

HONUA'ULA PARTNERS, LLC
2035 MAIN STREET SUITE 1
WAILUKU HI 96793

Name: Dean Frampton
Agenda Item: B.1 Goal 2.4 | Mauka to
Makai Watershed Management
Date Received: 2/22/23 at 2:24PM via email

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Attention: South Maui Community Plan Advisory Committee
Department of Planning
2200 Main Street, Suite 315
Wailuku, Hawaii 96793
Email: wearesouthmaui@mauicounty.gov

Subject: South Maui Community Plan Draft Policy 2.4

Dear Committee members:

I am the project manager for Honua'ula Partners, LLC ("HP"). The purpose of this letter is to comment on Goal 2.4 in the Draft South Maui Community Plan ("SMCP"), which is slated for discussion at the February 2, 2023 Community Plan Advisory Committee ("CPAC") meeting.

My work has focused on a proposed master-planned residential community composed of single and multi-family homes, village mixed-uses, preservation and conservation areas and recreation and open space areas ("Project"). The initial phase of the Project consists of significant public infrastructure improvements (i.e., the widening of Pi'ilani Highway). The next phase of the Project will consist of the development of residential workforce housing units. HP is committed to building 288 affordable housing units on site. The subsequent phases of the Project will include a mix of market rate single-family and multi-family units, commercial and office spaces as well as substantial lands dedicated for drainage, open space, archeological preservation and natural resource management and protection.

First, Policy 2.4.5 in the Draft SMCP currently reads: "Drainage ways, specifically Pōhākea, Waikapū, Waiakoa, Kulanihakoi, Waipu'ilani, Waimahaihai, Lilioholo, Kewakapu, Wailea, Kama'ole, and Kapunakea as identified in the map in Figure 3.17 (pg. 106) of this Plan, must remain in open space and no new permanent structures with the exception of roadways and utilities, may be developed in or within 100 feet of the of the 100-year flood inundation limits." The Draft SMCP does not include a definition for "drainageways." Instead, the Draft SMCP uses the term "drainageway" as part of the broad definition of "gulches." "Gulches" are defined in the Draft SMCP as an "Area of Stability" and assigns those areas the Open Space community plan designation, with the stated purpose of "prohibiting development and impervious surfaces in these areas . . ." Draft SMCP at 105. The specific boundaries of those designations cannot be ascertained by Figure 3.17, giving rise to issues of vagueness and ambiguity. *Id.* at 106 (Figure 3.17). From what can be determined, it appears that those designations are often inconsistent with FEMA maps, DPEM's drainage maps and the Urban and Rural growth designations in the Island Plan's Directed Growth Maps.

While the goal of limiting the introduction of soil, debris and contaminants into the water that runs through the gulches is sound, the designation of all gulches as "Areas of Stability" with Open Space uses and the blanket imposition of 100-foot buffers for development is

overbroad. Moreover, the designation fails to consider the surrounding area, including the extent of current development or planned development, site-specific conditions, the directives in the Island Plan and the impact of those designations on existing property rights.

Second, Policy 2.4.11 currently reads, "Require affordable housing using Chapter 201H, Hawaii Revised Statutes 2.96 or 2.97, MCC process to be outside the Special Flood Hazard Areas (SFHA), which includes V, VE, A, AO, AH, and AE." According to the Federal Emergency Management Agency, SFHA are defined as the "area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year." Both the risk 1-percent annual risk of flooding and the impact of flooding in those areas can be addressed with prohibiting development in them. Maui is in the middle of a housing crisis. The State of Hawai'i and the County of Maui have encouraged affordable housing development through Hawai'i Revised Statutes chapter 201H and Maui County Code chapters 2.96 and 2.97. The flexibility intended and introduced through those chapters should not be circumscribed and our housing crisis should not be exacerbated through crabbed policies in a community plan that fail to consider the possibility and value of mitigation to address flood risks. I encourage the Committee to delete Policy 2.4.11.

Thank you for this opportunity to submit testimony and for your hard work in developing the Draft South Maui Community Plan.



Dean K. Frampton