

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 4, 2022

TO: Honorable Chair Lorraine R. Inouye, Vice-Chair Gilbert S.C. Keith-Agaran,
and members on the Senate Committee of Water and Land

FROM: Tamara Paltin
Maui County Councilmember

DATE: February 4, 2021

SUBJECT: **SUPPORTING SB 2101, RELATING TO THE COASTAL ZONE
MANAGEMENT ACT**

Thank you for the opportunity to testify on this important measure. Currently, single-family homes that are up to 7,500 square feet do not qualify as “development” and are not required to apply for Special Management Area permits. The proposed bill would amend the size of single-family homes that do not qualify as “development” from less than 7,500 square feet of floor area to less than 5,000 square feet of floor area.

I **SUPPORT** this measure for the following reasons:

In our community of Napili, a 7,500 square foot house was recently built in the special management area. It is an eyesore to our community and as large as a small hotel. Furthermore, monster homes like these are not receiving a public hearing.

Addressing climate change demands a coordinated effort throughout Hawaii. The County of Maui recently passed legislation requiring houses larger than 5,000 square feet to be carbon neutral. We should not promote these monster houses, especially along the shoreline, where we are already experiencing the damaging effects of rising sea levels and coastal erosion.

Respectfully Submitted,

A handwritten signature in black ink that reads "Tamara M. Paltin".

TAMARA PALTIN
Councilmember

SB-2101

Submitted on: 2/5/2022 10:36:46 AM

Testimony for WTL on 2/7/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Amy Stephens	Individual	Support	No

Comments:

I support SB2101. There needs to be community input on these massive structures. I live in Napili, Maui and there is a monstrosity of a property under construction that pushed every limit to its maximum boundaries with zero opportunity for community review. It is a small hotel not a single family home. It towers over every building in the area and is visible from the water towering over other structures. The existing SMA zoning was inadequate to address this problem. I ask for support for SB2101.

Mahalo for your time, Amy Stephens Napili

SB-2101

Submitted on: 2/6/2022 7:27:19 AM

Testimony for WTL on 2/7/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Karen J Comcowich	Individual	Support	No

Comments:

I support SB 2101 RELATING TO THE COASTAL ZONE MANAGEMENT ACT. This bill is a much needed first step in addressing the obscene size of houses that are being built around the islands, especially in the Coastal Zone.

I live in a very comfortably sized multi-generational home (4 generations, 10 people ages 9-90), everyone has their own space plus nicely big common areas. Our home is less than 3500 square feet. This bill still allows for large houses, just not obscenely large "single-family homes."

This past year a home that meets the 7500 square foot threshold was built in Napili in the SMA. The "Napili Monster Home" dwarfs the resorts and other mansions near it. It is frustrating for both the community and the county because it is legal, but it shouldn't be.

Please support SB 2101 RELATING TO THE COASTAL ZONE MANAGEMENT ACT.

Thank you for your time.

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 6, 2022

TO: Honorable Lorraine R. Inouye, Chair
Senate Committee on Water and Land

FROM: Alice L. Lee
Council Chair

DATE: February 6, 2022

SUBJECT: **SUPPORT FOR SB 2101, RELATING TO THE COASTAL ZONE
MANAGEMENT ACT**

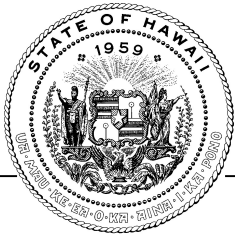
Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to amend the definition of “development” in the Coastal Zone Management Act to exclude construction or reconstruction of certain residence designations, and clarifies the definition of “floor area” imperative to the purpose of the Act.

This measure is part of the Maui County Council’s Legislative Package. Therefore, I offer this testimony on the Maui County Council’s behalf.

The Maui County Council **SUPPORTS** this measure for the following reasons:

1. The Coastal Zone Management Act provides the basis for protecting, restoring, and responsibly developing our diverse coastal communities and resources.
2. It is important that the guidance it provides to stay updated by evolving with new incoming information and updated science that reflects the varying and developing impacts of climate change.
3. This bill would amend the definition of “development” in the Coastal Zone Management to exclude certain construction or reconstruction, and update definitions inherently important to clarifying policy guidance.

For the foregoing reasons, the Maui County Council **SUPPORTS** this measure.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

LATE

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
SENATE COMMITTEE ON WATER AND LAND
Monday, February 7, 2022
1:00 PM
State Capitol, Conference Room 229 & Videoconference

in consideration of
SB 2101
RELATING TO THE COASTAL ZONE MANAGEMENT ACT.

Chair Inouye, Vice Chair Keith-Agaran, and Members of the Senate Committee on Water and Land.

The Office of Planning and Sustainable Development (OPSD) serves as the lead agency of the Hawaii Coastal Zone Management (CZM) Program, pursuant to Hawaii CZM Law, Hawaii Revised Statutes (HRS) Chapter 205A. The OPSD respectfully offers the following **comments with concerns** on the proposed amendments to HRS § 205A-22 from **SB 2101**.

1. Rather than focusing solely on the size of the structure, other crucial criteria such as the floor area ratio, height and use of a single-family residence, which are set up by county zoning, are more suitable for the assessment of potential environmental or ecological effects of a proposed single-family residence on a SMA. As a discretionary permit, special management area (SMA) permitting is based on an SMA use assessment to determine whether a proposed action should be defined as a “development”,
2. The purpose of the proposed amendments in SB 2101 is unclear, however the OPSD reiterates that Act 16, SLH 2020 recently amended CZM law to address concerns related to coastal erosion and sea level rise which, regardless of the size (emphasis added), includes any construction or reconstruction of a single-family residence on a shoreline parcel or a parcel that is impacted by waves, storm surges, high tide or shoreline erosion is defined as “development”, and usually a SMA Major Permit will be required.
3. The change in the threshold of floor area from 7,500 square feet to 5,000 square feet will result in more requirements of SMA Major Permits for single-family residences on non-shoreline parcels, and adversely affect staff and financial resources to assess and proceed other developments that either have significant environmental effects on the SMAs or are

impacted by coastal hazards, including waves, storm surges, shoreline erosion and sea level rise.

4. The SMA permit regulates permissible land uses that are already allowed by land use policies including zoning designations. Part II of HRS Chapter 205A SMAs is not a land use law. “Floor area” has been defined by county land use ordinances, and the definition of “Floor area” should be deferred to the counties.

Thank you for the opportunity to testify on this measure.

LATE

SB-2101

Submitted on: 2/6/2022 7:57:26 PM

Testimony for WTL on 2/7/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michaellyn Burke	Individual	Support	No

Comments:

Aloha mai kākou,

Mahalo for this opportunity to testify in support of SB2101, specifically the reduction in the threshold from 7500 sq ft. to 5000 sq. ft. Frankly, I wish the threshold were even less...say 3000 sq ft. I support this reduction because it is disingenuous to say or believe that a single family home, whether built near the shore or mauka, needs to be 7500 sq. ft. A "single family home" anywhere with that kind of square footage is a WANT not a NEED. Frankly, a 3000 sq ft single family home could be considered a WANT not a NEED as well. One does not NEED to construct such a large home. To allow this type of WANT to go unmanaged in an SMA area is like turning a blind eye. We have allowed this type of blatant abuse of the system to go on long enough. You WANT to be a monster home by the shore, then be prepared to go through a more rigorous analysis of the impact of such a large home has near the shoreline. If we don't do this, we will be facing many more fiascos like we're facing here in Napili, Maui, where this 7500 sq ft "single family home" is being DEVELOPED without any regard for impact to our coastline. Take one look at it and tell us with a straight face that THAT single family home is a necessity.

Mahalo,

Michaellyn Burke

SB-2101

Submitted on: 2/7/2022 6:52:07 AM

Testimony for WTL on 2/7/2022 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tammy Harp	Individual	Support	No

Comments:

I am in support of SB2101 Maui County Council Package. Mahalo for your consideration and support.

Tammy Harp