

**COUNCIL OF THE COUNTY OF MAUI**  
**PLANNING COMMITTEE**

October 17, 1997

Committee  
Report No. 97-224  
As Amended

NOTE: The recommendation contained in this committee report was amended by the Council at its meeting on October 17, 1997, by deleting the bracketed material and underscoring the new material. This committee report was then adopted as amended.

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

Chair and Members:

Your Planning Committee, having met on February 4, 1997, February 18, 1997; March 4, 1997; March 18, 1997 (site inspection); May 13, 1997 (site inspection); June 17, 1997; July 1, 1997 (an afternoon meeting in the Council Chamber, and an evening meeting at the Kamalii Elementary School); July 15, 1997 (an afternoon meeting in the Council Chamber, and an evening meeting at the Kamalii Elementary School); July 29, 1997 (an afternoon meeting in the Council Chamber recessed to the Kihei Elementary School); September 2, 1997, (an afternoon meeting in the Council Chamber, and an evening meeting at the Kihei Elementary School); September 3, 1997, and September 16, 1997, makes reference to the following:

1. County Communication No. 93-121, from Manuel Moniz, Jr., Chair of the Planning Committee, relating to the proposed update of the Kihei-Makena Community Plan;
2. County Communication No. 94-170, from Councilmember Patrick S. Kawano, transmitting a memorandum dated May 14, 1994, from Harry Metzger, President of the Kihei Beach Condominium Board of Directors, expressing concern about the proposed Kihei Triangle Center project (Land Use Committee Report No. 97-26);

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3. County Communication No. 94-348, from Councilmember Alice L. Lee, transmitting a letter dated September 1, 1994, from Rex D. Johnson, State Director of Transportation, relating to the Kihei-Upcountry Maui Highway project;
4. County Communication No. 96-317, from Councilmember Alice L. Lee, transmitting a letter dated October 30, 1996, from Alice Palusky, expressing concern about the widening of South Kihei Road (Land Use Committee Report No. 97-25);
5. County Communication No. 97-32, from Councilmember Wayne K. Nishiki, transmitting a letter dated January 13, 1997, from Douglas A. Field, expressing concern about traffic problems on South Kihei Road near Lipoa Street (Public Works and Water Committee Report No. 97-93); and
6. Miscellaneous Communication, from the County Clerk, dated August 9, 1994, reporting that at its meeting of August 5, 1994, the Council referred the matter of Road "C" in Kihei to the Planning Committee (Public Works and Water Committee Report No. 97-93).

Your Committee notes the proposed update of the Kihei-Makena Community Plan is being done in accordance with Section 2.80A.030 of the Maui County Code which requires the preparation of revisions to the general plan and community plans at least every ten years. The Kihei-Makena Community Plan is intended to guide decision-making within the Kihei-Makena region until the year 2010. Basically, your Committee is charged with making recommendations on the proposed text, which contains written goals, policies, and objectives; and on the land use matrix, which contains proposals for redesignating individual parcels of land into one of 16 different land use categories.

Your Committee further notes that County Communication No. 93-121 and County Communication No. 94-348 were referred to the 1993-1995 Council's Planning Committee at the Council meetings of March 5, 1993, and October 7, 1994, respectively. The following actions then occurred relating to those communications.

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By memorandum dated July 14, 1993, the Council Chair referred a letter dated July 14, 1993, from the Planning Director, transmitting the Kihei-Makena Citizen Advisory Committee's recommended revisions to the Kihei-Makena Community Plan.

By memorandum dated January 14, 1994, the Council Chair referred a letter dated January 12, 1994, from the Planning Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80.050, MAUI COUNTY CODE, PERTAINING TO THE ADOPTION OF THE KIHEI-MAKENA COMMUNITY PLAN";
2. The Community Plan Update entitled "PROPOSED KIHEI-MAKENA COMMUNITY PLAN", Maui Planning Commission, October 1993; and
3. Other related documents.

The purpose of the proposed bill is to repeal the Kihei-Makena Community Plan having an effective date of July 17, 1985, and to adopt the proposed update of the Kihei-Makena Community Plan submitted by the Maui Planning Commission.

At its meeting of September 8, 1994, the Planning Committee met to receive public testimony regarding the proposed update of the Kihei-Makena Community Plan. The Committee then deferred this matter pending further discussion.

At its meeting of November 29, 1994, the Planning Committee voted to recommend that County Communication No. 93-121 and County Communication No. 94-348 be referred to the Council Chair for the term beginning January 2, 1995, for a recommendation as to referral or other disposition.

At its meeting of December 16, 1994, the Council referred County Communication No. 93-121 and County Communication No. 94-348 to the

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Council Chair for the term beginning January 2, 1995, for a recommendation as to referral or other disposition (Committee Report No. 94-320).

At its meeting of January 6, 1995, the Council referred County Communication No. 93-121 and County Communication No. 94-348 to the prior Council's Planning Committee (County Communication No. 95-15).

At its meeting of June 20, 1996, the prior Planning Committee met with a Planner from the Department of Planning and members of the former Kihei-Makena Citizen Advisory Committee, for an overview of the proposed update of the Kihei-Makena Community Plan. The prior Committee then deferred this matter pending further discussion and a site inspection.

On August 22, 1996, the prior Committee conducted a site inspection of the Kihei-Makena region. Following the inspection, the Committee met at the Kihei Elementary School to receive public testimony regarding the proposed update of the Kihei-Makena Community Plan. The Committee then deferred this matter pending further discussion.

On September 6, 1996, the prior Committee conducted a second site inspection of the Kihei-Makena region. Following the inspection, the prior Committee deferred this matter pending further discussion.

At its meeting of December 2, 1996, the prior Committee recommended that County Communication No. 93-121 and County Communication No. 94-348 be referred to the Council Chair for the term beginning January 2, 1997, for a recommendation as to referral or other disposition.

At its meeting of December 18, 1996, the Council referred County Communication No. 93-121 and County Communication No. 94-348 to the Council Chair for the term beginning January 2, 1997, for recommendation as to referral or other disposition. (Committee Report No. 96-202).

At its meeting of January 9, 1997, the Council referred County Communication No. 93-121 and County Communication No. 94-348 to your Planning Committee (County Communication No. 97-4). At its meetings of February 21, 1997, and May 2, 1997, the Council referred County

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Communication No. 94-170, County Communication No. 96-317, County Communication No. 97-32, and a Miscellaneous Communication dated August 9, 1994 to your Planning Committee (Land Use Committee Report Nos. 97-25, 97-26, and Public Works and Water Committee Report No. 97-93).

By memorandum dated January 14, 1997, the Council Chair transmitted a letter dated January 8, 1997, from the Planning Director, containing recommendations for the proposed update of the Kihei-Makena Community Plan. Basically, the recommendations were as follows.

1. Residential and commercial growth should be located in the central core of Kihei, and not in areas without infrastructure such as the lands proposed for the "Future Growth Reserve" category.
2. The outlying areas of Maalaea, and between Wailea and Makena, (excluding the resorts) are not appropriate for urban expansion and should be kept in agriculture or open space.
3. The existing Wailea and Makena resorts should remain as the region's primary visitor facilities and incremental growth of these areas should be supported.
4. The "GATRI" property located between Kamaole Beach Park II and III, should be designated for business/commercial use rather than for park use. The subject property has been zoned for business since 1969, and recent efforts to purchase or trade for the property are not likely to be successful.
5. There should be stronger policies to discourage shoreline hardening structures such as seawalls. Accordingly, support should be given for a Maalaea-Kealia bypass highway which would serve to protect the shoreline and wetlands in the vicinity of North Kihei Road.

At its meeting of February 4, 1997, your Committee met with the Planning Director, a Planner from the Department of Planning; the Director of Public Works and Waste Management; the Director of Parks and Recreation; the Fire

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Chief; an Engineer from the Department of Water Supply; a Deputy Corporation Counsel; a representative from the Maui County Cultural Resources Commission; the Engineering Program Manager from the State Department of Transportation (DOT); the Deputy Director and two Planners of the State Commission on Water Resource Management, Department of Land and Natural Resources (DLNR); the Facilities Director from the State Department of Education (DOE); the District Manager of the U. S. Fish and Wildlife Service; and the Chair and Planning Consultant of the Kihei 2000 Subcommittee of the Kihei Community Association (Kihei 2000).

Your Committee conducted its meeting in a workshop format to discuss pertinent issues with the various departments and agencies. As a result, the following issues emerged as the more substantial concerns.

Regarding growth within the region, your Committee felt that it needed to examine vacant lands that had no development for a long period of time. Because of their inaction, perhaps those properties could be redesignated to a less intense land use.

Regarding roads and traffic, your Committee discussed several projects to possibly improve traffic flow and impacts. The larger of these projects included expanding Piilani Highway from two to four lanes, restructuring South Kihei Road into a one-way street going north, and constructing a Maalaea-Kealia bypass highway.

Regarding water supply, your Committee expressed an interest in reviewing the region's water demand and ways to meet that demand.

Regarding public safety, your Committee felt a consolidated fire, police, and ambulance station should be explored.

Regarding parks and recreation, your Committee expressed an interest in reviewing the region's "pent-up" demand, and ways to alleviate such demand.

Regarding greenways, open space, and cultural resources, your Committee expressed an interest in working with the Maui County Cultural

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Resources Commission and community organizations such as Kihei 2000 and the South Maui Heritage Corridor, to promote and protect these areas.

Regarding education, your Committee felt there should be land use designations for future schools within the region.

Regarding wetlands, your Committee felt that the protection of priority wetlands should be examined.

Your Committee deferred this matter pending further discussion.

At its meeting of February 18, 1997, your Committee met with two Planners from the Department of Planning, the Director of Public Works and Waste Management, the Director of Parks and Recreation, the Fire Chief, the Chief of Police, and a Deputy Corporation Counsel.

Your Committee received the following updates.

Regarding growth within the region and your Committee's interest in down-designating undeveloped lands, the Planners displayed a map identifying parcels that were undeveloped. They provided an overview of the down-designations that had already been proposed by their Department and the Maui Planning Commission. The Chair of your Committee noted that he was working on a (computer) program to provide more data on parcels within the region, such as, which parcels were undeveloped.

Regarding roads and traffic, the Director of Public Works and Waste Management noted that according to the State DOT's long-range plan, expanding Piilani Highway from two to four lanes would occur between the years 2006 and 2020. Furthermore, the Director testified against having South Kihei Road become a one-way street due to high costs, and the fact that South Kihei Road had not been designed for such a use. The Chair of your Committee added that he had met with the DOT's Highways Administrator who was receptive to a Maalaea-Kealia bypass highway.

Regarding water supply, the Chair of your Committee noted that the Department of Water Supply would be transmitting a copy of the draft Water Use

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and Development Plan to document the Department's estimation that, if fully built out, a water supply of 30 million gallons per day (gpd) would be required for the Central Maui Water system shared by the Wailuku-Kahului and Kihei-Makena areas. Additionally, as currently written, the proposed update of the Kihei-Makena Community Plan would add another 7.6 million gpd to the demand. The Department, however, projected that it could meet such a demand in the near term since new water sources in East Maui are expected to provide an extra 25 million gpd.

Regarding a consolidated fire, police, and ambulance station, the Chief of Police and the Fire Chief testified that they had no objections to such a facility as long as the three services had separate facilities within the consolidated site. As for the location of such a site, the Fire Chief preferred the Wailea area, while the Chief of Police had no strong preference due to the mobile nature of police patrols.

Regarding parks and recreation, the Director of Parks and Recreation estimated that there is a current demand for 25 acres of park land by the year 2000. The Director agreed to later provide a list of possible park lands.

Regarding greenways, open space, and cultural resources, the Chair of your Committee noted that the Maui County Cultural Resources Commission, Kihei 2000, and the South Maui Heritage Corridor would be submitting written recommendations.

Regarding education, the Chair of your Committee noted that the State DOE had sent a facsimile letter dated February 18, 1997, recommending that a high school should generally be located near the proposed college/high school site near the Maui Research and Technology Park. Other schools, however, could not be located unless sites for major housing projects were ascertained.

Regarding wetlands, the Chair of your Committee noted that the District Manager of the U. S. Fish and Wildlife Service had provided a letter dated February 12, 1997, stating that she was working with the Federal Corps of Engineers to identify significant wetland sites, and recommendations would be forthcoming.



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Your Committee deferred this matter pending further discussion.

At its meeting of March 4, 1997, your Committee met with the Director of Parks and Recreation; the Deputy Director of Housing and Human Concerns; a Planner from the Department of Planning; a Deputy Corporation Counsel; and Robert Mullane, Regional Agent of the University of Hawaii's Sea Grant Extension Service.

Responding to a Committee concern about the needs of senior citizens, the Deputy Director of Housing and Human Concerns agreed to research census data to determine the age and location of the elderly within the Kihei-Makena region.

Responding to Committee concerns about coastal erosion and shoreline protection, Robert Mullane, Regional Agent of the University of Hawaii's Sea Grant Extension Service agreed to review the proposed community plan text and provide recommendations at a later date.

The Deputy Corporation Counsel agreed to provide an opinion on whether community plan requests submitted after Planning Commission review may be considered by your Committee or whether new requests must undergo a Planning Commission review pursuant to Section 8-8.4 of the County Charter.

The Director of Parks and Recreation testified that the following were areas where additional park space could be provided: lands around Kamalii Elementary School, lands at the Kihei Gateway project, lands south of Maui Meadows, and lands in the Wailea area.

Your Committee deferred this matter pending a site inspection.

Your Committee conducted site inspections on March 18, 1997, and May 13, 1997. Your Committee inspected or viewed virtually all sites proposed for a land use redesignation.

At its meeting of June 17, 1997, your Committee met with the Planning Director; a Planner from the Department of Planning; a Deputy Corporation Counsel; Royce Jones of Geographic Decisions Systems International; Clyde

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Murashige, Vice President, Wailea Resort Company; and Roy Figueroa, Vice President, Makena Resort.

The Chair of your Committee introduced Royce Jones, who had been contracted by the Council to develop various digital overlays for your Committee. Mr. Jones provided an overview of the digital overlays, which basically contained the following information:

1. baseline parcel data, including size, ownership, zoning, and graphics for each parcel within the region;
2. a digital overlay of wetland sites using data acquired from the U. S. Corps of Engineers and the U. S. Fish and Wildlife Service;
3. a digital overlay of cultural and archaeological sites using data acquired from the Maui County Cultural Resources Commission;
4. a digital overlay of greenways, bikeways, and open space using data acquired from Kihei 2000 and the South Maui Heritage Corridor;
5. a digital overlay of drainageways using data acquired from the Department of Public Works and Waste Management;
6. a digital overlay of the proposed Maalaea-Kealia bypass highway, and the corridors for the Upcountry to Kihei connector road; and
7. a digital overlay of population densities and patterns within the region.

Following the overview by Mr. Jones, your Committee received overviews by Mr. Murashige and Mr. Figueroa relating to the land use proposals for their respective resorts.

Your Committee deferred this matter pending further discussion.

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By memorandum dated May 16, 1997, the Department of the Corporation Counsel provided an opinion that new community plan requests may be considered by your Committee, and they do not have to undergo planning commission review pursuant to Section 8-8.4 of the County Charter.

At its meetings of July 1, 1997, July 15, 1997, and July 29, 1997, your Committee reviewed the community plan proposals submitted by the Kihei-Makena Citizen Advisory Committee, the Maui Planning Commission, government agencies, community organizations, private individuals, the Chair of your Committee, and individual Committee Members. Then, during the evening, your Committee received public testimony on the various proposals.

At its meeting of September 2, 1997, in the Council Chamber, your Committee met with the Planning Director; two Planners from the Department of Planning; a Deputy Corporation Counsel; Royce Jones of Geographic Decisions Systems International; and Robert Mullane, Regional Agent of the University of Hawaii's Sea Grant Extension Service.

Your Committee conducted a final review of the proposed text and land use revisions before commencing decision-making that evening at the Kihei Elementary School.

At its meeting of September 2, 1997, at the Kihei Elementary School (which was recessed to September 3, 1997, and September 16, 1997, in the Council Chamber), your Committee met with the Planning Director; three Planners from the Department of Planning; a Deputy Corporation Counsel; Royce Jones of Geographic Decisions Systems International; and Robert Mullane, Regional Agent of the University of Hawaii's Sea Grant Extension Service.

Your Committee voted to recommend approval of the proposed update of the Kihei-Makena Community Plan, Maui Planning Commission version, subject to your Committee's additional revisions, both text and land use, identified in Exhibit "Z" attached hereto. Your Committee notes that the text revisions are identified in a "Ramseyer" format.

Some of your Committee's significant text revisions include the following.

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1. Virtually all environmental, shoreline, and cultural protection policies recommended by the Maui County Cultural Resources Commission, Kihei 2000, the South Maui Heritage Corridor, Hui Alanui O Makena, and the Sea Grant Extension Service, were incorporated into the proposed plan.
2. Numerous mandates for other plans and studies were inserted, including mandates for a Cultural Resources Master Plan, an Open Space Master Plan, a Coastal Erosion Rate Study, Urban Design Guidelines, and a computerized planning system.
3. Provisions for promoting indigenous architecture and protecting native Hawaiian rights were inserted.
4. Provisions to procure parks, campsites, beach and mountain accesses, and trails/greenways/bikepaths, were inserted.
5. Supporting provisions for a Maalaea-Kealia bypass highway, a new Road "C", and for fire, police, and ambulance stations were inserted.

Some of your Committee's significant land use revisions include the following.

1. Approximately 4,750 acres of Future Growth Reserve lands were deleted. They were replaced by the smaller, and community-supported, Project District 11 (650 acres), and Project District 12 (260 acres), in the Maalaea area (Matrix Nos. 68A, 68B, and 69).
2. The "GATRI" property located between Kamaole Beach Park II and III, was designated for business/commercial use since the subject property had been zoned for business since 1969.
3. The boundaries of Project District 8 in Palauea (Matrix No. 11) was amended so there would be only one landowner who had agreed to

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provide a 20-acre contiguous cultural preserve and park to protect significant archaeological sites on the property. Also, the shoreline parcels at Palauea Beach (Matrix No. 11B) were designated as Park.

4. A two-acre Public/Quasi-public site for a fire/police/ambulance station (Matrix No. 22B) was designated in the Wailea area.
5. The college/high school site near the Maui Research and Technology Park (Matrix No. 53) was expanded by 55 acres.

Your Committee voted to recommend that a public hearing be held on the proposed bill and the update of the Kihei-Makena Community Plan as revised by your Committee.

Your Committee further voted to recommend that the proposed bill pass first reading following the public hearing.

Your Committee is in receipt of a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80A.050, MAUI COUNTY CODE, PERTAINING TO THE ADOPTION OF THE KIHEI-MAKENA COMMUNITY PLAN". The bill is approved as to form and legality by the Department of the Corporation Counsel, and contains the proposed update of the Kihei-Makena Community Plan as revised by your Committee. Nonsubstantive, clerical, and grammatical revisions were also made to the plan.

Your Planning Committee RECOMMENDS the following:

1. That a PUBLIC HEARING be HELD on Bill No. \_\_\_\_\_ (1997), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80A.050, MAUI COUNTY CODE, PERTAINING TO THE ADOPTION OF THE KIHEI-MAKENA COMMUNITY PLAN", and the proposed update of the Kihei-Makena Community Plan attached thereto as Exhibit "1";
2. That the proposed bill be RECOMMITTED following the public hearing;

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- 3. That County Communication No. 93-121 be FILED;
- [3.]4. That County Communication No. 94-170 be FILED;
- [4.]5. That County Communication No. 94-348 be FILED;
- [5.]6. That County Communication No. 96-317 be FILED;
- [6.]7. That County Communication No. 97-32 be FILED; and
- [7.]8. That the Miscellaneous Communication dated August 9, 1994, be FILED.

Adoption of this report is respectfully requested.

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ALAN M. ARAKAWA Chair



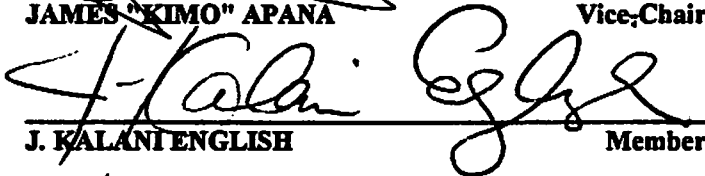
ALICE L. LEE Member



JAMES "KIMO" APANA Vice-Chair



DENNIS Y. NAKAMURA Member



J. KALANI ENGLISH Member

WAYNE K. NISHIKI Member



SOL P. KAHALO Member



CHARMAINE TAVARES Member



PATRICK S. KAWANO Member

**COUNCIL OF THE COUNTY OF MAUI**

**WAILUKU, HAWAII 96793**

**CERTIFICATION OF ADOPTION**

**It is HEREBY CERTIFIED that COMMITTEE REPORT NO. 97-224, As Amended, was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of October, 1997, by the following vote:**

<b>MEMBERS</b>	<b>Patrick S. KAWANO Chair</b>	<b>James "Kimo" APANA Vice-Chair</b>	<b>Alan ARAKAWA</b>	<b>J. Kalani ENGLISH</b>	<b>Sol P. KAHO'OHALAHALA</b>	<b>Alice L. LEE</b>	<b>Dennis Y. NAKAMURA</b>	<b>Wayne K. NISHIO</b>	<b>Charmaine TAVARES</b>
<b>ROLL CALL</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Excused</b>	<b>Excused</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>

  
\_\_\_\_\_  
COUNTY CLERK