

Name: Lahela Aiwohi
Agenda Item: B. Community Plan Designations
Date Received: 5/3/23 via email

May 3, 2023
South Maui Community Plan Advisory Committee (CPAC)
Chair Rob Weltman

Aloha Chair Weltman & Committee Members,

My name is Lahela Aiwohi and I'm testifying on the community plan land use designations on behalf of the Hawai'i Hotel Alliance. Part of HHA's goal is to address the challenges that we as a community are dealing with in a number of concerns voiced by our community. As we navigate through this process, especially in addressing better tourism management with our visitors, we want to be part of a solution moving forward. Hence being here today to testify.

I want to extend a big mahalo for all your commitment, dedication, and your numerous voluntary hours you've put into the South Maui community plan. We all know how important and vital the community plan is and the intricacies wound together for a hopeful masterpiece.

I hear the concern on being more specific on the land use designations, but as explained by the Planning Department last week, designations are intended to guide development patterns while zoning is more specific as to development standards and permitted uses. Moreso, zoning ordinances and community plans serve very different roles and should not be confused. Community plans typically provide more of a broad vision for future development of the community and include certain broader policies on land use, housing, and other aspects of community life that guide development decisions and provide a framework for future zoning regulations. They are not intended to be binding in the same way zoning laws are. The Chair's proposal that you are considering today adds specific permitted uses allowed in each community plan designation. This appears to be essentially a backdoor zoning regulation. The tension between permitted uses in existing zoning laws and the community plan designations would cause confusion for our community. It is not clear what would happen if permitted uses in a zoning district conflicts with the permitted uses in the designated areas of the community plan. For example, the Chair's proposal includes about four (4) permitted uses within the Resort/Hotel Community Plan Designation, but the Hotel Zoning District includes eight (8) permitted uses and 12 accessory uses, some of which conflict with the Chair's proposal. This is a very significant change for the community. We recommend seeking the advice of your Corporation Counsel since there are different legal processes for creating zoning ordinances than there are for community plans, and this proposal could be challenged on that basis.

In closing, I would ask that the committee adopt the more general framework recommended by the department instead and not include specific permitted uses so there is no confusion between the plan and the zoning laws.

Mahalo Nui,

Lahela Aiwohi, VP
Hawai'i Hotel Alliance
808.463.4200