

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

March 2, 2012

Committee
Report No. _____

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

Chair and Members:

Your Land Use Committee, having met on February 1, 2012, makes reference to County Communication 11-282, from the Planning Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RURAL DISTRICT FOR PROPERTY SITUATED AT 125 PAUWELA ROAD, HAIKU, MAUI, HAWAII".

The purpose of the proposed bill is to grant a request from Pauwela Farms, LLC ("Applicant") to change the State Land Use District Classification from Agricultural District to Rural District to allow for a four-lot subdivision on approximately 4.713 acres located at 125 Pauwela Road, Haiku, Maui, Hawaii (TMK: (2) 2-7-08:047) ("subject property").

2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO ESTABLISH RU-0.5 RURAL DISTRICT ZONING FOR PROPERTY SITUATED AT 125 PAUWELA ROAD, HAIKU, MAUI, HAWAII".

The purpose of the proposed bill is to grant a request to establish RU-0.5 Rural District zoning for the subject property to allow for the development of a four-lot subdivision.

According to the Applicant's consultant, Christopher Hart, President, Chris Hart & Partners, Inc., the subject property is designated as Single Family in the Paia-Haiku Community Plan, and is zoned Interim District. The Applicant originally requested a State Land Use District Classification from Agricultural to Urban, and the establishment of R-3 Residential zoning. However, because of concerns raised at the Maui Planning Commission's meeting about urbanization of the area, the Applicant revised its application to request a Rural District classification and RU-0.5 zoning.

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According to Mr. Hart, the Applicant is proposing to subdivide the subject property into four lots comprised of three lots consisting of approximately one-half acre each, and one lot consisting of approximately 3.119 acres. Your Committee notes that the RU-0.5 Rural District zoning has a minimum lot size requirement of one-half acre. Based on the zoning, the Applicant would not be able to further subdivide the three half-acre lots, but could further subdivide the 3.119-acre lot into six half-acre lots, for a total of nine lots.

Mr. Hart informed your Committee that Pauwela Farms, LLC is managed by a husband and wife who have two young children. In the future, they would like to further subdivide the proposed 3.119-acre lot for their children. Based on the Applicant's assertion that the property will not be further subdivided until the children are older, your Committee added a condition to the District Boundary Amendment bill prohibiting further subdivision of the four lots for 10 years.

Your Committee notes that the subject property is located within the Department of Water Supply's ("DWS") Upcountry water system area, and questioned how the Applicant intends to provide water for the four lots. Mr. Hart explained that the subject property is on the Upcountry water meter priority list, and the DWS is currently unable to issue water meters for the proposed subdivision. Mr. Hart further explained that the four lots will be served by rain catchment and storage tanks for domestic and irrigation purposes until water meters can be issued. However, the Applicant will use the County's water system for fire protection by connecting to two fire hydrants fronting the subject property along Pauwela Road. To alleviate concerns about the Applicant using the County's water system without paying for it, the Applicant entered into an agreement with the DWS to pay for the storage and transmission components of the County's water meter fee as part of the subdivision process. The agreement has been recorded with the Bureau of Conveyances.

Your Committee was satisfied that the proposed four-lot subdivision would be compatible with the surrounding area, and would not take away limited water resources from any other properties in the Upcountry water system area.

Your Committee voted 8-0 to recommend passage of the revised proposed bills on first reading and filing of the communication. Committee Chair Carroll, Vice-Chair White, and members Baisa, Cochran, Couch, Mateo, Pontanilla, and Victorino voted "aye". Committee member Hokama was excused.

