SUMMERS: Thank you, Mr. Chairman.

24 If you look at the original recommendation  
25 that came out of the Department after GPAC review, our

1 recommendations were identical.  
 2 COMMISSIONER MARDFIN: They were identical.  
 3 Secondly, I remembered Lucienne coming in and  
 4 talking about some sort of greenbelt park they wanted to  
 5 have. Can you show me on this where that would be so  
 6 that we don't screw that up? No offense. So that  
 7 wouldn't be interfered with at all, is that correct?  
 8 MR. SUMMERS: That's correct.  
 9 COMMISSIONER MARDFIN: And my -- a quick  
 10 comment?  
 11 ACTING CHAIR U`U: Commissioner Mardfin.  
 12 COMMISSIONER MARDFIN: I tend to support the  
 13 local input. I'm glad you three are on here. Because  
 14 I'm a believer in community plans and community  
 15 decisions, as I've made clear all along. So I will give  
 16 your views appropriate deference.  
 17 ACTING CHAIR U`U: Can I have something for  
 18 clarity? We -- we voting on -- I'm a little lost. Are  
 19 we voting on the mapping or are we voting to accept the  
 20 B and C of this matrix?  
 21 MR. HUNT: The exercise -- the exercise before  
 22 you should be both. We would recommend you keep an eye  
 23 on the spreadsheet as you do your mapping.  
 24 ACTING CHAIR U`U: So that will be -- when the  
 25 motion was made to -- by Commissioner Starr, it's to

1 or --  
 2 COMMISSIONER HIRANAGA: North Shore Village.  
 3 COMMISSIONER GUARD: North Shore, and even the  
 4 old one right behind Picnics and whatnot. I mean, they  
 5 could -- by being in the Urban Growth Boundary, they  
 6 could still go low density. That's the issue, right?  
 7 We're not forcing anyone to go to -- what's our thing --  
 8 4.5 units per acre?  
 9 And I would think the Paia -- my issue is that  
 10 the Paia community could probably figure out what they  
 11 wanted, if it was a happy medium, by expanding Paia 2,  
 12 increasing parking, some beach park right across the  
 13 street from Paia Bay, hopefully more shopping, if the  
 14 economy comes back and people can open up businesses,  
 15 and Kuau Residential would be more of a residential  
 16 area. And which -- and both have their own benefits.  
 17 But I just don't know if the nine of us can decide  
 18 wholeheartedly one way or the other versus here's a  
 19 couple options, we may be a little high on the 11,154.  
 20 And it's a -- it's an organic process.  
 21 ACTING CHAIR U`U: Director Hunt.  
 22 MR. HUNT: Mark -- oh, you've got information  
 23 here. It looks like the proposed plan was 71 acres,  
 24 approximately 141 residential units. But we would --  
 25 can you interpolate -- as I understood it, the proposal

1 accept the mapping and this?  
 2 MR. HUNT: Yes. The mapping -- the  
 3 spreadsheet corresponds to the mapping. If you change  
 4 the mapping, we will change the spreadsheet according to  
 5 your recommendation.  
 6 ACTING CHAIR U`U: Okay. Thank you.  
 7 Commissioner Starr.  
 8 COMMISSIONER STARR: Yeah. In an attempt to  
 9 try to find a consensus on this, as well as stick within  
 10 the envelope number budget of the spreadsheet, I'd like  
 11 to examine the option -- can we go back to the map,  
 12 Mark -- of putting the units that are delineated to the  
 13 left of Paia -- right there -- take those away and put  
 14 them on the Kuau side of Paia, which are -- you know, we  
 15 have several members who seem to feel that that is a  
 16 more suitable place.  
 17 ACTING CHAIR U`U: Commissioner Guard.  
 18 COMMISSIONER GUARD: Thank you.  
 19 I think we're kind of missing the point. I  
 20 think Paia 2 is also a great location. But if we're  
 21 trying to get them to do a higher density, like more  
 22 urban versus just doing another -- what's the little  
 23 place called in there --  
 24 COMMISSIONER HIRANAGA: Skill Village.  
 25 COMMISSIONER GUARD: Either Skill Village

1 was to cut off the point somewhere. Can you interpolate  
 2 and give us a unit count on that, Mark?  
 3 MR. KING: Staff.  
 4 Yes. And one thing noted here, this is about  
 5 two per acre, our spreadsheet was looking more at four  
 6 and-a-half per acre. So on 71 acres, what you're  
 7 suggesting we could interpolate this top piece, get our  
 8 acreage count, and then think about how many units.  
 9 I'm not sure if I have introduced my  
 10 co-analyst here, Mike Napier.  
 11 Mike, if you would grab a graphic.  
 12 This area to the north -- northeast falls  
 13 within our green preservation. If you could do an  
 14 acreage area calculation. Thank you.  
 15 So once again, this was 71 acres with the  
 16 complete piece. And this is from the Alexander &  
 17 Baldwin Properties submission.  
 18 ACTING CHAIR U`U: Commissioner Hiranaga.  
 19 COMMISSIONER HIRANAGA: Yeah. I'd like to  
 20 suggest that you eliminate this section.  
 21 ACTING CHAIR U`U: It's done. Good job.  
 22 COMMISSIONER STARR: Yeah.  
 23 ACTING CHAIR U`U: Yeah. JB wants it right  
 24 next to his house. Blast the neighbors.  
 25 Staff.



1 MR. SUMMERS: Just a quick clarification. So  
2 these boundaries are proposed as Country Town expansion,  
3 it's not full Urban. And secondly, the four and-a-half  
4 dwelling units an acre was an analysis of the existing  
5 density in Paia Town residential density and applying a  
6 similar land use pattern to this area.

7 ACTING CHAIR U`U: Commissioner Hiranaga.

8 COMMISSIONER HIRANAGA: You know, I think we  
9 need to be cognizant that the landowner is A&B. And if  
10 you grant them both areas, they may not do anything in  
11 the next 20 years because they've got so many options on  
12 this island. My feeling from -- based on comments from  
13 Grant Chun is Kuau Residential, you have a better than  
14 50 percent chance that they'll develop something in 20  
15 years, and the Paia Country Town, you have less than a  
16 50 percent chance to develop something in 20 years.  
17 This is not their only landholdings that they are gonna  
18 have to develop or want to develop in 20 years. They've  
19 got Kahului, Wailuku, Kihei. You know, they're a  
20 relatively conservative company, and they do not start  
21 building wholeheartedly. And if the market's not there,  
22 the demand is not there, they won't do anything.  
23 They'll just sit on it the next 100 years like they have  
24 for the past 150 years.

25 ACTING CHAIR U`U: Director Hunt.

1 the wrong -- probably at the wrong time.

2 MR. HUNT: So Mark will calculate the density  
3 on that project and then we'll transfer it over and try  
4 and come up with a density on the project.

5 ACTING CHAIR U`U: And while they doing that,  
6 I'm sorry, but the stenographer wants to take a  
7 10-minute break. She's giving me that look.

8 COMMISSIONER GUARD: Last follow-up question.

9 ACTING CHAIR U`U: Last question, JB.  
10 Commissioner Guard.

11 COMMISSIONER GUARD: I'll use as few words as  
12 possible. So if we -- if we make our suggestions, you  
13 go to the Community Plan, and me being the community  
14 member I say, "Nay, not in my back yard," and it gets  
15 nixed, then what do we do?

16 MR. HUNT: One -- one of the -- one of the  
17 positives about designating Urban Growth Boundaries is  
18 it sends a strong message to the community that this is  
19 where future development is intended. And one of the  
20 points we've been trying to make to the community is  
21 once we draw these boundaries, hopefully we're not going  
22 to have these big contentious rancorous debates about  
23 whether growth should occur there or not. The question  
24 then should become what kind of growth, what's the  
25 design of the growth. Now --

1 MR. HUNT: We wear two hats in this game. And  
2 the first is we make a recommendation to you. And we'll  
3 try and persuade you and use logic and good planning  
4 principles. And when we see you going down another  
5 road, we wear the other hat. And that's to help you  
6 formulate your recommendation. And I think that's where  
7 we are at now. So what we're trying to do is figure out  
8 what kind of density. And we -- we got the area now, we  
9 believe everything east of this should be cut off.  
10 Mark's spreadsheet that he pulled up had two units per  
11 acre, so half-acre lots. Would you like it denser than  
12 that?

13 ACTING CHAIR U`U: Commissioner Guard.

14 COMMISSIONER GUARD: What's Kuau Bayview? I  
15 mean, is everyone opposed to another -- a Bayview II?  
16 I'm not sure if that had been an original subdivision  
17 application way back when or not.

18 COMMISSIONER HIRANAGA: It's R-1.

19 COMMISSIONER GUARD: Yeah, Kuau Bayview is  
20 R-1, 7,500-square-foot lots, something. If you just  
21 butterflied Kuau Bayview right there, just do another  
22 half one. I mean, same idea, everyone can share the  
23 pain, you don't have to do the full 140, even if you  
24 added another 50, or 60. I think it took 'em quite a  
25 few years to sell that, when it came on the market, at

1 COMMISSIONER GUARD: Okay.

2 MR. HUNT: We'll see if we get there.

3 COMMISSIONER GUARD: Commissioner Starr  
4 brought up, he would have gone with it if -- if he had  
5 -- if we started conditioning the project a little  
6 early. I mean, I think all of us want 'em to do that.  
7 But that's another day, right, that's another battle?

8 MR. HUNT: I -- I -- it's a really delicate  
9 issue to do site planning at this level.

10 COMMISSIONER GUARD: Yeah.

11 MR. HUNT: We all have a tendency to look at  
12 the site plan. And we'll ask you about density, but  
13 then pull yourself back out and the decision you're  
14 making is location.

15 ACTING CHAIR U`U: Thank you.

16 Commissioner Starr, last question.

17 COMMISSIONER STARR: Yeah. And, you know, I  
18 wasn't trying to condition it, but I -- you know, I know  
19 A&B and I know Mr. Chun a long time, I know if they said  
20 they wouldn't dump any runoff into the ocean that they  
21 wouldn't, you know. And they probably won't, anyway.  
22 But we are taking, you know, something that the GPAC  
23 took off the map, which is the additional Hamakuapoko.  
24 How many units were -- would have been entitled from the  
25 -- what was that gonna be, the -- the rural up by

1 Hamakuapoko, if we were gonna swap that for an  
2 additional addition to Kuau Bayview, how big would it  
3 be, then?

4 MR. HUNT: The GPAC and the Department  
5 recommendation was for 122 units at H'poko, in different  
6 locations. We -- we suggested it be on the east side or  
7 the same side as the school. And similar to the  
8 historic photo that was passed around.

9 COMMISSIONER STARR: So if we were to justify  
10 that number of units down adjacent to Kuau Bayview, how  
11 big would that be?

12 MR. SUMMERS: We're working on those numbers.

13 COMMISSIONER STARR: Maybe we should take our  
14 break.

15 ACTING CHAIR U'U: At this time we'll take a  
16 10-minute recess.

17 (Recess, 2:59 p.m. to 3:16 p.m.)

18 ACTING CHAIR U'U: Planning Commission back in  
19 session. Director Hunt.

20 MR. HUNT: Staff has come up with some  
21 calculations on both acreage and density that would  
22 match the existing development in that area. And it  
23 looks like it just about cancels out what we had called  
24 Paia 2, just for your information.

25 So, Mark, can you give a little bit more

1 ACTING CHAIR U'U: Talk nicely.

2 Commissioner Mardfin.

3 COMMISSIONER MARDFIN: I would like to just  
4 share some thoughts a little bit.

5 ACTING CHAIR U'U: Time's up.

6 COMMISSIONER MARDFIN: Since I have community

7 -- since I have people that live in the community that

8 seem kind of supportive of this idea, it seems to me

9 that perhaps we ought to be including it. And I don't

10 necessarily know that we need to take out something

11 comparably. If they were both in there, then it would

12 go to the Community Plan to decide which they actually

13 wanted to do. And so the principle that we could be

14 following is over-put things in at our level and let the

15 Community Plan scale it back. It's at least one

16 possible way to run with this.

17 ACTING CHAIR U'U: Commissioner Shibuya,

18 followed by Commissioner Starr.

19 COMMISSIONER SHIBUYA: I was thinking along

20 those exact same lines. In fact, I was supporting the

21 Hamakuapoko 125 units as stated by the GPAC because when

22 you revitalize just the school, then the community

23 around it, once historical type of community and you

24 just want to maintain the whole ambience of the school

25 and the community. So that's why the GPAC kept it

1 detail on that?

2 ACTING CHAIR U'U: Staff.

3 MR. KING: Yes. We looked at the lot sizes in  
4 the existing Kuau Bayview. The average lot size was  
5 0.15 acres, or 6,500 square feet lots. That net density  
6 is 6.66 units per acre. Its gross acreage is 21 acres  
7 at Kuau Bayview. I then measured the Kuau Residential  
8 site. Subtracting out these pieces, we had 13 acres  
9 within the green proper and seven acres in this gap.

10 And, Commissioner Hiranaga, if I was following  
11 you correctly, you were pointing to the edge of this  
12 piece, maybe, as being the cutoff. So we can -- the  
13 seven can be in or out, but the piece from this corner  
14 is 50 acres in this red cross-hatch. Applying that same  
15 density, we would need to account for our roadway  
16 network, and some non-buildable, maybe some open space  
17 park and non-buildable lands. So that same density  
18 applied on the 50 acres with 216 units.

19 ACTING CHAIR U'U: Impressive, Mark. I take  
20 back everything I said about you. Kidding. Kidding.

21 Commissioner Mardfin.

22 I'm kidding.

23 COMMISSIONER MARDFIN: I hope you don't take  
24 it back because you said very nice things about him.

25 You don't wanna take those back.

1 there. As far as trading off, that's not part of my  
2 equation. And so I'm in favor of allowing for -- if the  
3 Kuau Members here would like to have it in, fine, I  
4 would go along with that as long as it didn't go into  
5 the Conservation area.

6 Thank you.

7 ACTING CHAIR U'U: Thank you.

8 Commissioner Starr.

9 COMMISSIONER STARR: I think we're talking

10 about the same thing that's really kind of contrary to

11 the principles of what we're trying to achieve, which

12 is, you know, the kitchen sink policy of just throw it

13 in. That's how you end up with -- with basic sprawl. I

14 mean, the thing, we're looking at adding, you know, this

15 one-acre lot -- cul-de-sac lots is just more sprawl.

16 We're building Kihei again here in Paia. Where, right

17 now what we have for most of Paia is nice and -- you

18 know, nice and dense and walkable, you know. And unless

19 there is some tradeoff, you know, it doesn't make sense.

20 And what I had in mind was -- was a trade-off. And I

21 was looking at something that was going for the benefit

22 a lot more -- you know, a lot more dense. I was

23 thinking we were talking about, you know, similar to --

24 and I'm sorry, I'm not that familiar with the area to

25 know individual -- but, yeah, that -- that -- I forget

1 what you call that area in there, which I know is a lot  
 2 more -- is a lot more dense, not, you know, one-acre --  
 3 one-acre -- one-acre lots.  
 4 So, you know, if we just add everything in,  
 5 we're -- we're not gonna be anywhere near the numbers  
 6 that we see we -- we need. We're gonna be -- end up  
 7 with, you know, double or triple the -- the numbers that  
 8 we really should be achieving. And -- and it's,  
 9 basically, saying, well, we don't have the discipline to  
 10 -- to design something that will really provide  
 11 adherence to the principles that we've -- we already  
 12 believe in. And so we're just gonna throw everything in  
 13 that everyone -- every squeaky wheel comes and asks for.  
 14 You know, I have no problem with switching stuff, but I  
 15 certainly have a big problem if we're gonna just go and  
 16 start adding stuff in and then saying, well, let the  
 17 next guys sort it out. That means we're weak and we're  
 18 not doing our job.  
 19 ACTING CHAIR U`U: Commissioner Hiranaga.  
 20 COMMISSIONER HIRANAGA: Yeah. Basically,  
 21 A&B's representative said that the current designated  
 22 land area for H'poko is not gonna happen. So let's just  
 23 take their word for that.  
 24 The proposed lot size that they came up with,  
 25 atypical 6,500 square feet, and that's how they came up

1 But I'm -- I don't really care to include that or take  
 2 it out.  
 3 ACTING CHAIR U`U: Commissioner Mardfin.  
 4 COMMISSIONER MARDFIN: I wanna respond to  
 5 Commissioner Starr a little bit. And I understand his  
 6 concern that we not kick the can down the road to  
 7 somebody else. If we -- if I thought we were kicking  
 8 the can down the road to the Council, I would be  
 9 perfectly willing to make the tougher decisions here.  
 10 But I feel we're kicking the can down to the community  
 11 plans. And I like the idea of communities deciding what  
 12 and where they want. My understanding is that if we  
 13 don't include it in the Maui Island Plan, then they  
 14 can't -- growth boundaries, they can't include it at  
 15 their stage. If we include it within the growth  
 16 boundaries in the Maui Island Plan, they can restrict it  
 17 further to what they want.  
 18 And so I would be voting -- I don't know if we  
 19 have a motion on the floor or not, but, when we do, I'll  
 20 -- I'll be voting probably consistent with that point of  
 21 view.  
 22 ACTING CHAIR U`U: Thank you.  
 23 Staff.  
 24 MR. SUMMERS: Thank you, Mr. Chairman.  
 25 Just a couple of quick comments. As I noted

1 with the 216 units, which is comparable to the Kuau  
 2 Bayview, which was a project, I think, built around  
 3 1997.  
 4 And if you drive through there, it's a pretty  
 5 nice neighborhood. It's not big houses, but -- but, you  
 6 know, I mean, they're still going for over half a  
 7 million each.  
 8 I feel it's the same landowner and they're not  
 9 gonna do both. And they may do a portion of the Paia  
 10 Country Town, they may do it in phases, they may do it  
 11 in one, two, three, four phases. Same thing with Kuau  
 12 Residential, they may do it in phases, two or three  
 13 phases, and may extend beyond the 20-year period. So I  
 14 feel that both areas should be included.  
 15 I really don't have a strong feeling for Kuau  
 16 because -- I mean, for H'poko. I think Commissioner --  
 17 former Commissioner Long said it quite clearly. Before,  
 18 there was a railroad that went there, there were water,  
 19 there are wells there that are not being used, but it's  
 20 no longer the hub. And it was the only high school in  
 21 Central Maui. There was no Baldwin High School or the  
 22 new Maui High School. Everybody went to H'poko Maui  
 23 High School. So I think that time has sort of passed  
 24 and I don't really see the justification to try and  
 25 create a new town again. It doesn't exist currently.

1 previously, during the Community Plan Updates, there can  
 2 be concurrent adoption of a community plan with an  
 3 amendment to the Maui Island Plan. So that is an option  
 4 to address some of your concerns. There's also a window  
 5 outside of the comprehensive community planning process  
 6 for individual applicants to come in, a year or two  
 7 years, I'd have to look at the Code, to propose an  
 8 additional project. So there are mechanisms built into  
 9 the statute that would allow this.  
 10 I would raise a red flag about the concept of  
 11 grossly over-allocating supply as part of this effort.  
 12 That's what happened in the 1970s, with Kihei, that  
 13 created severe infrastructure planning challenges, a lot  
 14 of the vacant lands that we see there now, the sort of  
 15 lack of a concentric growth pattern as a result of that.  
 16 So just to comport with best planning practice and to  
 17 ensure that the analysis is rigorous, we would encourage  
 18 the Commission to stick generally to the numbers that  
 19 were adopted in the spreadsheet, the aggregate  
 20 projections.  
 21 ACTING CHAIR U`U: Commissioner Guard.  
 22 COMMISSIONER GUARD: Thank you.  
 23 Is there any area to -- I guess to give  
 24 reasoning? Like for being a North Shore resident, if --  
 25 if A&B was willing to give away part of that land to

1 make a park towards Hookipa, I don't know if they would  
 2 do it for free, but if that allowed them to say, hey, we  
 3 wanna build this little village up at Hamakuapoko and we  
 4 would be willing to do that, some huge regional park,  
 5 that would benefit tourists. I mean, it's -- on any  
 6 given day, if there's surf or if there's wind, that  
 7 parking lot is full to the brim. So I don't know if --  
 8 I haven't really seen that in these spreadsheets that  
 9 would say, hey, there may be a good reason to let  
 10 someone do that. If we could get a park that allows for  
 11 getting people up onto the mauka side of the highway to  
 12 watch -- watch the surf and watch windsurfing and make a  
 13 real park out of it. I mean, the only grass is used for  
 14 parking when -- when it's really crowded. Right? So I  
 15 don't know. All those little things I don't see.

16 And then we -- we haven't even addressed the  
 17 previous testifier, the Hokoanas, to come in and say we  
 18 gotta take out two units because we missed his house, so  
 19 we have to take two units out somewhere because his  
 20 property is designated Park over here in sensitive land.  
 21 So on the spreadsheet, we have to add in those two more  
 22 units somewhere.

23 I think we're taking it down a little too much  
 24 of a science that we would have to say Hamakuapoko would  
 25 be a good opportunity to build in exchange with -- with

1 ordinance, specific provisions to deal with the  
 2 non-conforming structure situation. So I don't see that  
 3 as a major obstacle. I think in terms of the  
 4 landowners' right to rebuild the structures in event of  
 5 a fire or some other event, I think the question is to  
 6 whether it could be Rural Residential, for instance. I  
 7 know it's a fair question, it can be debated. We tried  
 8 to simply respect the existing Community Plan  
 9 designation when we drew that particular boundary.

10 COMMISSIONER HIRANAGA: Are we going through a  
 11 review now to update? Isn't this an update process?

12 MR. SUMMERS: Right.

13 COMMISSIONER HIRANAGA: To do housekeeping?

14 MR. SUMMERS: I mean, we're not objecting to  
 15 your proposal. I'm just saying it's something that  
 16 would be a fair debate.

17 ACTING CHAIR U`U: Questions? Discussion?  
 18 Commissioner Shibuya.

19 COMMISSIONER SHIBUYA: I just want to clear up  
 20 some possible misconception that another fellow member  
 21 had somehow alluded to. My allowing for these proposals  
 22 does not mean that I'm overloading and gold-plating all  
 23 of the regions. Some areas I'm very sensitive to and  
 24 that's South Maui as well as West Maui. I don't like  
 25 the loading as much in those areas. So even though it

1 the thought process of if we could get a large park down  
 2 in the makai portion of the property, something. I  
 3 don't know. That's just -- I'm not a planner. I just  
 4 thought that would be interesting to see.

5 ACTING CHAIR U`U: Commissioner Hiranaga.

6 COMMISSIONER HIRANAGA: Changing the subject a  
 7 little bit. Can we focus in on the blue tile roof  
 8 property? So I'm curious why those three Ag lots, makai  
 9 of Hana Highway, that have existing structures on it,  
 10 have been excluded from the Urban Growth Boundary. I  
 11 know that there was comprehensive zoning that changed  
 12 Interim to Ag, I believe the State Land Use designation  
 13 is Urban. It is Urban?

14 MR. HUNT: That's correct.

15 COMMISSIONER HIRANAGA: So when you did the  
 16 comprehensive zoning to Ag, you created non-conforming  
 17 structures, because one property has three dwellings on  
 18 a two-acre Ag lot. It becomes an insurance issue,  
 19 rebuilding issue. This was done without their  
 20 knowledge. So I'm wondering why don't you correct that  
 21 situation by at least designating it Rural to allow the  
 22 three dwellings to then be in conformity?

23 ACTING CHAIR U`U: Staff.

24 MR. SUMMERS: Thank you, Mr. Chairman.

25 There are provisions in the Ag Zoning

1 allowed them to build in this area, I may not be as  
 2 generous in South Maui and West Maui, so -- and even  
 3 Central Maui. So be careful. Don't categorize me.

4 ACTING CHAIR U`U: Director Hunt.

5 MR. HUNT: I'd like to offer our support for  
 6 Commissioner Shibuya's comments. You folks went through  
 7 a lot of agony and some debate on the spreadsheets.  
 8 Don't just throw 'em out the window now. But, at the  
 9 same time, we don't have to get down to a unit-by-unit  
 10 matching. You can see our proposal under Option B. We  
 11 had a surplus of 449 units. So we don't -- we're not  
 12 advocating you have to be precise to the exact unit.  
 13 But don't get carried away and -- and, in this instance,  
 14 adding 200 units to Paia, we could -- we could support  
 15 that conceptually. Especially if it's -- 200 units is  
 16 removed somewhere else that you feel it's -- it's not as  
 17 appropriate.

18 So we would again remind you to try and keep  
 19 the numbers in mind. This is what your -- your motion  
 20 was, was to use the spreadsheet. And we can go with an  
 21 extra 200 here or 200 there, but we would hope that, at  
 22 the end of the day, the balance between demand and  
 23 supply is close.

24 ACTING CHAIR U`U: Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: I have a question

1 regarding these Rural Residential. And case in point,  
 2 Haiku Elementary School, which is, I think, the corner  
 3 of -- is that Pauwela Road and Haiku -- Hana Highway?  
 4 And you got the County housing project east of Haiku  
 5 Community Center, Haiku 1. So is it correct that you  
 6 are now proposing to designate this Rural Residential or  
 7 within the UBG [sic] boundary? I'm wondering if you do  
 8 that, does that create an inconsistency in designations?  
 9 Because if they've got -- already got zoning there,  
 10 which is Urban, now you're changing the -- proposing to  
 11 change the -- Community Plan designation, Maui Island  
 12 Plan designation to Rural, does that create again a  
 13 non-conforming situation for these people?

14 MR. SUMMERS: Mark, back to the boundary. I'm  
 15 just trying to read if that's a Rural Residential or a  
 16 Service Center boundary. I can't see the legend.

17 ACTING CHAIR U`U: Staff, please.

18 MR. KING: Mark King, Staff.

19 I guess this would be a Dave Michaelson story.  
 20 This goes back to the character of these places. Oh,  
 21 let's see. We went over this chart this morning. And  
 22 these all should bring visual images of places for you  
 23 in your mind. And the idea is that this is not  
 24 necessarily an entitlement level. This is how we want  
 25 it to look on the ground and what we're already used to

1 not black and white. For instance, the -- it's State  
 2 Urban, but that doesn't mean that we couldn't go with a  
 3 Rural designation at the County level to match the  
 4 existing density out there. The reason we didn't want  
 5 to put an Urban Growth Boundary around there is because  
 6 generally urban uses -- that chart, generally Urban has  
 7 mixed uses, they're much denser, they're served by sewer  
 8 and community water systems. They have improvements  
 9 such as sidewalks, curbs, gutters, et cetera.

10 So you have to look at the whole palette when  
 11 you're designating whether it should be Rural or a Rural  
 12 Center or Urban. But the Department would have trouble  
 13 designating that as an urban area.

14 ACTING CHAIR U`U: Commissioner Mardfin.

15 COMMISSIONER MARDFIN: I want to say two  
 16 things.

17 One, with relationship to that last comment by  
 18 the Director. A couple weeks ago we basically approved  
 19 a plan where we're looking at consistency of use, not a  
 20 perfect matching of -- of -- of zoning. And so that  
 21 will help us with this situation. If it's zoned Urban,  
 22 you could have single-family dwellings there as a Rural  
 23 Residential.

24 My second point has to do with -- also, with  
 25 what the Director said a few minutes ago about keeping

1 see -- used to looking at.

2 So particularly in this Haiku 1, from the  
 3 General Plan Advisory Committee, the Haiku areas were  
 4 residential and then rural in nature. And so you can  
 5 see the red is the State Land Use Urban, the Community  
 6 Plan is Single-Family, but we're enclosing it in a Rural  
 7 Residential boundary. And that was to encourage and  
 8 preserve the existing character of Haiku neighborhoods,  
 9 not necessarily the entitlement level of them.

10 Does that make sense?

11 COMMISSIONER HIRANAGA: Could I follow up?

12 ACTING CHAIR U`U: Commissioner Hiranaga.

13 COMMISSIONER HIRANAGA: Have you been to that  
 14 County housing project, the Lelehuna Road?

15 MR. KING: I've only driven by it on the  
 16 highway. I've never driven into that neighborhood.

17 COMMISSIONER HIRANAGA: It's one of those  
 18 projects where they have the house and the garage and  
 19 they share a common wall between the two garages. I  
 20 mean, is that rural? I mean, there's no setback between  
 21 the two houses, they're connected between a -- a common  
 22 wall between the garages.

23 ACTING CHAIR U`U: Director Hunt.

24 MR. HUNT: The distinctions between the  
 25 different categories aren't always distinct or they are

1 the numbers roughly in comparison. I would like to  
 2 propose, as a suggestion, that what we do -- we're gonna  
 3 do this piecemeal, we're going to go around to each of  
 4 these areas. I think after we finish doing that, we  
 5 ought to be looking at -- go back -- looking at what the  
 6 numbers are and then come back and revise some of these  
 7 things to -- to get our general conformity. I can't  
 8 look at all six areas at once and have it work in my  
 9 head.

10 I think we need to vote on stuff and view it  
 11 as provisional approvals. And then, at the very end, a  
 12 week or two from now, whatever it is, go back and sort  
 13 of have a finalized vote on the -- the entire island.  
 14 And at that point, make sure that we're in general  
 15 consistency with the matrix that we -- spreadsheet that  
 16 we agreed to today.

17 ACTING CHAIR U`U: Staff, do you have a  
 18 comment?

19 MR. HUNT: I -- I agree with you that you  
 20 should take like a first go-around and then come back.  
 21 Just be careful, it's a lot harder to pull away  
 22 perceived approval once it's given.

23 ACTING CHAIR U`U: I got a -- Staff.

24 MR. SUMMERS: Thank you, Mr. Chairman.

25 I think a good comment was made about the

1 appropriate boundary for Haiku I. So as we -- as we  
 2 have these deliberations, we'll make notes of that to  
 3 determine if Rural Residential is the most appropriate  
 4 or whether Rural Service Center, for instance, is the  
 5 most appropriate designation.  
 6 ACTING CHAIR U`U: I got a question for Staff.  
 7 We had a testifier testified earlier that he lives in  
 8 the Maliko area. And which is now designated Regional  
 9 Park. Also, he -- he's, I guess, a part of the  
 10 sensitive land, the purple. So, also, he mentioned that  
 11 he's part of the SMA, poor guy. Wouldn't want to be  
 12 him. But he seemed rather distraught. And I did ask  
 13 Staff to comment. And maybe it wasn't the appropriate  
 14 time, but since we heading down that road, how do we go  
 15 out and educate people that's gonna be affected by --  
 16 someone like Mr. Hokoana -- and prepare them for what's  
 17 possible happening that they have no idea?  
 18 Also, I'd like to know, what would be the  
 19 process for him to build on his property?  
 20 Second, I'd like to know what is the cost.  
 21 And I think some time ago, it was in Hana, I asked that  
 22 you guys do a mock presentation to see a project move  
 23 forward and what would need to be done. And I think  
 24 what's happening now, at the fourth quarter, you're  
 25 gonna have more people coming in, like that, asking

1 you're telling me you don't know the cost. How do I  
 2 vote? I'm asking you, how do I vote on that situation  
 3 if I don't know what the homeowner's cost is gonna be?  
 4 So you laying the burden on me now to give an approval  
 5 yes or no, accept it or deny it, based on the fact that  
 6 you can give me a cost. So I don't want that  
 7 responsibility. That's yours to give me information.  
 8 MR. SUMMERS: Right. Okay. Thank you,  
 9 Mr. Chairman.  
 10 We -- we had -- if you look at the legends of  
 11 your maps, there are four areas that you need to be  
 12 aware of and understand. The first area is called  
 13 Preservation. These areas are proposed to be set aside  
 14 as primarily passive open space due to environmental and  
 15 cultural constraints.  
 16 Honolulu Bay is a good example of an area in  
 17 the plan that's identified as Preservation. We also  
 18 have areas in the plan that are designated as Regional  
 19 Park. These areas would also be set aside for active  
 20 and passive recreation, slightly more intensity, more  
 21 activities occurring on the land because there would  
 22 tend to be fewer environmental constraints that you  
 23 might find in the Preservation areas.  
 24 A good example of one of these areas is the  
 25 stretch between Baby Beach and Baldwin Beach Park in

1 those questions. And I think you guys gonna need to  
 2 sort this mess out, so to speak. Because I don't want  
 3 the blame to be on my shoulders for something I approved  
 4 when you got a lot of people out there doesn't know  
 5 what's happening. And he is one of many.  
 6 Could I have a answer? What would be the  
 7 procedure, what would be the cost, how much people we  
 8 affecting prior to me voting on any region?  
 9 MR. SUMMERS: Thank you. Thank you,  
 10 Mr. Chairman.  
 11 I don't have cost information. That's  
 12 specific to each site involved.  
 13 ACTING CHAIR U`U: Well, I gave you a site.  
 14 Maliko was the site. So now you got the site.  
 15 MR. SUMMERS: I'm not an expert in the cost of  
 16 construction analysis for specific sites. But let me  
 17 give you an overview of the specific issue about  
 18 notification.  
 19 ACTING CHAIR U`U: I just said earlier I would  
 20 need one cost. I'll be honest. You know when we get  
 21 the developers come before us, we nail 'em for  
 22 information. And it's been brought up by numerous  
 23 people in the audience, and testifiers, about costs.  
 24 Because how do I vote on something that somebody gonna  
 25 have to pay to get their land built on, homeowners. And

1 Spreckelsville.  
 2 We also have a category called Greenbelt and  
 3 Greenways. These areas would be set aside to maintain  
 4 separation between existing communities or to protect  
 5 view corridors along regional highways in particular.  
 6 The fourth area is a designation called  
 7 Sensitive Lands. The Sensitive Lands designation is a  
 8 little different in that it would be an overlay  
 9 designation. Essentially areas that we've identified --  
 10 most of the areas are in the Ag District where we've got  
 11 steep slopes, gulches, other constraints that make it  
 12 difficult or potentially hazardous to develop or areas  
 13 that could result in environmental impact. But some  
 14 development may be appropriate.  
 15 The Sensitive Land area, a good example of  
 16 that would be the -- the slopes above Wailuku Heights  
 17 where we have Agricultural zoning up there, but we're  
 18 dealing with soil stability issues. And -- and it's  
 19 very slopy.  
 20 In the Sensitive Land category, that  
 21 particular designation would require essentially the  
 22 development of an ordinance to require site plan review.  
 23 So that if somebody was designated Sensitive Lands, they  
 24 would need to come to the Department and undergo a site  
 25 plan review to make sure that the -- that the proposed

1 project, one, would minimize impact on -- on some of  
 2 those resources, two, would not happen in an area that  
 3 could potentially result in a hazard to the occupant.  
 4 The Preservation, Regional Park and Greenway provisions  
 5 are -- would be such that there would be a higher risk  
 6 of a potential downzoning occurring. If the property  
 7 was designated, for instance, Regional Park, that might  
 8 theoretically not allow for the construction of a  
 9 dwelling unit.

10 So those areas, the Department shares your  
 11 concerns. It's extremely important that we get  
 12 applicants in those areas -- not applicants, but  
 13 property owners notified of the designations that are  
 14 occurring. The Department is working on a comprehensive  
 15 database of all the tax map key parcels, the affected  
 16 landowners, the current entitlements, the proposed  
 17 designation in the Island Plan, with the intent to  
 18 notify those property owners prior to approval of the  
 19 document by the County Council.

20 So that's kind of the -- the -- the gist of  
 21 it. The Sensitive Lands don't really pose the same  
 22 potential property rights issue as the other  
 23 designations because it wouldn't necessarily say you  
 24 cannot develop a house, but it might affect how that  
 25 house is developed. So we have -- we share your

1 vast majority of the acreage involved that would be  
 2 affected by these different categories would be larger  
 3 -- larger property owners and it would be a portion of a  
 4 property rather than the entire property. But there's  
 5 no question that there are instances where we have small  
 6 property owners that were not aware of that would be  
 7 affected. And as part of this effort, we'll be able to  
 8 identify those individuals, extract those particular  
 9 parcels from the region in question, so that we don't  
 10 have a takings issue. And in those instances, where  
 11 there's a conscious decision to maintain the  
 12 designation, there would be notification and  
 13 opportunities for those property owners to respond.

14 ACTING CHAIR U`U: So for clarity for myself,  
 15 what you saying to me now, is -- to make it short and  
 16 sweet is, basically, vote on it and we gonna wait until  
 17 you go to Council before you get the notification to the  
 18 landowners or to the homeowners? That's what you saying  
 19 if I condense your wording.

20 You gave me what was needed for me to hear.  
 21 Are we now to vote on this, and when it shows up to  
 22 Council is when you will notify the landowners?

23 MR. SUMMERS: Well, like I said, the maps are  
 24 an evolving target. As we go through this process, the  
 25 Planning Commission is providing recommendation, the

1 concerns. We certainly want to get everybody informed.  
 2 We're developing the data to do that.

3 This plan is an evolving moving target. So  
 4 once we have more clarity coming out of the Planning  
 5 Commission, we'll be able to develop a more concrete  
 6 list of property owners that may be affected.

7 ACTING CHAIR U`U: How much do you propose  
 8 that will be affected? I mean, since we -- we are not  
 9 headed down the path; we on the path, it's at the  
 10 Planning Commission. It's out of GPAC. We're at the  
 11 tail end of the Planning Commission looking over, we're  
 12 in the mapping stage. So I'd say we pretty much more  
 13 than halfway done for the total. You gotta to go back  
 14 to Council. So at what point in time are you looking at  
 15 giving the landowners notification? And do you have the  
 16 resources, one, to do that, and explain exactly what's  
 17 happening to their property?

18 MR. SUMMERS: Well, it's my experience --  
 19 dealing with similar efforts, that -- my experience  
 20 historically has been that Council will require this.  
 21 It's not required by law, but every project that I have  
 22 been involved in where we're doing this kind of work,  
 23 they require that kind of notification. So we built  
 24 that into our project schedule, if you will.

25 In terms of the type of landowners that -- the

1 GPAC is providing recommendation, we've made major  
 2 changes based on a change in the population forecast.  
 3 So the closer we get to the end point, if you will --  
 4 and we still have a significant amount of time left in  
 5 this process -- we'll do the notification.

6 That's -- like I said, that's something  
 7 that -- although it's not required by law, it's  
 8 something that's -- the Department has been asked to do  
 9 in previous instances. So we're -- we're -- we're  
 10 expecting that.

11 The other notification we'll be doing is  
 12 properties where there actually may be an up  
 13 designation. And, again, this -- the Maui Island Plan  
 14 does not grant full entitlement. It doesn't also  
 15 necessarily take full entitlement, existing entitlement  
 16 away. But even those landowners that -- that would be  
 17 included in a -- in a designation that would lend itself  
 18 to more development, the intent would also be to notify  
 19 those property owners.

20 ACTING CHAIR U`U: Commissioner Mardfin.

21 COMMISSIONER MARDFIN: I think we're getting a  
 22 little off track. My -- my heart went out to that guy  
 23 this morning. But as I look at the map, it's neither  
 24 within an Urban Growth Boundary nor a Rural Growth  
 25 Boundary. So he's not directly affected by this. He

1 has an individual property, he could make an individual  
2 house. He might have some SMA issues, but what we're  
3 voting on will not directly affect him. We're not  
4 approving all the colors on the map. All we're -- our  
5 purpose here today and for the next few meetings is to  
6 approve Urban Growth Boundaries and Rural Growth  
7 Boundaries.

8 And I would respectfully invite one of my  
9 colleagues, particularly from the Paia area, to make a  
10 specific motion about specific -- either the entire map  
11 or specific Urban Growth Boundaries or Rural Growth  
12 Boundaries that we can vote on.

13 ACTING CHAIR U`U: Commissioner Hiranaga.

14 COMMISSIONER HIRANAGA: I just want  
15 confirmation from the Director that -- that what  
16 Commissioner Mardfin has said, that we're not voting on  
17 all the colors, or are we?

18 MR. HUNT: I believe -- well, I'll defer to  
19 the Long Range Staff, but I believe you are voting on  
20 the colors. It's what the colors mean. And if John  
21 could explain to us the implications of the colors. Is  
22 it a regulation at this time or will it take a  
23 regulation to implement the colors?

24 MR. SUMMERS: Thank you, Mr. Chairman.  
25 At this point in this part of our review

1 reduce, for all practical reasons, the level of  
2 entitlement. So it's not -- it's not just a -- a wish  
3 list, if you will. It has a meaningful regulatory  
4 effect, one way or the other.

5 ACTING CHAIR U`U: Commissioner Starr.

6 COMMISSIONER STARR: Yeah. First of all, to  
7 get back to Mr. Hokoana, his property is Conservation on  
8 State Land Use. It's Ag Community Plan. He's not in  
9 the area that's marked as possible Park for later, at  
10 least not on the -- the map that we were given on the  
11 disk. So, you know, it would not be affected by what's  
12 happening here in any way.

13 ACTING CHAIR U`U: So just for clarification,  
14 so in the -- on this map, it's designated State Land Use  
15 and not Regional Park, on this property?

16 COMMISSIONER STARR: He's beyond.

17 ACTING CHAIR U`U: On this, what we have here?

18 COMMISSIONER STARR: Yeah. He -- he's -- he's  
19 outside -- outside of that. No. He's a little further.

20 COMMISSIONER HIRANAGA: This is his property  
21 right there.

22 UNIDENTIFIED SPEAKER: He's right next to the  
23 bridge. Right next to the bridge.

24 ACTING CHAIR U`U: So that would make it  
25 Regional Park, if I'm not mistaken?

1 process, we're primarily focused on the Urban and Rural  
2 Growth Boundaries. The GPAC itself, when they got down  
3 to the final votes, approved the maps. In other words,  
4 we've got the map windows, like map N1. So they said we  
5 approved that map, which included all of the different  
6 designations. So that's -- that's the intent as to  
7 ultimately approve the map with the different  
8 designations involved.

9 In terms of the level of entitlement, this  
10 issue came up in the previous meeting where we had  
11 public testimony as well. I would just like to clearly  
12 articulate that the plan itself, when adopted, will  
13 provide some entitlement to the land in question, not  
14 necessarily full entitlement, but some entitlement. It,  
15 basically, sends policy direction that a particular  
16 area, if it's included in a UGB, or RGB, would be an  
17 area that was potentially identified for development.  
18 The landowner would still need to achieve Community Plan  
19 zoning and, in some instances, the State Land Use to  
20 move toward. But it does convey an entitlement.

21 Likewise, if a growth boundary does not  
22 include, say, an existing area that has Community Plan,  
23 but doesn't have zoning, or that may have Community Plan  
24 and zoning, and the growth boundary excludes that, that  
25 would also put in step a series of events that would

1 COMMISSIONER STARR: No, he's not. He's not  
2 adjacent to the road. A&B is adjacent to the road.  
3 He's back from the road a couple hundred feet. And he's  
4 in Conservation and Ag. He's not right on the road. He  
5 is on -- there's an old road that dips back.

6 COMMISSIONER GUARD: Right on the road,  
7 though.

8 COMMISSIONER STARR: Yeah.

9 COMMISSIONER HIRANAGA: Old road and new road?  
10 That's the old road.

11 COMMISSIONER STARR: He's that tiny little  
12 triangle below.

13 COMMISSIONER GUARD: He's on both.

14 ACTING CHAIR U`U: So he's, actually, on both  
15 roads from looking at the map?

16 COMMISSIONER STARR: No. He's not on the new  
17 road.

18 ACTING CHAIR U`U: He's abutting the new road.

19 COMMISSIONER STARR: No, the old road.

20 ACTING CHAIR U`U: I can tell you he's  
21 abutting the new road. I can tell you personally where  
22 the property is. It's abutting the new road and it's  
23 abutting the old road. That, I can tell. That's what I  
24 know for a fact. So I'm trying just to find out. His  
25 property abuts the road. That water that feeds off the



1 hillside waters his taro patch.  
 2 Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: I believe there's a  
 4 dwelling on that property.  
 5 ACTING CHAIR U`U: Yes.  
 6 COMMISSIONER HIRANAGA: Relatively new  
 7 dwelling, you can see the rooftop --  
 8 ACTING CHAIR U`U: Yes.  
 9 COMMISSIONER HIRANAGA: -- as you drive by on  
 10 Hana Highway. I'm kind of curious why the Real Property  
 11 Tax Database didn't pick that up as a developed lot.  
 12 Because there is a dwelling on it, and they would have  
 13 red-flagged it. You can see it in the picture.  
 14 ACTING CHAIR U`U: Just for clarification, I  
 15 -- I -- and my question arises just -- we can get a lot  
 16 of people might be affected that might fly under the  
 17 radar had he not been -- showed up to give public  
 18 testimony. And -- and I know what Staff was saying,  
 19 that, you know, we gonna be tweaking this as we go.  
 20 Really, we gonna be tweaking this until we get to  
 21 Council, until it's finally approved. So at what point  
 22 do we notify 'em? Like you said, we still gotta tweak  
 23 things along, it's an ongoing process, but the process  
 24 stops when it gets approved. So you can use that term,  
 25 so to speak, tweaking 'em until it gets approved.

1 Maui if we vote to approve colors. I think what we  
 2 should do -- and it's a doable task -- is have motions  
 3 on individual Urban Growth Boundaries, Rural -- Rural  
 4 Growth Boundaries, vote on the boundaries. That's, to  
 5 me, what we -- I thought we were tasked to do. I didn't  
 6 know we were supposed to look at every single property  
 7 on Maui. And I think it's beyond our ability to do that  
 8 as a planning document. What we -- I thought the goal  
 9 was to -- for Directed Growth was to identify the  
 10 boundaries within two kinds of Directed Growth would  
 11 occur. And I think that's what we ought to be voting  
 12 on, very specifically those. If they're not in the  
 13 Urban Growth or the Rural Growth, it's -- we're not  
 14 saying anything about them at this stage.  
 15 ACTING CHAIR U`U: Commissioner Starr.  
 16 COMMISSIONER STARR: Yeah. There's a motion  
 17 on the floor. And we should be either discussing that  
 18 or amending it or voting on that will motion.  
 19 ACTING CHAIR U`U: Discussion? Kent  
 20 Hiranaga -- Commissioner Hiranaga.  
 21 COMMISSIONER HIRANAGA: Yeah. Just to  
 22 understand what you said about the overlay of UBGs [sic]  
 23 and RBGs [sic] is it creates a suburban layer. So for  
 24 this one particular example, next to Paia Elementary --  
 25 I mean, Haiku Elementary School, where it is existing

1 Staff.  
 2 MR. HUNT: How about if we do research on this  
 3 particular property and get some facts and come back and  
 4 report to you so that we are not all speculating? And  
 5 then we can come up with some schedule on notification  
 6 regarding the property owners that we can run by you and  
 7 get some kind of comfort level.  
 8 Sitting here, I understand the argument that,  
 9 well, these people deserve notification. At the same  
 10 time, I understand Staff's argument that, well, do we  
 11 want to notify people and it changes and then they're no  
 12 longer subject to something. Where in the process of  
 13 drafting do you notify people?  
 14 If we can come back with some proposal that  
 15 says, at this point, we will notify people and get some  
 16 comfort level, we can address this issue at another time  
 17 and go back to the mapping exercise.  
 18 ACTING CHAIR U`U: For myself, that would be  
 19 beneficial. I can't speak for the rest of the  
 20 Commission, but for myself, yeah.  
 21 MR. HUNT: We recognize the issues. I think  
 22 we need some time to respond to them.  
 23 ACTING CHAIR U`U: Commissioner Mardfin.  
 24 COMMISSIONER MARDFIN: I would -- there --  
 25 we're gonna have to look at every single property on

1 homes and small lots, and this proposal for Rural  
 2 Boundary Growth area, it creates a problem for them  
 3 because their lots are below half an acre. So it can't  
 4 be a giving and a taking.  
 5 ACTING CHAIR U`U: Staff.  
 6 MR. SUMMERS: Thank you, Mr. Chairman.  
 7 In that particular instance, we've got some  
 8 Community Plan Single-Family included in there. That's  
 9 why I pointed out that -- and I appreciate your comments  
 10 because we need to go back into that particular Haiku 1  
 11 area and make sure that that's the most appropriate  
 12 Rural designation. It may be that Service Center is  
 13 more appropriate because that would provide the  
 14 opportunity for the smaller lots whereas the Rural  
 15 Residential in its traditional form, we're looking at  
 16 half-acre, one-acre or the two-acre category. So we --  
 17 we appreciate your -- your feedback on that.  
 18 COMMISSIONER HIRANAGA: But it is kind of a  
 19 suburban layer.  
 20 MR. SUMMERS: Yes.  
 21 COMMISSIONER HIRANAGA: Between Community Plan  
 22 and zoning, you have this RBG [sic], UBG [sic] layer, it  
 23 creates another conformity test?  
 24 MR. SUMMERS: In -- in that particular  
 25 instance, if it was a Service Center, it would allow,

1 during the -- it would allow for what is currently  
2 proposed in the Community Plan, which is Single-Family.

3 ACTING CHAIR U`U: Director Hunt.

4 MR. HUNT: And I would describe it as actually  
5 between the County-Wide Plan and the Community Plan. So  
6 in our hierarchy of plans, each level gets direction to  
7 the next level. And so the Maui Island Plan gives  
8 direction to the Community Plan.

9 COMMISSIONER HIRANAGA: But if it's an  
10 existing subdivision, built 30 years ago, and now you've  
11 put this designation on it, which creates -- these are  
12 smaller lots than what's provided. I'm not saying  
13 you're not gonna correct it, I'm just trying to  
14 understand the ramifications of providing -- placing the  
15 wrong designation on a piece of property.

16 MR. HUNT: Well, unless there's some provision  
17 that you have to have a minimum lot size to build or  
18 something, it would prevent them from subdividing. But  
19 in all likelihood, they would probably be prevented,  
20 anyway. But unless there's a minimum lot size to  
21 rebuild a house or something, which is in the Rural  
22 Districts. But we can explore that. It's a good  
23 question.

24 ACTING CHAIR U`U: Commissioner Starr.

25 COMMISSIONER STARR: Yeah. How come you

1 COMMISSIONER STARR: Yeah, the latest, B-C  
2 version with the urbanization to the left of Paia.

3 COMMISSIONER MARDFIN: May I?

4 ACTING CHAIR U`U: Commissioner Mardfin.

5 COMMISSIONER MARDFIN: Is that for the Urban  
6 Growth -- we're approving the Urban Growth Boundaries  
7 and the Rural Growth Boundaries --

8 COMMISSIONER STARR: Rural Growth Boundaries.

9 COMMISSIONER MARDFIN: Or are we approving all  
10 the colors throughout this entire map?

11 COMMISSIONER STARR: I don't know --

12 ACTING CHAIR U`U: In its entirety.

13 COMMISSIONER STARR: -- what all the colors  
14 mean. But, to me, it means Urban, Business, Country  
15 Town, Rural -- Rural Growth area, Rural Service Center  
16 and I guess that's -- that's it. We don't have any Ag,  
17 any kind of Ag. So that would be -- that -- that would  
18 be it.

19 ACTING CHAIR U`U: That would include the  
20 Regional Park?

21 COMMISSIONER STARR: What?

22 ACTING CHAIR U`U: Would that be included of  
23 the -- I think what Commissioner Mardfin is asking, is  
24 the colors of the -- the Sensitive Lands, also, the  
25 greenways? Would that be part of the motion?

1 didn't do Service Center or something for the Haiku Fire  
2 Station?

3 ACTING CHAIR U`U: Staff. Commissioner Starr.

4 COMMISSIONER STARR: Okay. I'll make the  
5 First Amendment to the main motion which is that the  
6 Haiku Fire Station be Rural Service Station -- Rural  
7 Service Center.

8 ACTING CHAIR U`U: Motion to amend?

9 COMMISSIONER STARR: Yeah.

10 ACTING CHAIR U`U: Do we have a second?

11 COMMISSIONER MARDFIN: Second.

12 ACTING CHAIR U`U: Seconded by Commissioner  
13 Mardfin. Discussion.

14 COMMISSIONER STARR: Yeah, are we doing the  
15 right thing by doing that?

16 MR. SUMMERS: Thank you, Mr. Chairman. I  
17 think that's -- that's appropriate.

18 COMMISSIONER MARDFIN: Can --

19 ACTING CHAIR U`U: Commissioner Mardfin.

20 COMMISSIONER MARDFIN: Can somebody explain to  
21 me what the main motion is, not this amendment?

22 COMMISSIONER HIRANAGA: Accept the maps.

23 ACTING CHAIR U`U: The main motion on the  
24 floor, which was motion by Commissioner Starr, was to  
25 accept the maps. Am I wrong?

1 COMMISSIONER STARR: Can we have advice from  
2 Department? Because I -- I have been more thinking of  
3 -- of the UGBs, RGBs, et cetera. But is that -- I mean,  
4 is that -- are those gonna be covered more in the  
5 Sensitive Lands map?

6 ACTING CHAIR U`U: Once we swallow this, we  
7 swallow it whole. Take it away. (Inaudible.)

8 MR. SUMMERS: Thank you, Mr. Chairman.

9 It may be more effective in the initial cut --  
10 and, Jeff, jump in if you think there's a better way to  
11 do this -- to focus on the UGBs and RGBs first. And  
12 then, once we get through that, which is the most  
13 complicated process, we can go back and adopt the maps,  
14 the map insets.

15 ACTING CHAIR U`U: Which --

16 MR. SUMMERS: Which would include the regional  
17 parks, the greenways, greenbelts and this other stuff.  
18 But to get the -- essentially the proposed expansion  
19 areas done first.

20 ACTING CHAIR U`U: Okay. So is it okay by --

21 COMMISSIONER STARR: Yeah.

22 ACTING CHAIR U`U: -- maker of the motion?

23 COMMISSIONER STARR: So Urban, Rural, Rural  
24 Service Center, Business Country Town. Is that all of  
25 'em?

1 MR. SUMMERS: That's correct.  
 2 ACTING CHAIR U`U: I think -- is it --  
 3 Commissioner Shibuya, did you second that?  
 4 COMMISSIONER SHIBUYA: Yes.  
 5 ACTING CHAIR U`U: Is that okay?  
 6 COMMISSIONER SHIBUYA: That's fine.  
 7 ACTING CHAIR U`U: That's what we've got on  
 8 the floor with the amendment.  
 9 Commissioner Hiranaga.  
 10 COMMISSIONER HIRANAGA: We're only voting on  
 11 the amendment?  
 12 ACTING CHAIR U`U: Yes. Discussion about the  
 13 amendment? Call for the vote. All those in favor, say  
 14 "aye."  
 15 (A chorus of ayes.)  
 16 ACTING CHAIR U`U: All those opposed?  
 17 (Silence.)  
 18 ACTING CHAIR U`U: Amendment passes.  
 19 Director Hunt.  
 20 MR. HUNT: Just for clarification, that  
 21 amendment was to include the Haiku Fire Station in a  
 22 Rural Center?  
 23 COMMISSIONER STARR: Rural Center, yes.  
 24 ACTING CHAIR U`U: We got one done. All  
 25 right.

1 Commissioner Hiranaga.  
 2 COMMISSIONER HIRANAGA: Yeah, I'm looking at  
 3 the Paia 1 West, I guess. And there's that  
 4 green-colored sliver that crosses into that UBG [sic].  
 5 Is that creating a conflict?  
 6 COMMISSIONER SHIBUYA: It's a gulch.  
 7 COMMISSIONER HIRANAGA: It turned purple, I  
 8 guess.  
 9 COMMISSIONER SHIBUYA: I don't know that.  
 10 ACTING CHAIR U`U: Staff?  
 11 MR. HUNT: The green designation is some kind  
 12 of open space or preservation or park or something like  
 13 that. It doesn't preclude that kind of preservation  
 14 from being within an urban growth area. Many urban  
 15 growth areas include parks and greenways and  
 16 preservation areas.  
 17 ACTING CHAIR U`U: Is that the mini bypass?  
 18 MR. HUNT: No, it's not.  
 19 ACTING CHAIR U`U: Did that answer your  
 20 question, Commissioner Hiranaga?  
 21 COMMISSIONER HIRANAGA: So it's not a  
 22 conflict? I mean, if you're creating the Country Town  
 23 UBG [sic] there, and they wanted to make that some type  
 24 of an access, that would -- open space, would that  
 25 preclude that being access to this proposed development?

1 That would have to be done at a different level, I  
 2 guess, changing open space, if it's a -- if there's a  
 3 conflict?  
 4 MR. HUNT: So the question is, is the  
 5 greenway -- would the greenway or the green designation  
 6 there preclude some kind of future --  
 7 COMMISSIONER HIRANAGA: Country Town.  
 8 MR. HUNT: -- access?  
 9 COMMISSIONER HIRANAGA: Country Town like.  
 10 ACTING CHAIR U`U: Staff.  
 11 MR. SUMMERS: Thank you, Mr. Chairman.  
 12 If we're talking about this piece here --  
 13 COMMISSIONER HIRANAGA: Purple.  
 14 MR. SUMMERS: The purple, that was identified  
 15 by the County Department of Transportation as a  
 16 desirable spot for a transit center, service area. So  
 17 it's within the Urban Growth Boundary and that would be  
 18 consistent with that proposed use.  
 19 COMMISSIONER HIRANAGA: So they could overcome  
 20 the open space designation in the Community Plan?  
 21 MR. HUNT: It sounds like we need to pull the  
 22 green back to the Urban Growth Boundary. If you turn  
 23 off the purple layer, then will it be green beneath it.  
 24 ACTING CHAIR U`U: That was quick.  
 25 MR. SUMMERS: Yes. This should be cropped

1 back to match the proposed Country Town boundary.  
 2 MR. HUNT: Uh-huh. Thank you.  
 3 ACTING CHAIR U`U: Commissioner Starr.  
 4 COMMISSIONER STARR: Yeah. Isn't that future  
 5 growth reserve right now in the Community Plan?  
 6 ACTING CHAIR U`U: Staff.  
 7 MR. HUNT: According to that map up there,  
 8 it's open space.  
 9 COMMISSIONER STARR: On the Community Plan,  
 10 are you sure?  
 11 ACTING CHAIR U`U: Staff.  
 12 MR. SUMMERS: That's what it looks like, open  
 13 space.  
 14 COMMISSIONER STARR: 820?  
 15 COMMISSIONER HIRANAGA: Something to check  
 16 into.  
 17 ACTING CHAIR U`U: Staff.  
 18 MR. SUMMERS: Thank you, Mr. Chair.  
 19 You can have open space within the Urban  
 20 Growth Boundary or a Country Town boundary. The hangup  
 21 would be this transit center. If this was designated as  
 22 open space and one wanted to move forward with -- with a  
 23 very urban transit center, that's where the hangup would  
 24 occur. But there's nothing precluding some open space  
 25 within a UGB.

1 ACTING CHAIR U`U: Thank you.  
 2 Questions? Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: Probably I've got two  
 4 more questions, but can you focus in onto Maliko Point?  
 5 So there's an existing house there makai of Hana  
 6 Highway. I'm just looking at this map and it appears  
 7 that there's hashmarks makai of Hana Highway. That's  
 8 just calling it State Land Use Conservation or -- my  
 9 question is, I don't think that map is that accurate.  
 10 You can sort of see the old Hana Highway location makai  
 11 of the house superimposed there, the blue lines. Can  
 12 you see the blue lines? So the blue lines makai of the  
 13 house is the old Hana Highway alignment before it was  
 14 relocated to its current location. Actually, the  
 15 Conservation area includes the old roadway right-of-way  
 16 and property makai of it, but it doesn't include it  
 17 mauka. I'm just looking at these maps. It's kind of a  
 18 broad brush. That's another situation where if you're  
 19 gonna start changing designations on property, that I  
 20 would be concerned about that.  
 21 MR. SUMMERS: Staff, for -- for -- thank you,  
 22 Mr. Chairman. For those areas that are in this -- the  
 23 State Ag District, where we have small parcels, that  
 24 they be impacted by a Regional Park designation or a --  
 25 or a Preservation designation, we -- we do share those

1 MR. SUMMERS: Thank you, Mr. Chairman.  
 2 We have taken existing rural areas, and they  
 3 are included in land supply. For those lots that are Ag  
 4 or Rural that are five acres or less, we have allocated  
 5 1.4 dwelling units per lot. So it is included. It's --  
 6 if it's developed out, it's included in the existing  
 7 land use database. If it wasn't developed, then we  
 8 applied these multipliers to it.  
 9 COMMISSIONER HIRANAGA: So if you have a  
 10 10-acre lot zoned Rural, you just apply 1.4 to that  
 11 10-acre lot?  
 12 MR. SUMMERS: No, that's not correct. If we  
 13 had a vacant rural lot -- and hop in, Mark, if you  
 14 want -- but we assume the development -- the build-out  
 15 of that lot per the allowable build-out in the zoning  
 16 ordinance.  
 17 COMMISSIONER HIRANAGA: If it was fully  
 18 entitled and committed?  
 19 MR. SUMMERS: That's correct.  
 20 COMMISSIONER HIRANAGA: Okay. Thank you.  
 21 ACTING CHAIR U`U: Thank you.  
 22 Any more discussion? Commissioner Mardfin.  
 23 COMMISSIONER MARDFIN: I just want to know if  
 24 anybody is gonna make an amendment to include --  
 25 ACTING CHAIR U`U: I will.

1 concerns. And that's why we're going through this  
 2 analysis to identify every parcel, every property owner  
 3 that may be affected, so we can pull those parcels out  
 4 of the designation. Or if -- if -- if it's so important  
 5 that they be included, then ensure that they're  
 6 notified.  
 7 ACTING CHAIR U`U: Thank you.  
 8 Commissioner Mardfin.  
 9 COMMISSIONER MARDFIN: My understanding of the  
 10 motion is that we were approving the growth boundaries.  
 11 This is not on the growth boundary, so it's not relevant  
 12 to our vote.  
 13 COMMISSIONER HIRANAGA: But it is relevant to  
 14 my discussion.  
 15 One more question.  
 16 ACTING CHAIR U`U: Commissioner Hiranaga.  
 17 COMMISSIONER HIRANAGA: So you've got these  
 18 RBGs [sic] in various areas of Haiku. Do you include  
 19 that as part of your unit count of 1.4 per lot? You  
 20 know, when you're creating your baseline of the 40,000  
 21 units, are you using only Rural-zoned lots and Ag-zoned  
 22 lots in your 1.4 calculation, or do you also include  
 23 these new RBG [sic] areas, which may not be Rural-zoned  
 24 in that 1.4?  
 25 ACTING CHAIR U`U: Staff.

1 COMMISSIONER MARDFIN: -- Kuau?  
 2 ACTING CHAIR U`U: Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: Yeah. I'd like to  
 4 make an amendment to include the 50 -- approximately 50  
 5 acres portion of Kuau Residential -- if you can pop the  
 6 map up there so we can see what we're voting on -- to be  
 7 included in the UBG [sic].  
 8 ACTING CHAIR U`U: Do we have a second?  
 9 COMMISSIONER GUARD: Second.  
 10 ACTING CHAIR U`U: Motion made by Commissioner  
 11 Hiranaga, seconded by Commissioner Guard. Discussion?  
 12 Director Hunt.  
 13 MR. HUNT: Staff will assume that includes the  
 14 density analysis that was discussed earlier.  
 15 ACTING CHAIR U`U: Commissioner Guard.  
 16 COMMISSIONER GUARD: I was gonna actually ask,  
 17 what was the density again? Was that six per acre? So  
 18 my only concern was that probably didn't include  
 19 roadways or anything else. For a 6,500-foot lot, you're  
 20 not gonna get that many in an acre without a road to get  
 21 to it and things like that.  
 22 ACTING CHAIR U`U: Staff.  
 23 MR. SUMMERS: Thank you, Mr. Chairman.  
 24 We took the gross area of 50 acres, reduced 20  
 25 percent for roadways, 15 percent for non-buildable, open

1 space, park, and we're left at 35 acres, and applied the  
 2 density to that and came up with the unit count.  
 3 ACTING CHAIR U`U: Good job.  
 4 Commissioner Mardfin.  
 5 COMMISSIONER MARDFIN: I'm looking at the  
 6 colors. And unless I'm going colorblind, that's a  
 7 yellow dotted line. And the yellow dotted line is  
 8 Country Town Boundary, not Urban Growth Boundary. Am I  
 9 somehow missing something?  
 10 ACTING CHAIR U`U: Staff?  
 11 COMMISSIONER MARDFIN: So as a friendly  
 12 amendment, will my colleague change his motion to be  
 13 Country Town boundary rather than Urban Boundary as he  
 14 stated?  
 15 COMMISSIONER HIRANAGA: Yes. Thanks. Thank  
 16 you for pointing that out.  
 17 ACTING CHAIR U`U: Okay. Staff.  
 18 MR. SUMMERS: Thank you, Mr. Chairman.  
 19 I'd just like to clarify a statement I made  
 20 previously about the Ag -- Ag and Rural lots. The Rural  
 21 designated lots that were five acres or less were -- the  
 22 assumed build-out on those lots was 1.4 dwelling units.  
 23 I just wanted to be clear that we didn't run it through  
 24 the -- through the zoning ordinance. We didn't take the  
 25 -- the lot and divide it by half-acre or one acre.

1 ACTING CHAIR U`U: Okay, motion on the floor.  
 2 Discussion? Seeing none, call for the vote. All those  
 3 in favor, say "aye."  
 4 (A chorus of ayes.)  
 5 ACTING CHAIR U`U: All those opposed?  
 6 COMMISSIONER STARR: Nay.  
 7 ACTING CHAIR U`U: One opposed, Commissioner  
 8 Starr. Amendment passes.  
 9 Commissioner Hiranaga.  
 10 COMMISSIONER HIRANAGA: Yeah. I'd like to  
 11 make a motion to include the approximately six acres  
 12 near the blue tile roof.  
 13 ACTING CHAIR U`U: Could you state the motion,  
 14 Commissioner Hiranaga?  
 15 COMMISSIONER HIRANAGA: To re-designate that  
 16 as an RBG [sic] -- or RGB, Rural Growth Boundary.  
 17 ACTING CHAIR U`U: Motion on the floor made by  
 18 Commissioner Hiranaga. Is there a second?  
 19 COMMISSIONER GUARD: Second.  
 20 ACTING CHAIR U`U: Second made by Commissioner  
 21 Guard. Discussion? Commissioner Hiranaga.  
 22 COMMISSIONER HIRANAGA: Yeah. Just to point  
 23 out that, you know, there are multiple existing  
 24 dwellings on that site. It's in the middle of the  
 25 Country Town designation. And agriculture is not really

1 gonna happen there that close to the ocean. So I think  
 2 it's a housekeeping matter. They've -- there's a  
 3 non-conforming issue there because it used to be  
 4 Interim, now it's zoned Ag. I think the -- the owners  
 5 there would be happy to clean up their mess, or help  
 6 clean up their mess for them.  
 7 ACTING CHAIR U`U: Discussion? Seeing none,  
 8 call for the vote. All those in favor, say "aye."  
 9 (A chorus of ayes.)  
 10 ACTING CHAIR U`U: All those opposed?  
 11 COMMISSIONER STARR: Nay.  
 12 COMMISSIONER MARDFIN: Nay.  
 13 ACTING CHAIR U`U: Show of hands for the  
 14 opposed? Two opposed, Commissioner Mardfin and  
 15 Commissioner Starr. Motion passes.  
 16 At this --  
 17 MR. KING: Staff clarification?  
 18 ACTING CHAIR U`U: Clarification.  
 19 MR. KING: That was to add it to a Rural  
 20 Growth, not the Country Town that's adjacent to it?  
 21 Thank you.  
 22 ACTING CHAIR U`U: Thank you.  
 23 At this time I've got a letter, note, to take  
 24 a break. But need a consensus on who is staying until  
 25 5:00. I need to stay until 5:00. 5:00, we're pushing

1 for 5:00. At this time we'll take a 10-minute recess.  
 2 (Recess, 4:22 p.m. to 4:31 p.m.)  
 3 ACTING CHAIR U`U: Planning Commission now  
 4 back in session.  
 5 Commissioner Mardfin.  
 6 COMMISSIONER MARDFIN: I believe we're on to  
 7 the main motion.  
 8 COMMISSIONER HIRANAGA: I still have  
 9 discussion, one last point.  
 10 ACTING CHAIR U`U: Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: So how are you gonna  
 12 handle this area next to Haiku Elementary School?  
 13 You're gonna take a look at it. So if we're making a  
 14 motion to possibly approve the UGBs and RGBs, are you  
 15 gonna say -- they said they're gonna take a second look  
 16 at it. So --  
 17 ACTING CHAIR U`U: Staff.  
 18 MR. SUMMERS: Thank you, Mr. Chairman.  
 19 Yes, we'd like to go back to that particular  
 20 area and relook -- look at those boundaries to see if it  
 21 might be more appropriate as a Rural Service Center.  
 22 ACTING CHAIR U`U: Commissioner Mardfin.  
 23 COMMISSIONER MARDFIN: This goes to what I was  
 24 going to say. I would like to offer a friendly  
 25 amendment to the maker of the motion, Commissioner

1 Starr, that the motion be to approve the growth -- the  
 2 four growth boundaries for this area provisionally, with  
 3 the idea that we will come back to this at the end,  
 4 after we've -- I expressed this earlier, that we come  
 5 back to it at the end, after we've done all the maps and  
 6 make sure that we don't need to adjust it to make the  
 7 numbers, more or less, work. And I would urge him to  
 8 put a provisional acceptance in there.

9 The reason I had -- I had mentioned earlier is  
 10 we needed to map up with the spreadsheet, that if we do  
 11 these piecemeal, it may or may not work that way at the  
 12 end. So I'm urging provisional adoption so that we can  
 13 make fine-tune adjustments at the end. It would also  
 14 allow for what we just heard from Mr. Summers, that  
 15 they'll have some additions to make.

16 COMMISSIONER STARR: I'm happy to go back to  
 17 it, you know, if we have time, you know, and there's a  
 18 desire to. However, you know, there's a motion that's  
 19 been on the floor for two hours with several amendments.  
 20 I don't think that there's really a mechanism to go back  
 21 and change that motion. I think that, you know, rather,  
 22 if we go back to it, I'll be happy to support going back  
 23 to it later, but there's no real mechanism to change  
 24 that motion.

25 ACTING CHAIR U`U: Thank you.

1 The Haiku Fire Station, I believe, was one of  
 2 them. The blue tile beach Ag lots, to include those in  
 3 a Rural Residential Growth Boundary.

4 COMMISSIONER STARR: I -- I think we -- we're  
 5 referring to the boundaries regarding Urban Growth  
 6 Boundary, Rural Growth Boundary.

7 COMMISSIONER SHIBUYA: Rural Service.

8 COMMISSIONER STARR: Rural Service Station.

9 ACTING CHAIR U`U: And Country Town.

10 COMMISSIONER STARR: And Country Town.

11 COMMISSIONER HIRANAGA: So --

12 COMMISSIONER STARR: Yeah. Is there, also,  
 13 just a Rural, straight Rural?

14 ACTING CHAIR U`U: I think that's what  
 15 Commissioner Mardfin was --

16 COMMISSIONER STARR: Urban, Rural, Business  
 17 Country Town, Rural Service Center. Yeah.

18 ACTING CHAIR U`U: Director Hunt.

19 MR. HUNT: So just to be clear, the four  
 20 growth boundaries or four types of growth boundaries,  
 21 not for location?

22 ACTING CHAIR U`U: Correct.

23 MR. HUNT: And that's per map N1?

24 ACTING CHAIR U`U: Correct.

25 MR. HUNT: That includes Haiku, Haliimaile?

1 Commissioner Mardfin.

2 COMMISSIONER MARDFIN: I move to amend the  
 3 motion by adding the word "provisional" acceptance of  
 4 the growth boundaries.

5 ACTING CHAIR U`U: Amendment made to add  
 6 "provisional," motion made by Commissioner Mardfin. Is  
 7 there a second?

8 Commissioner Hiranaga?

9 COMMISSIONER HIRANAGA: Second.

10 ACTING CHAIR U`U: Second. That was the  
 11 pause.

12 COMMISSIONER HIRANAGA: Can you have the  
 13 Director repeat the motion since it's been two hours?

14 ACTING CHAIR U`U: Could you repeat the  
 15 motion, Director?

16 MR. HUNT: I'm not sure I can. As I  
 17 understand it, it was to approve the four growth  
 18 boundaries, I'm not sure which four those are. We  
 19 should be explicit in what we are approving. And after  
 20 you make that motion, Staff will have a discussion about  
 21 using maps as a basis of your motion. So we can get to  
 22 that later.

23 ACTING CHAIR U`U: Staff, can we have clarity  
 24 on the four?

25 MR. SUMMERS: Thank you, Mr. Chairman.

1 COMMISSIONER STARR: Well, no.

2 COMMISSIONER SABLAS: No.

3 COMMISSIONER STARR: Not N1 because the last  
 4 iteration of it didn't have that other bulge on the  
 5 other side of Paia.

6 ACTING CHAIR U`U: Commissioner Hiranaga.

7 COMMISSIONER HIRANAGA: Yeah. I believe we're  
 8 only addressing the Paia-Haiku Community Plan area.  
 9 Haliimaile is outside of that area.

10 MR. HUNT: I'm just trying to clarify; I'm not  
 11 trying to advocate. The -- the motion then is  
 12 everything on -- Staff needs to have clear direction.  
 13 That's all we're after.

14 COMMISSIONER STARR: There we go.

15 MR. HUNT: So the motion is for all the Rural  
 16 and Urban Growth Boundaries as depicted on N1 that are  
 17 depicted within the Haiku Community Planned Region as  
 18 revised?

19 COMMISSIONER MARDFIN: Plus, Country Town, if  
 20 there's a Country Town boundary in there, and if there's  
 21 a Rural Service Center boundary in there.

22 ACTING CHAIR U`U: Correct.

23 Commissioner Guard.

24 COMMISSIONER GUARD: Thank you. Which Country  
 25 Town boundary are we going with, Director's, Planning

1 Department, or GPAC?  
 2 MR. HUNT: The map N1 in front of you. And  
 3 it's a very good question. The map in front of you has  
 4 a couple Urban Growth Boundaries. So you need to be  
 5 clear and -- and we would understand it was per the  
 6 spreadsheet that Mr. Starr referred to earlier.  
 7 COMMISSIONER GUARD: Which was the Planning  
 8 Department?  
 9 MR. HUNT: The Planning Department's 2009  
 10 option --  
 11 COMMISSIONER STARR: It was B or C.  
 12 MR. HUNT: 2009. We don't need a B or C at  
 13 this point. So essentially, the Urban Growth and Rural  
 14 Growth within that semicircle.  
 15 COMMISSIONER HIRANAGA: Excluding the Paia  
 16 East.  
 17 COMMISSIONER STARR: Yeah, excluding Paia  
 18 East.  
 19 MR. HUNT: Excluding.  
 20 COMMISSIONER GUARD: By the soccer field.  
 21 MR. HUNT: That area?  
 22 COMMISSIONER STARR: Yeah.  
 23 MR. HUNT: Yes.  
 24 COMMISSIONER STARR: And it's been amended  
 25 with fire station and the Kuau --

1 which, in your most recent maps, I believe it's E1.  
 2 While people are getting settled, essentially  
 3 you have Country Town boundaries in the yellow and  
 4 black. You have a Rural Growth Boundary in blue and  
 5 black, which includes mostly Rural Residential. The  
 6 airport also has a Country Town around it.  
 7 Correct me if I'm wrong, John.  
 8 The discussion in this area has essentially  
 9 been based on existing Community Plan designations. As  
 10 was noted in the spreadsheet, there's not demand  
 11 outstripping supply in Hana by actual count, but there  
 12 was discussion that perhaps the type of housing wasn't  
 13 necessarily affordable and located in the -- in the best  
 14 location.  
 15 And that's why there was discussion of adding  
 16 200 units in the heart of downtown Hana. And there's  
 17 also been discussion, as you heard from testimony today,  
 18 regarding the Rural Residential growth along Hana  
 19 Highway south towards Kipahulu.  
 20 And I'll open it up to the Commission for that  
 21 kind of intro.  
 22 ACTING CHAIR U`U: Commissioner Mardfin.  
 23 COMMISSIONER MARDFIN: I move the provisional  
 24 adoption of the growth boundaries for the four types of  
 25 growth, Urban Growth Boundary, Rural Growth Boundary,

1 ACTING CHAIR U`U: Does Staff has clear  
 2 direction for the main motion and for the amendment?  
 3 Commissioner Hiranaga?  
 4 COMMISSIONER HIRANAGA: I think you need to  
 5 vote on the amendment to add the word "provisional."  
 6 ACTING CHAIR U`U: Discussion about the  
 7 amendment? Seeing none, call for the vote. All those  
 8 in favor of the amendment, say "aye."  
 9 (A chorus of ayes.)  
 10 ACTING CHAIR U`U: All those opposed?  
 11 COMMISSIONER STARR: Nay.  
 12 ACTING CHAIR U`U: Amendment passes. One  
 13 "nay" vote.  
 14 To the main motion, discussion? Seeing none,  
 15 call for the vote. All those in favor, say "aye."  
 16 (A chorus of ayes.)  
 17 ACTING CHAIR U`U: All those opposed, say  
 18 "nay."  
 19 (Silence.)  
 20 ACTING CHAIR U`U: Motion passes.  
 21 Director.  
 22 Want to go home?  
 23 COMMISSIONER STARR: No. Hana.  
 24 MR. HUNT: We would encourage you to go to the  
 25 next region. I think, on your agenda, it was Hana,

1 Country Town Boundary, Rural Service Center Boundary.  
 2 COMMISSIONER STARR: Second, for Hana.  
 3 COMMISSIONER MARDFIN: For Hana. And, I  
 4 believe, for East Maui. For -- for the properties  
 5 located on Map E1.  
 6 ACTING CHAIR U`U: Motion made by Commissioner  
 7 Mardfin, seconded by Commissioner Starr.  
 8 Discussion? Commissioner Hiranaga.  
 9 COMMISSIONER HIRANAGA: Just a question. Is  
 10 there any difference between GPAC and the Director's  
 11 recommendations?  
 12 ACTING CHAIR U`U: Staff?  
 13 MR. HUNT: None. We're exactly the same.  
 14 ACTING CHAIR U`U: None. Good answer.  
 15 Discussion? Commissioner Mardfin.  
 16 COMMISSIONER MARDFIN: I want to raise an  
 17 issue. And I don't know if I'm ready to do it as an  
 18 amendment yet or not. From Hana Bay -- not Hana Bay.  
 19 From Alau Island, which is that little green island to  
 20 the -- here. From there on out toward what we call  
 21 Wailua Bay is a lot of blue. That's the -- the blue  
 22 Rural Growth Boundary. My understanding is that that  
 23 was based on the Community Plan that was done. We have  
 24 a Community Plan map here. Although there might be some  
 25 confusion because some of it, I think, might have been

1 Interim. I'm not certain of that.  
 2 I have heard expressed in Hana that we not  
 3 have Rural Growth Boundaries makai of the highway. And  
 4 even if they were in the Community Plan from 15 or 20  
 5 years ago, I've been wrestling with how to deal with  
 6 this. And it's been suggested that one way to deal with  
 7 this is to urge that when it gets to the Community Plan  
 8 level they think about rural, 10-acre minimum. We don't  
 9 have that kind of zoning yet. It's in a proposal form  
 10 that the Maui Planning Commission will deal with in the  
 11 future, but which went before the Hana Advisory  
 12 Committee and they felt quite comfortable with that.  
 13 Another way would be to grandfather people in, if they  
 14 have existing houses there. I'm kind of wrestling with  
 15 the idea of how to do it, but I do know that people in  
 16 Hana would not like to see any additional houses built  
 17 makai of the highway.  
 18 ACTING CHAIR U`U: Commissioner Starr.  
 19 COMMISSIONER STARR: Move to amend that all of  
 20 the Rural Growth boundary areas to the south and west of  
 21 Alau Island be -- that are makai of Hana Highway or  
 22 makai of the Hamoa-Koki Road be removed.  
 23 COMMISSIONER MARDFIN: Second.  
 24 ACTING CHAIR U`U: Amendment made by  
 25 Commissioner Starr, seconded by Commissioner Mardfin.

1 Commissioner Hiranaga.  
 2 COMMISSIONER HIRANAGA: Might it be more  
 3 precise to say Hana 9, 10, 11 and 12, versus  
 4 geographical identification?  
 5 ACTING CHAIR U`U: Would you take that as a  
 6 friendly amendment?  
 7 COMMISSIONER STARR: Yeah, same old same.  
 8 ACTING CHAIR U`U: Same old same, that's a  
 9 yes?  
 10 COMMISSIONER STARR: Yes. I assume 12, it  
 11 goes all the way to the end, is that correct?  
 12 MR. SUMMERS: That's correct.  
 13 ACTING CHAIR U`U: Discussion? Commissioner  
 14 Hiranaga.  
 15 COMMISSIONER HIRANAGA: If this is the correct  
 16 Community Plan map, most of that land area that's makai  
 17 of the highway is designated Interim. So if you reduce  
 18 -- if you remove the Rural Residential designation,  
 19 Interim allows -- correct me, but you can build one  
 20 dwelling per 6,000 square foot.  
 21 ACTING CHAIR U`U: Director Hunt.  
 22 MR. HUNT: If it's indicated as Interim, then  
 23 that must be a zoning map.  
 24 COMMISSIONER GUARD: Land Zoning Map 16.  
 25 MR. HUNT: We don't have Interim Community

1 Discussion? Director Hunt.  
 2 MR. HUNT: Could we get some clarification  
 3 graphically where that is? Do you want a pointer or --  
 4 COMMISSIONER STARR: Zoom. No. Other way.  
 5 No. Zoom in.  
 6 ACTING CHAIR U`U: We've got the show by  
 7 Commissioner Ward Mardfin from Hana.  
 8 COMMISSIONER MARDFIN: From here south.  
 9 COMMISSIONER STARR: Thank you.  
 10 ACTING CHAIR U`U: Thank you for the puppet  
 11 show.  
 12 Discussion? Commissioner Shibuya.  
 13 COMMISSIONER SHIBUYA: I just wanted to have  
 14 clarification as to where it ends on the southwest side.  
 15 And, also, does it include the Muolea Bay? Can you  
 16 point that out, please?  
 17 COMMISSIONER MARDFIN: Muolea is about here.  
 18 COMMISSIONER SHIBUYA: About there. And it  
 19 goes down to --  
 20 COMMISSIONER MARDFIN: This is Wailua.  
 21 COMMISSIONER SHIBUYA: Okay. To Wailua.  
 22 COMMISSIONER MARDFIN: Yes.  
 23 COMMISSIONER SHIBUYA: Thank you.  
 24 ACTING CHAIR U`U: Thank you, Commissioner  
 25 Mardfin.

1 Plan designations.  
 2 COMMISSIONER HIRANAGA: So what's the current  
 3 Community Plan designation?  
 4 MR. HUNT: We can pull it up. Mark, can you  
 5 help us out?  
 6 ACTING CHAIR U`U: Commissioner Starr.  
 7 COMMISSIONER STARR: Yeah, I checked. It's  
 8 all Residential.  
 9 ACTING CHAIR U`U: Commissioner Starr said  
 10 it's all Residential.  
 11 MR. HUNT: I thought it was Rural. Mark, can  
 12 you help us out?  
 13 COMMISSIONER STARR: I'm sorry. Yeah, Rural.  
 14 Rural. I'm sorry.  
 15 ACTING CHAIR U`U: He changes his mind.  
 16 COMMISSIONER STARR: It's been a long day.  
 17 ACTING CHAIR U`U: It's now Rural. That was  
 18 fast.  
 19 COMMISSIONER SHIBUYA: Wrong color.  
 20 COMMISSIONER STARR: I tried.  
 21 ACTING CHAIR U`U: Discussion?  
 22 COMMISSIONER HIRANAGA: Let's wait for  
 23 confirmation from Staff.  
 24 MR. HUNT: Mark, does the scale allow you to  
 25 overlay the RGBs on that Community Plan?



1 ACTING CHAIR U`U: Yes, we can. Mark.  
 2 MR. HUNT: Looks like a technical moment, so  
 3 if there's other questions.  
 4 ACTING CHAIR U`U: One is that we're gonna be  
 5 adjourning in seven minutes.  
 6 Commissioner Hiranaga.  
 7 COMMISSIONER HIRANAGA: It's just there's  
 8 always Interim. I'm interested to see what the State  
 9 Land Use designation is under the Rural Community Plan  
 10 designation. If it's -- if it's zoned Interim, aren't  
 11 you allowed to build one dwelling per 6,000 square feet?  
 12 MR. HUNT: I believe so. I don't wanna say  
 13 that absolutely.  
 14 COMMISSIONER HIRANAGA: Yeah. So I'm just  
 15 wondering, removing the Rural RBGs [sic] is the right  
 16 thing to do if you're trying to reduce density.  
 17 MR. HUNT: If the Maui Island Plan does not  
 18 designate it within a Rural Growth Boundary, then it  
 19 would fall to an Agricultural designation in the  
 20 Community Plan. And if we are successful in having  
 21 comprehensive rezoning at the same time, we would zone  
 22 it Agriculture.  
 23 ACTING CHAIR U`U: Commissioner Hiranaga.  
 24 COMMISSIONER HIRANAGA: But if someone got  
 25 wind of that, got on their horse and started building

1 MR. HUNT: I wasn't here then.  
 2 COMMISSIONER STARR: Yeah, I remember that  
 3 discussion well. There was a lot of huhu from folks  
 4 from Hana. So rather than -- rather than zoning it,  
 5 they just left it Interim, to be dealt with later. And  
 6 never got dealt with.  
 7 ACTING CHAIR U`U: Commissioner Hiranaga.  
 8 Staff.  
 9 MR. SUMMERS: Maybe I can shed a little light  
 10 on that. The Interim zoning doesn't allow or provide  
 11 for subdivision. So when the County did go in to look  
 12 at automatically rezoning in conformance with the  
 13 Community Plan, there was a great deal of concern  
 14 expressed by the residents of Hana. But that would  
 15 trigger new subdivision and development out there  
 16 without public review. So the community expressed a  
 17 desire to leave it as Interim, which can allow up to  
 18 three dwelling units. The fourth dwelling unit would  
 19 trigger a subdivision. So that was essentially the  
 20 rationale for leaving it Interim, is they didn't want  
 21 the subdivisions to proceed out there.  
 22 ACTING CHAIR U`U: Commissioner Hiranaga.  
 23 COMMISSIONER HIRANAGA: Might be a good time  
 24 to let this be deferred until next week to give  
 25 whoever's concerned a week to think about it?

1 houses based on 6,000 square feet for area, it would be  
 2 very difficult to force them to dismantle that after the  
 3 fact?  
 4 MR. HUNT: Once they're built?  
 5 COMMISSIONER HIRANAGA: Yeah.  
 6 MR. HUNT: Yes, I agree with that.  
 7 ACTING CHAIR U`U: Commissioner Starr.  
 8 COMMISSIONER STARR: Yeah, it is 600 on the  
 9 Community Plan.  
 10 MR. HUNT: 6,000?  
 11 COMMISSIONER STARR: 600, that's Rural.  
 12 MR. HUNT: Oh.  
 13 COMMISSIONER HIRANAGA: So do you know what  
 14 the underlying State Land Use designation is?  
 15 MR. NAPIER: Rural.  
 16 COMMISSIONER HIRANAGA: That's Rural? Why  
 17 would it be Interim?  
 18 ACTING CHAIR U`U: Commissioner Hiranaga.  
 19 COMMISSIONER HIRANAGA: I'm just curious. If  
 20 it's rural Community Plan and Rural State Land Use, why  
 21 is it zoned Interim?  
 22 MR. HUNT: When the County did the  
 23 comprehensive rezoning, I believe that it didn't get  
 24 triggered somehow. It got left out.  
 25 ACTING CHAIR U`U: Commissioner Starr.

1 ACTING CHAIR U`U: Commissioner Mardfin.  
 2 COMMISSIONER MARDFIN: I agree. And -- and  
 3 given the time, I move to defer this item to our next  
 4 meeting when we deal with the Maui Island Plan.  
 5 ACTING CHAIR U`U: Motion to defer. Do we  
 6 have a second?  
 7 COMMISSIONER SHIBUYA: Second.  
 8 ACTING CHAIR U`U: Seconded. Motion made by  
 9 Commissioner Mardfin, seconded by Commissioner Shibuya.  
 10 Discussion? Seeing none, call for the vote. All those  
 11 in favor, say "aye."  
 12 (A chorus of ayes.)  
 13 ACTING CHAIR U`U: All those opposed, say  
 14 "nay."  
 15 (Silence.)  
 16 ACTING CHAIR U`U: Passes. Do we have a  
 17 motion to adjourn?  
 18 Director's Report.  
 19 MR. HUNT: Just real quick. First of all, the  
 20 Maui Island Plan schedule. Today is the 25th. We  
 21 should have been on our third day of Directed Growth  
 22 mapping. However, we did add a couple days, as you  
 23 might remember, from the last meeting. We added -- this  
 24 is for the public's sake as well as your own. We added  
 25 September 14th, which will be recessed into the 15th,

1 which could restrict public testimony on the 15th. We  
2 also added September 28th, which will be recessed into  
3 the 29th, which again could restrict public testimony.

4 Your next meeting is scheduled for September  
5 2nd. This is a regional meeting. So it will start at  
6 1:30 in the afternoon and go until 8:00 p.m. This is at  
7 the Tavares Community Center in Pukalani. We'll review  
8 the Upcountry growth projections and boundaries.

9 COMMISSIONER MARDFIN: And that's a Wednesday?

10 MR. HUNT: It is a Wednesday. Thank you for  
11 pointing that out. Is there anyone who will not attend  
12 that meeting? That's all the Department has.

13 ACTING CHAIR U`U: At this time we'll take a  
14 motion to adjourn.

15 COMMISSIONER SHIBUYA: Move to adjourn.

16 COMMISSIONER SABLAS: Second.

17 ACTING CHAIR U`U: Move to adjourn by  
18 Commissioner Shibuya, seconded by Commissioner Sablas.  
19 All those in favor, say "aye."

20 (A chorus of ayes.)

21 ACTING CHAIR U`U: All those opposed?

22 (Silence.)

23 ACTING CHAIR U`U: Meeting adjourned.

24 ...(gavel)...

25 (Meeting adjourned at 4:59 p.m.)

1 CERTIFICATE

2  
3  
4 I, TONYA MCDADE, Certified Court Reporter of  
5 the State of Hawaii, #447, Registered Professional  
6 Reporter, Certified Realtime Reporter, Certified  
7 Broadcast Captioner, do hereby certify that the  
8 proceedings contained herein were taken by me in machine  
9 shorthand and thereafter was reduced to print by means  
10 of computer-aided transcription; and that the foregoing  
11 represents, to the best of my ability, a true and  
12 accurate transcript of the proceedings had in the  
13 foregoing matter.

14 I further certify that I am not an attorney  
15 for any of the parties hereto, nor in any way concerned  
16 with the cause.

17 DATED this 24th day of September, 2009.

18  
19    
20 Tonya McDade  
21 Certified Shorthand Reporter #447  
22 Registered Professional Reporter  
23 Certified Realtime Reporter  
24 Certified Broadcast Reporter