

Name: Albert Perez (Maui Tomorrow)
Agenda Item: B.2 Community Plan Designations
Date Received: 4/25/23 via email

TO: South Maui Community Plan Advisory Committee

FROM: Maui Tomorrow Foundation
Albert Perez, Executive Director

DATE: April 25, 2023

RE: CPAC Testimony for 4/26/2023

Aloha Kākou,

Community Plan Designation Descriptions are some of the most important parts of the community planning process. As the draft South Maui plan says on page 4, *“the Plan outlines the community’s vision for its future and the road map to achieve its vision.”* However, if the community plan designation descriptions are so vague that almost anything goes, the community plan will be unenforceable, and the community’s vision will be lost.

We need to think like the planners who will be receiving project proposals, interpreting these community plan designation descriptions, and telling developers what is allowed. Will it be crystal clear, or will each planner’s interpretation be different? Will planners’ interpretations be subject to political pressure, dependent on how connected the developers are, or will the descriptions be unambiguous enough to prevent misinterpretation?

One of the more important things the CPAC can do is to be sure that the designation descriptions will result in what the CPAC intends for a particular area. For example, the ‘Small Town Center’ designation is fairly wide open in what it will allow, and in analyzing the description, the CPAC should keep in mind the most intensive uses that might be allowable. We should not be relying on speculative development proposals. Developers can come and go, and project proposals can change. What will endure will be the land use designations and locations that you will be deciding upon.

The current Small Town Center description allows “commercial” development. “Commercial” is a very broad term, which can apply to many different business types. While this may not have been the intent, this broad term is likely to allow almost anything that involves the exchange of money.

In addition, the community plan designation descriptions in the current draft contain terms that need to be better defined. What is meant by a “mix of uses?” How much of a mix is acceptable? Would 90 percent commercial be okay within the Small Town Center designation? Should Small Town Centers be allowed if they're 500 acres in size, or if they’re on the periphery of the community plan area rather than in the center? These descriptions need to be made more specific.

Another example is the Residential designation description, which would allow apartments. Currently, those are allowed to be up to 60 feet high. We do need to increase density in order to prevent sprawl, but if you are a single-family resident, do you want a 6-story building next to you blocking sunlight from reaching your garden or your solar panels? How can these descriptions best be worded so that people will know what can go in across the street from them? After spending all this time planning, we don’t want to be surprised because a planner agrees with a developer’s interpretation that was never intended by the community.

The reason we have these plans is to help the community achieve its vision. Good planning allows for responsible use of the land, enables the community to develop infrastructure adequately, and protects existing property from destruction or devaluation. For example, a mix of uses is desirable to promote community and reduce the need for cars, but incompatible uses still need to be separated.

During the Maui Island Plan process, participants were told that the community plans would be more specific. Now that we are at the community plan level, you may hear that the community plan is supposed to be general, and that the zoning code is where land use specifics are addressed. However, you should be aware that the zoning code is also being rewritten to be more general. So the direction that we appear to be headed in is that land use will be pretty much up to the interpretation of county planners and developers - so general that community members will not know what to expect, and will not have any recourse if something undesirable (such as a Mega Mall) is proposed. There may be very little predictability about what will go in across the street from you.

The South Maui CPAC has a chance to take a stand and make its vision for the future very clear. This should be a plan for what the community wants, not a plan to keep developer options open. Specific language will make that possible.

Maui Tomorrow is deeply appreciative of all the time and effort you are spending to express a vision for the future for South Maui. Mahalo nui loa!