

Name: Robb Cole

Agenda Item: C.5 Subarea 5: Makena

Date Received: 8/24/23 via email

Aloha Karen,

RE: (Second) Notification of Underlying Error affecting proposed designations in Draft South Maui Community Plan
Sturgis Property, 7000 Makena Road, TMK (2) 2-1-006:011

Thank you for speaking with me by phone today. Per your request, I'm following up with this written description of what I feel is our shared understanding of an unintended error in the latest maps.

I hereby explain and provide you with documentation of an underlying error in your GIS system that is incorrectly identifying the property at 7000 Makena Road as having the State Land Use Designation of Conservation, when the factual designation is Rural. Per our conversation, the incorrect assumption of Conservation is the (only) reason why the parcel's CP designation is mapped to be changed to "STC State Conservation" in the August 2023 editions of the CPAC and Department Maps. Essentially, this is a "bad data in - bad data out" error and not an intentional change.

State Land Use Maps were never produced with great resolution in the subject area, and in anticipating such issues, a formal process of clarification exists within the Land Use Commission called a Boundary Interpretation. I believe in this particular area, GIS mapping utilized for your automated assumptions is relying on the best approximation of a lackluster raster map, and apparently is not corrected by such official determinations of the SLUDB. On February 22, 1993 in Boundary Interpretation No. 93-07, parcels 88, 90, and 11 (subject) were found to be within the State Land Use RURAL District. I have enclosed the LUC letter and map for your information and use. As for all coastal parcels in any district, any land seaward of the shoreline is deemed conservation, and that is noted in the LUC letter.

I ask you to review the attached Boundary Interpretation, and as necessary for your process - conclude that the current mapping which would designate parcel 11 as [STC State Conservation] was done in error. I request that the error be corrected and the property be listed in the CP Update and any associated maps with the appropriate rural designation, reflecting NO CHANGE from the current Community Plan Designation of Rural.

I also provide the latest Zoning Confirmation Form from the County of Maui, approved 6/19/2020 confirming the following:

State District: Rural, and (seaward of shoreline) Conservation

Maui Island Plan: Rural & "Outside Protected Areas"

Community Plan: Rural

Zoning: R-3 Residential

This issue was initially brought to the attention of the County on 6/9/2023 via email by Planner and former Planning Director Will Spence.

A project on the property was awarded a State Special Permit last year and is currently in the Maui County Council queue for a Conditional Use Permit. All are aware of the confirmed land use designations, and we respectfully request the Department correct this error promptly to prevent any unnecessary confusion in the future.

Please feel free to call me if you have any questions about this request.

Mahalo,
Robb Cole, Planner
Hawaii Land Use Group