HALEIWA PLANTATION VILLAGE

STATE LAND USE DISTRICT AMENDMENT APPLICATION
(15 Acres or Less)

TMK: 6-6-009:002
(One of two parcels on which the proposed Haleiwa Plantation Village would be created: TMK: 6-6-009:002 & TMK: 6-6-010:003)

Applicant: HTP LLC/ Mr. Scott C., Wallace

Prepared by: Pacific Catalyst, LLC

September 2016
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Prepared by: Pacific Catalyst, LLC
July 2016

Prepared in accordance with City and County of Honolulu State Land Use District Boundary Amendment Application Instructions,
November 2013
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1. INTRODUCTION

This document serves as an application for a State Land Use Boundary Amendment and a report presenting information material relevant to and supportive of this application. Its substantive content has been assembled and prepared pursuant to the City and County of Honolulu Department of Planning and Permitting State Land Use District Boundary Amendment (15 Acres or Less) Application Instructions.

The requested Boundary Amendment is one of a number of required land use policy and regulatory amendments necessary to enable the construction of houselots and supporting infrastructure at a site within Haleiwa Town on Oahu’s North Shore. A zone change, a Special Management Area and pertinent construction permits will also be required.

The houselots are intended for sale in fee simple to enable the construction of homes by individual purchasers to help meet of the housing needs of households in the “workforce” market segment. The aerial photograph in Figure 1 displays the location of this project and the two parcels on which it is intended. A summary sheet presenting basic information on the parcel for which this application has been prepared: TMK: (1) 6-6-009:002 is presented on multiple pages immediately following Figure 1. Because the subject project will occupy both this parcel and an adjacent parcel (TMK: (1) 6-6-010:003), most of the maps in this report will display both parcels to provide context for the information which each of them will display. For the same reason, descriptions of the project, its constituent parts, and its benefits to the community will be used to provide context for this application.
Figure 1: Aerial Photograph of the Haleiwa Plantation Village Project Site Showing Both TMK Parcels
(The Upper Parcel: TMK: 66009002 is the subject of this application and report)
<table>
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<th>AMENDMENT/PROJECT INFORMATION</th>
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<td>Amendment Request</td>
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<td>Location</td>
</tr>
<tr>
<td>Address of Subject Area</td>
</tr>
<tr>
<td>Owner/Developer</td>
</tr>
<tr>
<td>Petitioner</td>
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| Basis for Request            | The subject parcel is currently in the State Agriculture District. Developer proposes residential and residential support uses on said parcel. Such uses will require a State Urban District Designation for the subject parcel. This requirement is the origin of the current request for a State Land Use District Boundary Amendment. 

The current State Land Use District overall configuration and the general distribution of actual land uses support and form a major part of the basis for this request. As described on pages 27 - 28 of this document under "State Land Use Districts", the State Urban District has been applied to both sides of Haleiwa Beach Road and Kamehameha Highway in the vicinity of Haleiwa Marsh, forming an arc of State Urban-Districted or policed land around the Marsh's upper edge (the west, north and east perimeters). This arc of State Urban policy is occupied by homes in residential neighborhoods as well as other urban uses.

Within this State Urban District "arc", the small 3.273-acre subject site emerges as a conspicuously anomalous State Agriculture District, bordered on three of its sides by the State Urban District and existing or planned urban uses. In addition, part of this demarcation between State Urban and State Agriculture Districts are precisely and
also apparently anomalously coterminous with the subject parcel's.

In terms of contemporary commercial agriculture practices, the State Agriculture designation appears inappropriate. A site-specific 2012 agriculture potential study conducted for the subject and adjacent site by Plasch Econ Pacific entitled "Kilioe Place/Achiu Lane Subdivision: Impacts on Agriculture" (included in the Haleiwa Plantation Village Environmental Assessment) concluded that both the subject and adjacent parcels were "poorly suited for typical commercial field agriculture". The reasons listed by the study for this are presented later in this "Project Summary Sheet" on page 7 and 8 of this document.

<table>
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<th>Type of Project of which Subject Parcel is an Integral Part</th>
<th>Development of residential house lots for customer construction of homes and the construction of residential support facilities for the residential house lots, including a stormwater detention basin, a wastewater treatment facility, an onsite recreation facility, preservation of an existing onsite wetland area, and access roads.</th>
</tr>
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<td>Impact on Provision of Housing</td>
<td>The project will provide needed housing for the North Shore region. The North Shore Sustainable Communities Plan estimates a need for 1,504 residential units in the region in addition to the existing housing inventory. Haleiwa Plantation Village will supply house lots on which some of those units can be provided to help meet that need. Its targeted “workforce” market segment will help to provide moderately priced housing opportunities accessible to a working segment of the island’s population for whom a large part of Oahu’s market-rate for-sale housing is often financially out of reach. Given current pricing of market rate housing and public housing policies promoting the creation of affordable housing for market segments below the &quot;workforce&quot; category, the project proposes to provide housing opportunities to a currently underserved market segment.</td>
</tr>
</tbody>
</table>

<p>| EXISTING CONDITIONS | Parcel Size | 3.273 acres (3.258 acres of the parcel is designated &quot;State Agriculture&quot; while a 0.015-acre portion of the parcel is currently in the &quot;State Urban&quot; District. |</p>
<table>
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<th>Land Use</th>
<th>Storage for offsite agricultural activities, one residential tenancy, minor private gardening/farming for personal use</th>
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<td><strong>Structures:</strong></td>
<td></td>
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<td>- <strong>Number</strong></td>
<td>2</td>
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<tr>
<td>- <strong>Type</strong></td>
<td>Light predominantly wood construction</td>
</tr>
<tr>
<td>- <strong>Height</strong></td>
<td>Single Story</td>
</tr>
<tr>
<td><strong>PRESENT PLAN/ZONING DESIGNATIONS</strong></td>
<td></td>
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</tbody>
</table>
| **State Land Use** | Agriculture*  
  * 3.258 acres of the parcel is "in State Agriculture".  
  0.015 acres of the parcel is "in State Urban". |
| | This Application seeks to amend the State Land Use District Boundary such that the 3.258 acre portion of the parcel now in "State Agriculture" will become "State Urban" in designation. |
| | To streamline narrative discussions in the following text, references to the requested amendment will refer simply to the parcel rather than to specify that specific portion of the parcel requested for amendment. |
| **DP/SCP Land Use Map** | Agriculture (adjacent to {Rural Residential- designated area}); |
| | However, pursuant to a letter to Lowell Chun, agent for the petitioner, dated May 23, 2011 from the Department of Planning and Permitting (DPP), which develops and administers the DP/SCP’s, "…the [North Shore SCP contains language] to support infill housing on the edges of existing residential or commercial areas and to allow minor reinterpretations of plan boundaries on a case by case basis. Therefore, Mr. Wallace’s proposed housing development appears consistent with the new SCP…” |
| | A subsequent letter from DPP dated June 7, 2013 to Mr. Chun confirmed the consistency of the proposed project with the North Shore SCP. |
| | Both letters have been included in Appendix A of this document. |
| **Public Infrastructure Map** | N/A |
| **DP/SCP Vision/Policies for Area (The North Shore Sustainable Communities Plan)** | The proposed State Land Use Amendment and the project of which it proposes to be an integral part is consistent with the Vision and Policies of the North Shore Sustainable Communities Plan. The Final Environmental Assessment for this project, the Haleiwa Plantation Village, thoroughly addresses the proposed project’s |
consistency with SCP Vision Statements and Policies. As an integral and critical component of this project, the subject site is similarly consistent.

Further treatment of this subject can be found in Section 4, "Need for Further Development, North Shore Sustainable Communities Plan".

With the above in mind, a capsulized summary of the consistency of this application with the North Shore Sustainable Communities Plan is as follows:

The use of the site as proposed will enable a rural residential neighborhood within the Rural Community Boundary adjacent to an existing community on lands judged by the project’s agricultural consultant to be unsuitable for commercial agricultural use. This neighborhood’s small scale will not exceed General Plan population guidelines for the North Shore region and its development will provide needed workforce housing affordable to North Shore residents in convenient proximity to North Shore places of business or employment and to essential lifestyle support services.

The proposed new neighborhood of which this parcel will be a part is an intentionally configured “extension” of the existing Kilioe Place neighborhood and will consist primarily of single family detached homes on lots which are predominantly similar in size to those of the Kilioe Neighborhood. Design of the homes will be guided by guideline design principles for the new neighborhood. In addition, the proposed new Haleiwa Plantation Village is intended as workforce housing: for the working residents of the North Shore region.

Using this approach, Haleiwa Plantation Village will take shape as a visually integral extension of an adjacent existing neighborhood. It will maintain the same development density and texture, its homes will be of similar scale and character to existing homes and will present an architectural design vocabulary consistent with the design vocabulary which the Haleiwa Special District Plan promotes for Haleiwa Town. It will provide onsite recreational facilities, will preserve an onsite “jurisdictional” wetland, will avoid disturbance of known cultural or adjacent natural resources, and will not impede views considered important by the North Shore SCP.
Finally, it follows North Shore SCP Vision Statements and Guidelines for Haleiwa Town. In Vision Statement Section 2.2.6, the SCP states: "New residential development is located within designated areas adjoining Haleiwa and Waialua Towns, with additional "infill" on or contiguous to existing lots in previously developed residential areas."

The proposed project also complies with the Plan's Guidelines for Haleiwa Town, Section 3.6.2.2, bullet seven (7), which states: "Concentrate new development near existing built areas emphasizing redevelopment and infill along Kamehameha Highway, makai of the Haleiwa Bypass Road (Joseph P. Leong Highway)."

<table>
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<th>Zoning</th>
<th>AG-2 Agriculture (the predominant zoning for the site) R-5 Residential (a minor portion of the site’s access &quot;stem&quot; leading to Kamehameha Highway)</th>
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<td>Soil Characteristics</td>
<td></td>
</tr>
<tr>
<td>ALISH</td>
<td>Prime</td>
</tr>
<tr>
<td>Land Study Bureau Classification</td>
<td>U; a small portion of the parcel may lie in A30i</td>
</tr>
<tr>
<td>Soil Conservation Service Soil Survey</td>
<td>The majority of the site consists of soils classified as Haleiwa silt clay (HeA), while a very small area is consists of soils classified as Kawaihapai clay (KIB). Haleiwa silt clay is characterized by slopes of 0% - 2%. It includes well-drained soils with moderate permeability, very slow runoff, and no more than slight erosion hazard. Available water capacity is about 1.9 inches per hour. The soil is subject to occasional non-damaging overflow in some places. It exhibits moderate corrosivity for uncoated steel.</td>
</tr>
<tr>
<td>Possible Constraints</td>
<td>The 1972 Land Study Bureau (LSB) Classification classifies most of the subject parcel “U”. A very small portion of the parcel may lie in an area classified “A30i”. Although LSB gave A30i soils an overall productivity rating of “A”, a site specific 2012 agriculture potential study conducted for the site by Plasch Econ Pacific entitled: “Kilioe Place/Achiu Lane Subdivision: Impacts on Agriculture” (included in the “Haleiwa Plantation Village” Environmental Assessment) concluded that both the subject site and the adjacent site, which together are intended for development of the subject project, were “poorly suited for typical commercial field farming” for the following reasons: • Small site acreage, • Very large trees covering approximately 40% of the site,</td>
</tr>
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<td>Difficulty in “working the land” because the onsite soil was “sticky when wet, and hard and compact when dry”</td>
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<td>Expensive water for irrigating crops (approx. $1.31/1,000 gallons for large volumes compared to approximately $50/1,000 gallons for water from most irrigation systems on Oahu)</td>
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<td>Flooding during heavy rainstorms</td>
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<td>A snail infestation (the “Apple Snail”), which significantly challenges the successful commercial growing of wetland taro (one of the few commercial crops suitable for the property due to periodic onsite flooding);</td>
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<tr>
<td>Abutting residential areas to the east and west of the project site, with another residential area planned on the abutting property to the south (agricultural activity is frequently considered an irritation and nuisance by resident of adjacent residential areas, often as a result of noise, smell, dust, and chemicals)</td>
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<tr>
<td>High land values at the project site, assessed at over $200,000/acre, compared to approximately $20,000/acre customarily assessed for large fields of good farmland for which farming is considered the highest and best use of the land</td>
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2. EXISTING CONDITIONS

OVERVIEW

Located in Haleiwa adjacent to an existing single-family neighborhood, the proposed Haleiwa Plantation Village intends to provide needed workforce housing opportunities at a site within Haleiwa on Oahu’s North Shore. Figure 2 shows the location of the proposed project. Figure 3: Tax Map, Parcel 6-6-009:002, is a tax map of the parcel.

Haleiwa Town is one of the region’s two rural towns and the North Shore’s commercial center, tucked between expansive upland fields hosting stretches of agricultural enterprises and a well-frequented shoreline anchored on its southwest side by Kaiaka Bay Park and Kaiaka Bay and to the northeast by Haleiwa Boat Harbor, Haleiwa Beach Park, and Waialua Bay.

To the west stands Waialua, the other North Shore town and former operational headquarters for plantation agriculture on the North Shore. To the east of Haleiwa, the coastline is dotted with exceptional and internationally-known surf sites, several of which serve as locations for major professional surfing competitions. These attractions bring a constant stream of local residents and visitors from around the world, lured by the excitement and beauty of the region’s ocean charms and the town’s picturesque rural character.

In response to the North Shore’s coastal attractions and the people they bring, Haleiwa businesses have evolved to emphasize watersports and related equipment and attire, art galleries, food and beverage establishments, and visitor-oriented retail. Small businesses, some of which have focused on creating export products, have also located in Haleiwa. The town is a rich mix of long-time residents, merchants, entrepreneurs, and staff of the local businesses.

The physical town consists generally of two major components: the predominantly commercial and civic spine running linearly along Kamehameha Highway from Weed Circle to Haleiwa Beach Park, generally known as "Haleiwa Country Town" and roughly coterminous with the Haleiwa Special District except for agricultural areas adjacent to Haleiwa Beach Park, and a concentration of residential neighborhoods located along Haleiwa Beach Road. These two components are separated by a major swath of open space consisting of Haleiwa Marsh, small
farms, and former agricultural lands that now serve for the most part as bucolic settings for their residents.

Public land use policy reflects these historic patterns of use. State Urban Districts encompass major concentrations of residential, commercial, and civic uses and structures. State Agricultural Districts reflect technical definitions of land suitability in use at the time the Districts were designated and also generally reflect agricultural patterns that were current at the time those designations were applied.

City and County zoning maps similarly reflect uses and assessments of land suitability at the time the maps were developed. While the City and County North Shore SCP land use policy maps do this as well, they are intentionally generalized, and are intended to respond to detailed technical analyses of specific onsite characteristics, resource suitabilities, and relationships with adjacent uses. Such analyses most typically occur when a specific use or project is contemplated for a site.

In addition to these policies, Haleiwa’s prevalent small-scale, rural town character, highly valued by its residents and its major recognizable physical attribute, has been codified and protected by the rules and guidelines of the City’s Haleiwa Special District. New development within this Special District is required to maintain consistency with town scale, historic character, and characteristic architectural features. While the North Shore region as a whole is the intended source of the proposed project’s intended market and while the project site lies beyond the designated Haleiwa Special District, the physical character of the town is the intended major influence on the physical appearance of the project.

As a component of Haleiwa Plantation Village, the subject parcel will host six of the 29 houselots, the project’s wastewater treatment plant, the detention basin that will receive not only project-generated stormwater flows but surface flows that the parcel receives from adjacent mauka areas as well, and the wetland with its associated recreational area. As such, this parcel is an integral and indispensable supporting element to the project's larger residential component.
Figure 2: Haleiwa Plantation Village Project Location
(Subject Site is TMK 66009002)
Figure 3: Tax Map, Parcel 66009002
CONTEXTUAL SUMMARY

Adjacent and Vicinital Uses

The subject parcel is located within Haleiwa, directly adjacent to the range of urban and open space elements that make up town. A portion of the parcel consists of a "stem" of land extending toward a connection with Kamehameha Highway. This "stem" of land which projects toward the highway is clearly visible in Figures 1;3;4;5;9; and 11. The 0.015-acre portion of this stem nearest Kamehameha Highway is in the State Urban District and is not a part of this Boundary Amendment application.

Along its east and southeast sides, the subject parcel is bordered by small-scale commercial uses fronting Kamehameha Highway and a single-family residential neighborhood organized along Kilioe Place, a local road which connects to Kamehameha Highway. Haleiwa Plantation Village proposes to organize its principal residential component along an extension of this road.

Along and beyond the parcel’s northwest side are elements of the large open space which articulates Haleiwa’s commercial/civic spine from its makai residential neighborhoods. This open space consists of small farms along and to the north of Achiu Lane, Haleiwa Marsh, and a few residences in farmlike settings. Directly adjacent to the south is the parcel intended to hold most of the residential houselots of the Haleiwa Plantation Village.

The North Shore Marketplace stands directly across the street from the Kilioe Place neighborhood, while Haleiwa Shopping Plaza is located further towards the center of Haleiwa along Kamehameha Highway, to the north of the subject parcel. Other commercial establishments intermixed with single family homes line Kamehameha Highway to the north of the parcel. These mixtures of use are characteristic of the highly mixed-use character of Hawaii country towns which retain good portions of their historic patterns and character.

Historic (Previous) Uses of the Site

In pre-European times, the parcel appears to have been part of a larger area which probably helped support a coastal fishing community. As settlement in the area continued and population
grew, uses expanded into agriculture, and the coastal area of which the parcel was a part was used for houses and a mixture of wet and dry farming. About the time of the Great Mahele and according to oral testimony given during the 19th Century, the parcel was used for gourd and sweet potato cultivation, while adjacent lands were used for houselots, other sweet potato patches, and taro loi.

During the early 20th Century, the parcel and adjacent areas may have been used for rice and lotus root cultivation. Later urbanization in the vicinity and changes in farming practices resulted in substantial modifications to the site, including its levelling and the application of mechanical tilling to the extent that former auwai and irrigation ditches no longer exist. The parcel is currently used, in combination with the neighboring parcel to the south, for agricultural equipment storage to support an agricultural activity in Waialua and incidental farming for personal purposes. Large portions of the parcel are unused and overgrown with grasses and trees.

Previous Land Use Approvals

The existing City and County of Honolulu database lists no approvals specific to the subject parcel. It does list one approval for the adjacent site, TMK 6-6-010:003, for a driveway connection from Kilioe Place to that parcel. TMK 6-6-010:003 is proposed for use in combination with the subject parcel for the creation of the Haleiwa Plantation Village, which would be configured as an extension of the existing Kilioe Place neighborhood to integrate with the already existing residential pattern.
ONSITE CONDITIONS

Topography and Inundation Potential

The 3.273-acre subject parcel is relatively flat, ranging from approximately 8.1 feet to 15.5 feet above mean sea level (MSL). A 0.70 acre "jurisdictional" wetland which drains into Haleiwa Marsh is located along a portion of the parcel's northwest border. This wetland is delineated in Figure 12. Creation of Haleiwa Plantation Village will completely avoid this wetland. In fact, to ensure its protection as a positive onsite asset, the wetland will be protected by a recreational walking/jogging/observation path which will ring its onsite edges and make the wetland available as an open space setting for recreational fitness activities and as a natural interpretive feature for environmental education. This subject is treated in further detail later in this document under "Natural Resources, Wetlands". Other than this wetland, the subject parcel hosts no significant prominences, depressions, or other significant landforms within its boundaries.

It is useful to note that the adjacent parcel, into which Kiloe Place will extend, also hosts a wetland, also shown in Figure 12. However, this 0.541 area is an isolated wetland, a remnant of former wet farming uses. It has been determined by the U.S. Army Corps of Engineers to be "non-jurisdictional", requiring no special treatment. The space it occupies will be used for some of the houselots of the proposed Haleiwa Plantation Village.

The entire parcel lies nearly entirely outside the FEMA-designated 100 and 500 year flood zones. According to Federal Emergency Management Area (FEMA) maps, nearly the entire subject parcel is within FEMA-designated Flood Zone "X", considered to be outside the 100 and 500-year floodplains. The FEMA maps show a sliver of the northwest corner of the parcel within the FEMA-designated "AE" zone which designates the area of the 100-year flood plain and for which FEMA indicates a base elevation of 6 feet MSL (above Mean Sea Level). However, as the elevation of the parcel ranges from 8.1 to 15.5 feet MSL, the elevation of the entire parcel is higher than and hence not subject to the FEMA-designated base flood elevation.
Figure 4: FEMA Flood Hazard Potential Zones
Soils

According to information from the Natural Resources Conservation Service (NRCS) Web Soil Survey, the majority of the parcel consists of soils classified as Haleiwa silty clay (HeA), while a smaller part of the site consists of soils classified as Kawaihapai clay (KIB). Figure 5: NCRS Soil Types Map, TMK: 6-6-009:002 shows NCRS-defined soil types at the subject parcel.

Haleiwa silty clay is characterized by slopes of 0% - 2%. It includes well-drained soils with moderate permeability, very slow runoff, and no more than slight erosion hazard. Available water capacity is about 1.9 inches per hour. It is subject to occasional non-damaging overflow in some places, exhibiting moderate corrosivity for uncoated steel. The NCRS survey cites sugar cane, truck crops, and pasture as uses for Haleiwa silty clay, with “natural” vegetation consisting of koa haole, lantana, guava, Christmas Berry, Bermuda Grass, and fingergrass. The subject parcel itself is actually host to a dense Java Plum forest scattered with monkeypod trees and date palms. Understory vegetation consists of exotic grasses and shrubs.

The 1972 Land Study Bureau (LSB), which classified soils on the basis of soil properties and ongoing uses current at the time of the study, classified the most of the subject parcel’s soils as “U”. A very small portion of the parcel may lie in LSB classification “A30i”. According to the LSB study, the A30i soils were well-drained, non-expanding, of moderately fine to medium texture, with “good” tillability, and an overall productivity rating of “A”. It should be noted that the statewide LSB study was a necessarily generalized one and that the lands classified “30i” in the that study included an area significantly larger than the parcel, apparently including all or a portion of Haleiwa Marsh. Figure 6: 1972 LSB Soils Classifications Mapping of the Parcel and Project Environms illustrates LSB soils classifications at and in the vicinity of the parcel.

The 1977 State of Hawaii ALISH (“Agricultural Lands of Importance to the State of Hawaii) system similarly compiled and documented in categorized most of the onsite soils as “prime”.

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Figure 5: NCRS Soils Types Mapping in the Parcel and Project Environs

(Subject parcel is TMK: 6600-002)
Figure 6: 1972 LSB Soils Classifications Mapping of the Project Environs
However, a 2012 agriculture study conducted specifically for the subject and adjacent (TMK: 6-6-010:003) parcels by Plasch Econ Pacific entitled “Kilioe Place/Achiu Lane Subdivision: Impacts on Agriculture” concluded that both sites were “poorly suited for typical commercial field farming” for the following reasons:

- Small site acreage
- Very large trees covering approximately 40% of the [combined] site
- Difficulty in “working the land” because the onsite soil was “sticky when wet, and hard and compact when dry”
- Expensive water for irrigating crops (approximately $1.31/1,000 gallons for large volumes of water at the subject parcels, compared to approximately $0.50/1,000 gallons for water from most irrigation systems on Oahu)
- Flooding during heavy rainstorms
- A persistent snail infestation which presents a problem when growing wetland taro, one of the few commercial crops suitable for the property due to its periodic flooding (comments by Board members during a North Shore Neighborhood Board meeting in 2012 reinforced this finding with direct experience, identifying the offending snail as the “Apple Snail”)
- Abutting residential areas to the east and west of the [overall] project site, with another residential area planned on the abutting property to the south (agricultural activity is frequently considered an irritation and nuisance by residents living adjacent to agricultural operations, often as a result of noise, smell, dust, and chemicals)
- High land values at the project site, assessed at over $200,000/acre, compared to approximately $20,000/acre customarily assessed for large fields of good farmland for which farming is considered the highest and best use of the land

In view of the above Plasch Econ Pacific findings, it is reasonable to conclude that because of site size, actual soil workability, water costs, land value, existing and future adjacent residences, and the presence of a pest which can severely impede efficient cultivation of one of the few commercial crops suitable for the site, agriculture is not a commercially viable choice for the subject parcel.
Existing Uses

The subject parcel and its neighboring site (TMK: 6-6-010:003) have been extensively modified by grading and heavy use over time by agricultural activity, the construction of small structures, and other alterations to accommodate human uses. Remnants of earlier agricultural activities prevalent in the region during major portions of the 19th and 20th Centuries are evidenced by low berms which once defined cultivation. Mechanical tilling and the construction of vehicular access added further site modifications during this period.

The subject parcel, together with its neighboring parcel to the south (TMK:6-6-010:003) are used as storage for offsite agricultural activities in Waialua and for incidental farming for personal use. Minor wood structures, fuel containers, and disused or discarded equipment occupy portions of both properties. Most agricultural activity has taken place on the neighboring parcel, with the current incidental farming occurring there as well. The subject parcel, except for the storage of miscellaneous equipment, remains unused, with most of its north and north-east area occupied by dense growths of grasses, Java Plum, and other trees. Figure 7 shows an aerial view of the project site, showing both the subject parcel (top of picture) and the

Figure 7: Aerial View of the Project Site Showing Both Parcels
neighboring parcel adjacent and to the south. Figure 8 shows a view of the subject parcel toward the northeast, toward the Java Plum forest, dense stands of grasses, and agricultural equipment used for offsite agricultural operations in Waialua.

**Natural Resources**

**Flora and Fauna:** A flora and fauna survey of the subject parcel and the adjacent parcel, TMK: 66010003 in September, 2011 was conducted by LeGrande Biological Surveys, Inc. Its purpose was to:

- Inventory onsite flora and fauna
- Provide a general description of the vegetation on both parcels
- Search for threatened and endangered species as well as species of concern
- Provide recommendations regarding identified onsite biological resources
The plant inventory was preceded by a literature search to familiarize the investigator with other botanical studies conducted in the general area. Topographic maps were also consulted to determine terrain characteristics, access, boundaries, and reference points. A site walkthrough was then conducted along the larger project site boundaries and on transects through the site interior to survey onsite plant species. Plant identifications were made in the field.

The animal inventory was also conducted through an onsite walkthrough, with more time spent in areas most likely to harbor native species. Signs of presence such as footprints, droppings, eggshells, or burrows were sought and noted. Visual identification was conducted and actually observed numbers of native species and their constituent specimens were reported.

Investigators found that both parcels had been impacted over time by human use, through which biological resources had been substantially altered from their pre-human, natural state. No threatened or endangered species or species of concern were observed. All of the plant species and the majority of the animal species observed during this study were introduced species. The following passages summarize flora and fauna onsite findings:

**Flora:** Both parcels were completely dominated by introduced or “alien” plants. As previously noted, the subject parcel hosts an overgrown Java Plum forest interspersed with Monkeypod trees and Date palms, with an understory of alien grasses consisting of Guinea grass, honohono, New Zealand Spinach, and turkeyberry.

**Fauna:** The onsite walkthrough identified ten species of birds. Nine of these species were introduced. One was indigenous: the Gold Plover or Kolea, which is a migratory species protected by the federal Migratory Bird Treaty Act and State of Hawaii law: HAR 13-124. None of the identified species were threatened or endangered.

**Wetlands:** In the years following the conclusion of the above-mentioned study, the U.S. Army Corps of Engineers’ changed its list of wetland or “wetland facultative” plants on a national basis to include Guinea grass, which had previously been classified in Hawaii as “dryland facultative”, or a dryland plant. Since large quantities of Guinea grass were present on both parcels, a new investigation and revised delineation of onsite wetlands were conducted by the AECOS
consultant group. The investigation and delineation identified a jurisdictional wetland which drained into Haleiwa Marsh.

During this process, AECOS delineated the onsite jurisdictional wetland on the subject parcel. Its delineation was reviewed formally by the U.S. Army Corps of Engineers. In response to this formal delineation of the onsite wetland, design and development of the proposed Haleiwa Plantation Village site plan and the placement of its constituent facilities will completely avoid disturbance of the wetland. In addition, the proposed project will also include a protective buffering area in the form of a fitness and interpretive recreational zone running completely around the wetland's onsite perimeter to add a further measure of wetland protection. This recreational buffer zone is intended not only as a protective measure, but also as a way to emphasize the value of the wetland as an onsite natural resource with educational value.

These project responses result in complete avoidance of disruption, intrusion, or development into the onsite wetland, allowing it to remain undisturbed and intact. In response, the U.S. Army Corps of Engineers determined that no wetland permit would be needed since there would be no wetland disturbance. The AECOS study and the U.S. Army Corps letter stating “No Permit Needed” are presented as Appendices B and C, respectively in the Haleiwa Plantation Village Final Environmental Assessment and Supporting Statements for a Special Management Area Use Permit produced by Plan Pacific, Inc.

**Cultural Resources**

An archaeological inventory conducted at the proposed project site revealed no surface evidence of potentially significant historic properties at the project site. Because of extensive past and continuing agricultural activities conducted at the site and the presence of a very high onsite water table, the surveying archaeologist estimated a very low likelihood of historically significant subsurface remains.

The survey was conducted on the project site in October, 2011. Its focus was the investigation of the property’s surface for evidence of any potentially significant historic properties that might be located on the surface of the project area. This assessment consisted of
• Document research into the European and pre-European written and recorded oral histories of the site and its context, including legends and traditional accounts from the Hawaiian oral tradition,
• Recorded land conveyances since the mid-1800’s,
• Previous archaeological investigations conducted in the vicinity of the project site,
• Inference of human settlement patterns in the area as a result of the foregoing information,
• An estimate of expected finds likely in the project area as a result of previous uses and inferred settlement patterns, and
• Onsite visual investigation of the site for possible physical evidence of such finds, conducted in the company of the project site’s current tenant.

While it was clear to the investigator that the site once hosted human activity dating back to at least the 19th Century, no surface remains of human habitation, such as house foundations or “midden scatters” were visible. In addition, the auwai that may have supported pre-European farming activity and evidence of the lo’i which once may have defined the agricultural areas are no longer in evidence.

It was the investigating archaeologist’s opinion that, due to extensive site modifications, including clearing, leveling, and tilling, and the presence of a very high water table, the opportunities for discovering, gathering and examining onsite subsurface deposits was probably a very remote probability. It was his opinion that contemporary alterations had entirely precluded further meaningful archaeological work in the area. In view of these findings, the archaeological investigator recommended that a State determination be made that future development would have “no effect” on any significant historic properties located on either parcel of the project site.
INSTITUTIONAL CONTEXT: ONSITE AND ADJACENT PUBLIC POLICY PATTERNS

This discussion focuses on those public policy programs which result in patterns of physical policy applications in the landscape. Therefore, while also applicable to these discussions, more programmatic policy programs such as the City and County of Honolulu General Plan have been more appropriately addressed in subsequent discussions of this application’s consistency with applicable public policy.

State Land Use Districts

The State Land Use Districts are established by the State Land Use Commission in accordance with Chapter 205, Hawaii Revised Statutes (HRS). The purpose of these districts is to regulate the use of lands within the state of Hawaii to accommodate population growth and development as needed, balanced with the protection of important agricultural and natural resources. There are four classifications of land under this districting system: Conservation, Agriculture, Rural and Urban. Oahu has no Rural land classification.

Figure 9: Existing and Proposed State Land Use Districts illustrates the pattern of State Land Use Districting at the project site and its context. Figure 10: Aerial Photograph of Haleiwa Marsh and Environs, shows the actual pattern of land uses in the area around Haleiwa Marsh, Haleiwa Beach Road, and Kamehameha Highway. As the aerial photograph shows, the upper edges (the western, northern, and eastern perimeters) of Haleiwa Marsh are ringed with homes in residential neighborhoods and with other urban uses.

As can be seen by reviewing both the map and photograph, the State Urban District generally encompasses areas occupied by established residential neighborhoods, commercial areas, and Haleiwa’s well-used, major beach parks: Alii Beach Park and Kaiaka Bay Park.

The arc of this Urban District forms a clearly continuous pattern of actual urban uses along both sides of Haleiwa Beach Road and Kamehameha Highway around the west, north, and east edges of Haleiwa Marsh until its intersection with Achiu Lane at the southernmost extremity of the arc's eastern leg. Within this arc, urban facilities, including clusters of homes and commercial facilities line the west, north, and east sides of the marsh.
Figure 9: Existing State Land Use Districts
(Hatched area on Parcel TMK 66009002 is proposed for a State Land Use District Amendment from “Agriculture” to “Urban”)
Figure 10: Aerial Photograph of Haleiwa Marsh and Environs

This pattern of urban uses along Haleiwa Beach Road and Kamehameha Highway describes a continuous policy-reinforced pattern of urban uses except at the subject parcel, where the urban pattern is interrupted by an anomalous single-parcel indentation precisely along the subject parcel's property lines, resuming again at the immediately adjacent single parcel along the subject parcel's southern edge, making the subject parcel a small and isolated piece of agriculturally designated land along the otherwise urban pattern along both sides of Kamehameha Highway.
The Agriculture District generally describes areas mauka of Haleiwa which provide buffers between the town and the Joseph P. Leong Highway, provides open space protection for Loko Ea Pond, and designates the vast stretches of agricultural fields in the highlands mauka of the highway. Within Haleiwa Town, it reflects historic agricultural activities and the lands at Haleiwa Marsh, and in doing so provides the visual articulation between Haleiwa’s commercial/civic corridor along Kamehameha Highway and the residential districts along Haleiwa Beach Road.

While the Agriculture District boundary in this area reflects predominantly large patterns of use that were probably current at the time it was delineated, it plunges into the Urban District with atypical precision along the specific property boundaries of the relatively small (3.273-acre) subject parcel, which is bordered on three sides by existing and proposed urban uses and where no active commercial agriculture is currently being conducted.

In view of the predominant pattern of uses along Haleiwa Beach Road and Kamehameha Highway as previously described and the usage context of the subject parcel’s immediate neighbors, this boundary indentation into the Urban District and the Agriculture use it designates appears anomalous and anachronistic. It appears justifiable, at this location, to update this portion of the State Land Use District Boundary, converting the Agriculture District designation of TMK: 6-6-090:002 to a State Urban District designation.

**North Shore Sustainable Communities Plan Land Use Map**

Among other things, Development and Sustainable Communities Plans interpret the programmatic Goals, Objectives, and Policies of the General Plan in response to the particular physical characteristics and community values of the regions they cover. The Plan Land Use Map is one expression of this interpretation. Because they are regional, these maps are necessarily generalized and subject to interpretation of specific site conditions and adjacent uses.

The subject parcel is located in an area designated “Agriculture” by the North Shore Sustainable Communities Plan Land Use Map, directly adjacent to areas designated “Rural Communities” by the Plan. However, in interpreting the appropriate use for the parcel and the purpose for which it is proposed, it is essential to note Plan’s description of its maps:
The Plan states, in Appendix A: “Open Space, Land Use, and Public Facilities Maps”:

These maps are not parcel specific, but illustrate generalized categories or groups of land uses within the region. Because they are not parcel-specific, the lines depicted by these boundaries do not indicate precise or abrupt demarcations. Rather, the geographic extent or actual magnitude of permissible or appropriate uses depicted within these boundaries should be evaluated and determined in concert with relevant sections of the plan’s text and specific site characteristics....

The extent or magnitude of land uses depicted within a boundary may be limited by actual on-site or adjacent conditions such as slope or other topographic constraints, soil type, existing drainageways, flood or rockfall hazard, or the presence of cultural or natural resources.

Conversely, the actual appropriate extent of uses prescribed by a specific boundary may extend beyond the indicated boundary by virtue of appropriate physical characteristics, compatibility with adjacent land uses, and physical accessibility, including access to the site from existing roads. In such cases, the physical extent of those uses would be defined by actual site constraints similar to those which would constrain uses within those boundaries.

The east and a portion of the north project boundaries of which the subject parcel is a part border directly onto commercial and residential uses, and if developed as a residential neighborhood, would constitute a natural urban residential "infill" and a valid part of the edge of the SCP’s Rural Residential designation in this location, consistent with the appropriate evolution of the Haleiwa commercial/civic core along Kamehameha Highway.

In addition, the introduction of residential infill on the subject parcel would be consistent with the North Shore SCP, Section 3.6.2.2: Guidelines - Haleiwa Country Town, bullet seven (7), which states: "Concentrate new development near existing built areas emphasizing redevelopment and infill along Kamehameha Highway...". The creation of residential houselots and neighborhood support facilities on the parcel would constitute appropriately located "infill" development consistent with adjacent uses and usage patterns along Kamehameha Highway.
The fact that the proposed project is

1. Located directly adjacent to existing urban uses in Haleiwa,
2. That it will match the development scale and texture of the adjacent existing Kilioe Place neighborhood and offer those residents access to its wastewater infrastructure,
3. That the existing Kilioe Place road which serves the Kilioe Neighborhood has a traffic volume capacity far greater than that needed by the existing neighborhood, that it “dead-ends” abruptly at the western extremity of the Kilioe Neighborhood, and the proposed Haleiwa Plantation Village proposes to extend Kilioe Place as its primary roadway access, thus configuring itself as a natural and visually compatible extension of the existing neighborhood contributes to the validation of the proposed project’s role as “infill” residential development as allowed by the North Shore SCP.

It is useful, at this point, to note also that two DPP letters, dated May 23, 2011 and June 7, 2013 confirm the consistency of the proposed project, of which the subject parcel is a part, with the City’s North Shore Sustainable Communities Plan.

These considerations, coupled with the North Shore’s need for additional housing, the predominantly level topography of both of the constituent project parcels, and the findings of the 2012 agricultural study by Plasch Econ Pacific which found both parcels of the project site unsuitable for commercial agricultural use and, by implication, more suitable for the variety of “Rural Residential” use for which it is proposed strongly indicate the appropriateness of the proposed project as a rural residential community, the merit of the proposal that the subject parcel, as an essential part of this project, be included in the State Urban District to support this use, and the merit, as well, that the State Land Use Boundary be amended to achieve this.

**Land Use Ordinance**

The role of the Land Use Ordinance is to implement the City’s land use policy plans by providing the regulatory controls by which actual land uses are allowed and controlled. These regulations can also be considered more specific policy guidance with enforcement power.
The zoning maps for area in which the subject parcel is located indicate urban uses or “zoning districts” along the east edge of both the subject parcel and the neighboring parcel to the south. These zoning districts: R-5: Residential and B-1: Neighborhood Business, accommodate the residential and commercial uses fronting Kamehameha Highway. The zoning district along a portion of the subject parcel’s north edge and separated by one or two parcels from Kamehameha Highway is designated “Country”, a transitional zone between agriculture and urban use. The subject parcel and its southern neighbor are both zoned Ag-2: General Agriculture. The Land Use Ordinance mapping of Agricultural zones and grouping of Country, Business, and Residential zones closely follow the State Land Use District Maps in this area. Figure 10 displays existing zoning districts in the immediate parcel vicinity.

With urban zoning on its east side, residential development proposed to the south, and the “Country” zoning district adjacent to a portion of its north border, the proposed Haleiwa Plantation Village together with its constituent land parcels can be considered a logical and compatible residential “infill” for Haleiwa and an appropriate further evolution of the town’s commercial/civic core. Although this suggestion should be the subject of a subsequent application and discussion, it would be logical to amend the zoning designation of both the project parcels from Ag-2 to R-5, and to approve the necessary amendment of the State Land Use Boundary to place the subject parcel in the State Urban District to enable and legitimize this zoning district change.
Figure 11: Existing Zoning Districts
(Subject Parcel is TMK: 66009002)
3. DEVELOPMENT PROPOSAL

Amendment Request

Request for amendment of State Land Use District Agriculture and Urban District Boundaries at tax map parcel TMK (1) 6-6-009:002 to allow the subject parcel to be located in the State Urban District.

Basis for Request

The applicant proposes to develop houselots and supporting infrastructure on the subject parcel (TMK: 66009002) and the neighboring parcel to the south (TMK: 66010003) to create rural residential neighborhood workforce housing opportunities in Haleiwa. The subject parcel, which will host some of the proposed residential houselots and elements of the proposed new neighborhood's supporting infrastructure, is an integral and critically essential part of the project.

While TMK: 66010003 is in the State Urban District, the subject parcel is within the State Agriculture District. Under State laws, the subject parcel cannot be used for the above-stated uses under its existing State Land Use designation. Such uses require a State Urban District designation. However, as previously discussed under "INSTITUTIONAL CONTEXT: ONSITE AND ADJACENT PUBLIC POLICY PATTERNS" in the section on "State Land Use Districts", the State Agriculture District designation is anomalous in the context of the general pattern of State Land Use Urban and Agricultural Districts in the parcel's immediate area and in the actual pattern of established and evolving land uses and patterns of developments in the areas around Haleiwa Beach Road and Kamehameha Highway.

Since the subject parcel's State Agriculture District designation is a parcel-specific exception to the adjacent State Urban District pattern, since the "Impacts on Agriculture" study conducted for the proposed project found the subject and its directly neighboring parcel "poorly suited for typical commercial field farming", and since the subject parcel is an essential and integral part of the proposed project, a State Urban District designation is requested for the subject parcel.
PROPOSAL SUMMARY

Overall Project Summary

Haleiwa Plantation Village will be located in Haleiwa, directly adjacent to urban uses fronting Kamehameha Highway and immediately adjoining the existing Kilioe Place residential neighborhood. It is intended to provide needed “workforce” housing opportunities for the North Shore.

The proposed project will consist of 29 residential houselots at a minimum size of 5,000 square feet, a stormwater detention basin, a private underground wastewater treatment plant, and an intact natural wetland ringed by a dedicated, linear park that will provide opportunities for informal fitness activities and observational “overlooks” into the forested wetland resource, thus serving an educational and potentially interpretive as well as recreational function.

The houselots will be provided with utility connections and reached via an extension of Kilioe Place, which currently provides access from Kamehameha Highway to the adjacent Kilioe Neighborhood. The detention basin will collect stormwaters from onsite precipitation as well as onsite sheetflow from offsite mauka sources. The underground wastewater treatment plant will be a “packaged” system developed to serve the project’s houselot owners but which would also be available as well to those residents of the existing Kilioe Place neighborhood wanting connection with it.

The natural wetland, which drains into the adjacent Haleiwa March to the northwest, will be protected as valuable onsite scientific resource, a backdrop for the fitness activities, and a focus for interpretive recreation opportunities along the linear park that will ring its perimeter.

Haleiwa Plantation Village is intended as a compatible residential infill project that will represent a natural “filling out” of the Haleiwa Country Town. By using an extension of the existing Kilioe Place and offering Kilioe Neighborhood residents use of its wastewater treatment plant, it will consciously configure itself as a visual and functional extension of the existing neighborhood. Its houselots will be configured to enable the design and construction of single family homes and its covenants will be developed to include exterior design guidelines promoting the use of
Figure 12: Haleiwa Plantation Village Site Plan
materials, colors, and architectural vocabulary consistent or sympathetic with the character and scale of Haleiwa and its rural residential neighborhoods.

In total, the project’s physical configuration and constituent design guidelines will promote a scale, character, and development texture in harmony with the scale, character, and development texture of Haleiwa Town, its constituent residential neighborhoods, and very importantly, with the adjacent Kilioe Neighborhood. Figure 11: Haleiwa Plantation Village Site Plan provides a preliminary diagram of the project’s general features.

**Summary of Project Features at the Subject Parcel (TMK: (1) 6-6-009:002)**

The subject parcel will host 6 of the project residential houselots, the underground wastewater treatment plant, the stormwater detention basin, the natural wetland, and the dedicated linear park around it. A private driveway from the Kilo Place extension will provide access to these elements. With the exception of a small structure the size of a small storage facility, the wastewater treatment plant will be completely underground. The detention basin will be oversized to accommodate the periodic flooding reported by Kilioe Neighborhood residents in addition to the project site’s *customary* onsite stormwaters. Project design guidelines will apply to homes built on this parcel.

**DEVELOPMENT TIMETABLE AND ESTIMATED PROJECT COST**

The development timetable for the project of which the subject parcel is a part will depend on the pace and success of the enabling entitlements for implementation. After successful processing of the State Land Use Amendment application, the Rezoning Application to convert the Ag-2 designation on the subject and neighboring parcel to R-5 to enable residential use consistent with the density of the existing Kilioe Place neighborhood will be developed and submitted for review and approval. A Special Management Area Permit application will also be developed for review and approval. Actual design and engineering of the project will commence when entitlement approvals are secured. After the completion of construction documents, bids will be sought, a contractor selected, construction permits secured, and construction begun.
However, dates and durations for all the above-cited processes are dependent on the pace of review and approval of this and the other needed entitlement applications, and the dates of approval of each or their pre-requisite entitlement applications.

Pending the more precise definition that detailed design and engineering will eventually provide, current estimated overall project cost is approximately $2.06 million. The project will be privately funded by the applicant.
4. NEED FOR PROPOSED DEVELOPMENT

The subject parcel is one of two parcels of land on which the proposed Haleiwa Plantation Village would be developed. As such, the qualities and contributions of the proposed project are the parcel’s attributes as well, since without it, the project, as proposed, could not be possible. For this reason, the discussions which follow address the need for the entire project, of which the parcel is an integral part.

CONTRIBUTION TO THE GENERAL WELFARE AND PROSPERITY OF THE PEOPLE OF OAHU

There are multiple dimensions to the welfare and prosperity of the people of Oahu. They include economic, social, cultural, and civic dimensions of Oahu’s individuals and the communities they live in. The proposed Haleiwa Plantation Village when built will touch on several of those dimensions. Some of its more salient contributions will include:

- Contributions to Oahu’s intended balance between urban, rural, and natural environments
- Maintenance of the unique identities of Oahu’s individual communities
- The creation of housing opportunity and choice for Oahu’s working populations
- Support for the Geographic Diversification of Community-Specific Economic Endeavors and Economic Opportunity
- Maintenance and preservation of Oahu’s natural resources

Haleiwa Plantation Village is a small, localized action whose benefits will be most immediately felt at a local level. However, while its contributions as a single action will be felt most directly at the local level, they have the ability to contribute, in concert with similar or reinforcing actions elsewhere, to wider, more far-reaching benefits reaching a far broader, potentially island-wide context.

The narratives which follow elaborate on each of the above areas of contribution, illustrating how the proposed Haleiwa Plantation Village contributes to each of them, and, by extension, why this project is needed as one of a constellation of projects or actions with similar or
reinforcing qualities to help realize, on a wider scale, the above-stated economic, social, cultural, and civic dimensions of welfare and prosperity on Oahu.

The Balance of Urban, Rural, and Natural Environments

Oahu is the center of Hawaii’s business, financial, and civic institutions. As such, it is also the State’s most populous island with the densest urban centers in the State. Most of its urbanization occurs linearly along Oahu’s southern coastline from the Ewa Plain to Hawaii Kai. Suburban population centers, reaching north from the coastal plain toward the vast former agricultural fields of Central Oahu and and across the Koolaus and Waianae have evolved into residential neighborhoods and towns. In response to this spread of population, the diminishing of the once vast, uninterrupted swaths of open space, and the alarm of many of Oahu’s communities, objectives and policies for relief from the spread of urban intensity, the maintenance of valuable open spaces, and the maintenance of the attributes of Oahu’s non-urban communities were publically instituted. These objectives and policies reflect the expressed values of most island residents, for whom a desired balance between urban and rural settings, and between the built environment and open spaces appear to be essential to feelings of personal welfare and well-being, and, by extension, a stimulus to the promotion of personal and economic prosperity.

The proposed Haleiwa Plantation Village contributes to these objectives and policies. Its proposed configuration and development texture will maintain and by extension, strengthen Haleiwa’s rural identity while its site plan organization will respect and even contribute to the open space articulation between Haleiwa’s core and its makai residential neighborhoods.

The proposed project is located as “infill” residential development directly adjacent to an existing residential neighborhood, proposing a form and pattern of development consistent in scale and character with the Killoe Place neighborhood as well as with other rural residential neighborhoods in Haleiwa. As an infill development, not only is Haleiwa Plantation Village an intentional extension of an existing and established local neighborhood, it is also a deliberately compact extension of it.
By locating in this manner, it is also a residential extension that maintains the articulating swath of open space between the Haleiwa commercial/civic core and the residential neighborhoods along Haleiwa Beach Road, leaving existing and former farmlands and the Haleiwa Marsh, important elements of that open space, undisturbed. In addition, Haleiwa Plantation Village’s proposed organization will contribute its own onsite open spaces: the natural onsite wetland, the linear park, the open field above its underground wastewater treatment facility, and the vegetated detention basin, to the larger, articulating open space expanse.

In these ways, Haleiwa Plantation Village contributes to the balance between urban, rural and open space environments, not only by maintaining the character of Haleiwa as a rural town, but by maintaining and reinforcing the expanse of the articulating open space which contributes to Haleiwa’s rural setting.

**Maintenance of The Unique Identities of Oahu’s Individual Communities**

With its location, proposed development pattern, and design guidelines, the proposed Haleiwa Plantation Village contributes to the unique identity of Haleiwa. The previous narrative described how the project’s location, organization, and proposed density will maintain the rural identity of Haleiwa and the large open space articulation between its commercial/civic core and the makai residential neighborhoods.

The design guidelines address the external appearance of the homes to be built on the house lots. These guidelines will address color, form and features (the architectural design “vocabulary”), promoting consistency and harmony not only with the adjacent neighborhood, but beyond that, to the distinguishing architectural features of the town. By doing so, it will reinforce the distinct and differentiating visual qualities that so many now recognize as “distinctively Haleiwa”. In this way, the rich and recognizable diversity of Oahu’s constituent communities will be promoted by actions in Haleiwa, as they should be in other rural towns and urban communities throughout Oahu, adding dimensions of cultural richness to the living experiences of Oahu residents.
The Creation of Housing Opportunity and Choice for Oahu’s Working Populations

Haleiwa Plantation Village will create intown housing opportunities for its future residents in convenient proximity to dining, places of employment or business, personal and family services, social venues, recreation, and other lifestyle support services and facilities. In a region where much of the housing is old, very expensive, or distant from services, this proposed development is distinct.

Home ownership can often provide a form of living stability that enables the home owner to concentrate and enhance the effect of energies on other activities which contribute to personal and community well-being.

By targeting a “workforce” market segment, Haleiwa Plantation Village would not only make home ownership opportunities available to working individuals, seniors, and families who are often “priced out of the market” in many Oahu market housing locations, but would also give them a modicum of choice on how their respective residences could be shaped and how their individual aesthetic preferences could be expressed. In the context of Oahu in general as well as on the North Shore, the opportunity and range of choices this kind of development offers is distinct, needed, and desirable. It will provide housing opportunities that can satisfy the physical, financial, and emotional needs of its future residents, and of a market segment that does not often have access to such housing opportunities with such a range of choices.

This dimension of welfare and prosperity will be addressed, at greater length and from a slightly different perspective later in this document.

Support for the Geographic Diversification of Community-Specific Economic Endeavors

One benefit of providing additional housing opportunities in Haleiwa is not only its habitation value and proximity to lifestyle support services and facilities, but as a project targeting the “workforce” market segment, Haleiwa Plantation Village will provide opportunities for residence near places of employment and business. Haleiwa hosts a myriad of established and beginning businesses. Opportunities for employees and entrepreneurs to live in a location that makes long commutes from remote locations unnecessary can enhance the magnitude and quality of
services these businesses provide, attracting customer preference and facilitating business competitiveness.

In addition, the availability of North Shore housing to entrepreneurs who may prefer the region’s lifestyle and amenities can encourage the sustaining of young businesses already located there and possibly attract and encourage the viability of additional new businesses on the North Shore. During the 2011 inaugural semester of “Export University”, a course created by the U.S. Commercial Service and taught by industry experts expressly for entrepreneurs operating or intending to initiate export-oriented businesses, one guest instructor, the owner of a freight-forwarding service facilitating export to international destinations noted that a “conspicuous number” of young export-oriented businesses had been established and were operating in Haleiwa.

Providing “workforce” housing opportunities would help to support both young and established businesses and possibly attract more businesses, resulting in a diversification of the economic base of Haleiwa and the North Shore, and, if reinforced by similar actions elsewhere, a potential locational diversification and enhanced resilience of Oahu’s economic base, contributing to the welfare and prosperity, not only of communities in direct proximity to this proposed project, but potentially for communities throughout the island of Oahu.

**Maintenance and preservation of Oahu’s natural resources**

The proposed Haleiwa Plantation Village will be designed and constructed to respect onsite and adjacent natural resources. Project location and organization will assist in the maintenance of Haleiwa Marsh and the preservation of the onsite wetland located on the subject parcel. Proposed onsite drainage provisions will prevent the flow of onsite waters outside the wetland from entering and degrading water quality of Haleiwa Marsh. Project site plan organization will not only avoid disturbance of the onsite wetland, but will protect it with a buffer zone formed by the proposed linear park that will ring the wetland on three sides.
The proposed Haleiwa Plantation Village is a project which intends to provide home ownership opportunities to the “workforce” or “gap group” market segment. As such, it addresses an immediate and acute statewide need for housing, a need sharply felt on Oahu and other of the major islands in the State. The State of Hawaii Department of Business, Economic Development and Tourism estimates a statewide need of 66,000 new homes to meet demand over the next 10 years, attributing 25,847 units of this need to Oahu.

The 2014 Oahu Islandwide Housing Strategy, prepared by the City and County of Honolulu, has stated that “Oahu is experiencing a housing crisis…”, and has cited a similar number of needed units: “more than 24,000 additional housing units”. It further estimates a current need for “workforce” or “gap group” housing: those earning approximately 140% of Area Median Income (AMI) of approximately 1,561 residential units, in contrast to actual housing production, which building permit records have revealed are constructed for “higher income households”. On a more localized level, the 2010 North Shore Sustainable Communities Plan estimates a need of 1,504 new residential units by 2035.

The proposed Haleiwa Plantation Village project proposes to provide 29 house lots for workforce housing construction, addressing not only the current need for new housing, but focusing its proposed new housing opportunities on the workforce housing segment of that need. As such, it not only proposes to meet the public issue of inadequate housing supply on Oahu, but it proposes as well to address the need for “workforce” housing a currently underserved market segment as indicated by current City Building Permit records.

Given the State and City housing reports, this need is immediate. In view of this, the proposed Haleiwa Plantation Village is an urgently needed project which should be implemented as soon as possible. An amendment of the State Land Use District Boundary to place the subject parcel in the State Urban District is one of the essential initial steps needed to enable this implementation.
CONSISTENCY WITH APPLICABLE PUBLIC POLICY

Hawaii State Plan

The Hawaii State Plan (Chapter 226, HRS) establishes a statewide planning system with goals, objectives, policies, and priorities to guide future long-range development of the state toward a desired future. The proposed project is consistent with the following State Plan objectives and policies pertaining to housing and facility systems:

§226-19 Objectives and policies for socio-cultural advancement--housing. (a) Planning for the State’s socio-cultural advancement with regard to housing shall be directed toward the achievement of the following objectives:

(1) Greater opportunities for Hawaii’s people to secure reasonably priced, safe, sanitary, and livable homes, located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals, through collaboration and cooperation between government and nonprofit and for-profit developers to ensure that more affordable housing is made available to very low-, low- and moderate-income segments of Hawaii’s population.

(2) The orderly development of residential areas sensitive to community needs and other land uses.

(3) The development and provision of affordable rental housing by the State to meet the housing needs of Hawaii’s people.

(b) To achieve the housing objectives, it shall be the policy of this State to:

(1) Effectively accommodate the housing needs of Hawaii’s people.

(2) Stimulate and promote feasible approaches that increase housing choices for low-income, moderate-income, and gap-group households.

(3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.
(4) Promote appropriate improvement, rehabilitation, and maintenance of existing housing units and residential areas.

(5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.

(6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.

(7) Foster a variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods that reflect the culture and values of the community.

(8) Promote research and development of methods to reduce the cost of housing construction in Hawaii.

§226-15 Objectives and policies for facility systems--solid and liquid wastes.

(a) Planning for the State’s facility systems with regard to solid and liquid wastes shall be directed towards the achievement of the following objectives:

(1) Maintenance of basic public health and sanitation standards relating to treatment and disposal of solid and liquid wastes.

(2) Provision of adequate sewerage facilities for physical and economic activities that alleviate problems in housing, employment, mobility, and other areas.

(b) To achieve solid and liquid waste objectives, it shall be the policy of this State to:  (1) Encourage the adequate development of sewerage facilities that complement planned growth.

(2) Promote re-use and recycling to reduce solid and liquid wastes and employ a conservation ethic.
(3) Promote research to develop more efficient and economical treatment and disposal of solid and liquid wastes.

The proposed new residential lots will increase housing opportunities and choices for Haleiwa residents. The housing stock in Haleiwa has been relatively stable over the past few decades, with many of the existing homes being over 50 years old. The proposed project will allow individual lot owners the ability to choose their own house design or build their own houses, and size the dwellings according to their individual needs and budgets.

Currently, all existing homes on Kilioe Place and throughout Haleiwa Town are served by individual cesspools and utilize private pumping companies for sewage disposal. Cesspools are no longer allowed, but there are no County construction projects on the horizon to provide the area with a centralized sewage collection and treatment system. The proposed project will ensure that the health and sanitation standards of the state will be upheld by providing its own private sewage system.

City and County of Honolulu General Plan

The General Plan is the broadest level of planning of the City and County of Honolulu planning system. It is intended to act as an “umbrella” framework for other City policy and functional plans and their implementing regulations, standards, and guidelines. Programmatic in nature, it consists of 11 policy and objectives areas: Population, Economic Activity, Natural Environment, Housing, Transportation and Utilities, Energy, Physical Development and Urban Design, Public Safety, Health and Education, Culture and Recreation, and Government Operations and Fiscal Management.

The proposed project of which the subject parcel is a part is consistent with and supports General Plan objectives and policies, including and beginning on the following page:
POPULATION

Objective C: To establish a pattern of population distribution that will allow the people of Oahu to live and work in harmony.

Policy 3: Manage physical growth and development in the urban-fringe and rural areas so that:
   a. An undesirable spreading of development is prevented; and
   b. Their proportion of the islandwide resident population remains unchanged.

The proposed project intends to locate its subdivision contiguous to and as an extension of the existing Kilioe Street neighborhood, thereby clustering the residential built environment while allowing the agricultural open space to continue to function as a consolidated and effective articulation between Hale‘iwa Town proper and its makai neighborhoods along Hale‘iwa Beach Road.

The addition of 29 new house lots with eventually corresponding single-family homes and families will not adversely impact population distribution policies for the North Shore.

NATURAL ENVIRONMENT

Objective A: To protect and preserve the natural environment

Policy 6: Design surface drainage and flood-control systems in a manner which will help preserve their natural settings.

In addition to directing subdivision water toward the Kilioe Street extension and collecting that water in a catch basin, drainage will also be directed toward Parcel 2 for natural percolation, with the excess being captured in a 1.5-acre, unpaved detention basin planted with appropriate plant material and sized to accommodate 150% of estimated stormwater flows. This will maximize the presence of the
natural environment at the project site, minimize elimination of natural surface vegetation, and protect adjacent downstream areas from runoff that could require active drainage control there.

HOUSING

Objective A: To provide decent housing for all the people of Oahu at prices they can afford.

Objective C: To provide the people of Oahu with a choice of living environments which are reasonably close to employment, recreation, and commercial centers and which are adequately served by public utilities.

Policy 1: Encourage residential developments that offer a variety of homes to people of different income levels and to families of various sizes.

Policy 3: Encourage residential development near employment centers.

Policy 4: Encourage residential development in areas where existing roads, utilities, and other community facilities are not being used to capacity.

The proposed subdivision is intended to provide intown residential opportunities for North Shore residents, among whom may be Haleiwa business owners or employees. The project intends to target the “workforce” or “gap group” market segment, providing needed housing opportunities to an often underserved population. It will be served by an extension of Kilioe Place, a road designed to accommodate the vehicular traffic from 200 homes, far in excess of the numbers of homes in the existing Kilioe Place neighborhood and Haleiwa Plantation Village combined.
TRANSPORTATION AND UTILITIES

Objective B: To meet the needs of the people of Oahu for an adequate supply of water and for environmentally sound systems of waste disposal.

Policy 5: Provide safe, efficient, and environmentally sensitive waste-collection and waste disposal services.

*Haleiwa does not have a municipal sewage collection or treatment facility. The proposed project intends to provide the proposed residential subdivision with an onsite sewage collection and disposal through a self-contained, packaged wastewater treatment unit.*

PHYSICAL DEVELOPMENT AND URBAN DESIGN

Objective A: To coordinate changes in the physical environment of Oahu to ensure that all new developments are timely, well-designed, and appropriate for the areas in which they will be located.

Policy 6: Encourage the clustering of developments to reduce the cost of providing utilities and other public services.

*The proposed project locates its residential subdivision adjacent to the existing Kilioe Neighborhood. Although owners will be free to exercise their own preferences for the homes they will erect or acquire, the exterior design of these homes will be guided by architectural guidelines intended to maintain relevance to Haleiwa’s existing character and consistency with the design intent of the Haleiwa Special District.*

Objective E: To create and maintain attractive, meaningful, and stimulating environments throughout Oahu.
Policy 5: Require new developments in stable, established communities and rural areas to be compatible with the existing communities and areas.

Although outside the Haleiwa Special District and therefore not required, the proposed project will include guidelines for stylistic exterior design consistency with Haleiwa’s historic design vocabulary and the intent of the Special District.

North Shore Sustainable Communities Plan

The Development (“DP”) Plans and Sustainable Communities Plans (“SCP”) are the primary land use policy documents for their respective regions. They are also the first physical and locationally responsive interpretations of the General Plan’s predominantly programmatic objectives and policies.

The proposed Haleiwa Plantation Village is located within the region covered by the North Shore Sustainable Communities Plan (“North Shore SCP”), which extends from Kaena Point at its western extremity to Waialee Gulch near Kawela Bay at its northeastern end. The region’s northern edge is defined by the shoreline, while the southern extent is defined by Helemano and the slopes of the Koolau and Waianae mountain ranges. As with its other regional counterparts, the North Shore SCP provides policies and guidelines to guide future actions on the North Shore.

The Haleiwa Plantation Village’s consistency with the North Shore SCP has been confirmed by two DPP letters dated May 23, 2011 and June 7, 2013. The following material summarizes aspects of the proposed project’s consistency.

CHAPTER 1. NORTH SHORE’S ROLE IN O’AHU’S DEVELOPMENT PATTERN

The proposed project conforms with and is supported by the following policies of this chapter:

- Provide sufficient lands adjacent to built areas of Haleiwa and Waialua for housing that is compatible with the region’s rural character and affordable to area residents, without
exceeding the *General Plan’s* population guidelines for the region and remaining in line with *General Plan* policies to maintain the North Shore as a rural area.

The proposed project is adjacent to the existing Kilioe Place neighborhood and commercial uses fronting Kamehameha Highway. It will include exterior guidelines for individual home designs designed to maintain relevance and consistency with rural Haleiwa’s scale and architectural character. The homes that would be enabled by this project would not impact but instead would be well within General Plan regional population guidelines. The physical configuration of the project, balanced with the expansive open spaces around it, will maintain the rural context in which the future homes will be built.

CHAPTER 2. THE VISION FOR THE NORTH SHORE’S FUTURE

The following sections of this chapter supports the proposed project:

2.2.1 Maintain the Community Growth Boundary to Protect Agricultural, Open Space, and Natural Resources (page 2-4, paragraph 4)

“Rural communities within the Community Growth Boundary include concentrations of residential commercial, and industrial uses as well as the network of roads, parks, and open spaces which define their edges or give them character. Relative to the State Land Use District boundaries, the Community Growth Boundary generally circumscribes built-up sections of Mokuleia, Waialua, Haleiwa, Kawaiola, and Sunset Beach that are within the State urban district. It also includes portions of the State Agricultural District in Sunset Hills and Pupukea that are zoned Country, as well as portions of the State Agricultural District *makai* of the highway in Haleiwa and Waialua Towns that are designated and zoned for agricultural use. However, except for limited “infill” areas in Haleiwa and Waialua Towns that are contiguous to lands designated for residential and commercial use, agricultural lands with the Community Growth Boundary continue to remain in the State Agricultural District and continue to be designated and zoned as Agriculture, so as to maintain the agricultural uses and/or open space value within the Community Growth Boundary.”

*The proposed project is small and limited in scope and is contiguous to residential-zoned land, directly adjacent to an existing residential neighborhood. By virtue of its location and*
relationship with adjacent uses, Haleiwa Plantation Village is a residential “infill” project. It is s located within the Community Growth Boundary.

The project proposes to provide needed housing to North Shore residents adjacent to and as an extension of existing residential uses and adjacent to streetfront commercial uses while maintaining the continuity of the adjacent agriculturally zoned lands to the west and makai of the project site. In this way, it would facilitate the continuation of the clearly articulating open space between Haleiwa Town and the makai communities along Haleiwa Beach Road.

2.2.6 Direct New Housing to Areas Contiguous to Hale‘iwa and Waialua Towns and Use Rural Design Guidelines for Rural Residential Development

(page 2-9, paragraph 1)

“New residential development is located within designated areas adjoining Haleiwa and Waialua Towns, with additional “infill” on or contiguous to existing lots in previously developed residential areas.”

The proposed project is located in Haleiwa, contiguous to the existing Kilioe Place neighborhood and directly adjacent to intended streetfront commercial at Parcel “B-1”. The proposed project will be configured as a visual extension of the existing Kilioe Place neighborhood, with access provided by an extension of Kilioe Place.

It should be noted that the existing Kilioe Place has been designed, sized, and constructed to be able to accommodate traffic from 200 residential units, a capacity far in excess of traffic that would be generated by both the existing neighborhood and the proposed project.
Figure 13: North Shore SCP Community Growth Boundary
CHAPTER 3. LAND USE POLICIES AND GUIDELINES

3.1. Open Space and Natural Environment

3.1.1 Policies

"Protect and enhance significant natural features and ecologically sensitive lands, including mountain areas, shoreline areas, wetlands, fishponds, natural gulches, streams and drainageways. Provide protective buffer zones and setbacks around biologically sensitive areas to minimize habitat disturbance."

The proposed Haleiwa Plantation Village will be located directly adjacent to an existing residential neighborhood and commercial uses fronting Kamehameha Highway, avoiding substantive intrusion into the major open space articulation between Haleiwa Town and its makai neighborhoods along Haleiwa Beach Road. In doing so, it also avoids intrusion into the area occupied by Haleiwa Marsh. In addition, Haleiwa Plantation Village not only completely avoids disturbance of the onsite jurisdictional wetland on the subject parcel, but has provided a buffering protective zone around the entire onsite perimeter of the wetland, reserving this area as an interpretive walking and fitness path for future project residents to promote not only protection of the resource but appreciation of the natural resource type it represents.

To address the issue of a possible onsite wetland, AECOS, the project wetland consultant, delineated the onsite jurisdictional wetland on the subject parcel. Its delineation was then reviewed formally by the U.S. Army Corps of Engineers. In response to this formal delineation of the onsite wetland, design and development of the proposed Haleiwa Plantation Village site plan and the placement of its constituent facilities were configured to completely avoid disturbance of the wetland. In addition, the Haleiwa Plantation Village plan was also designed to include the previously cited protective buffering area in the form of a fitness and interpretive recreational zone running completely around the wetland's onsite perimeter to add a further measure of wetland protection. This recreational buffer zone is intended not only as a protective measure, but also as a way to emphasize the value of the wetland as an onsite natural resource with educational value.
“Maintain open space around existing communities by locating new developments within or next to existing developments within the Community Growth Boundary. Encourage compact development patterns and balance the development of desired or necessary land uses such as affordable housing and public facilities such as schools with the need to preserve open space.”

The proposed project will be located within the Community Growth Boundary, as shown in Figure 13, adjacent to the existing Kilioe Place subdivision and immediately adjacent and behind commercial uses fronting Kamehameha Highway. The proposed project, by being located directly adjacent to existing residential and commercial uses, is a consolidated and immediate extension of these uses on appropriate land areas, thus sustaining the major existing open space articulation between Haleiwa Town proper and its makai neighborhoods.

In addition, by locating in this way, the proposed project will not impact important habitats, coastal ecosystems, scenic and open space resources, beach, shoreline and marine resources, natural gulches, streams, or drainageways or access to these important places. It also proposes the preservation of an onsite jurisdictional wetland. In view of this, the proposed project is consistent with this and other policies and guidelines related to open space and the natural environment.

Finally, in accordance with Section 3.1.2.7 of the NSSCP, significant scenic views will not be significantly impacted, particularly the following:

- Views of the Waianae and Koolau Mountains, the Pacific Ocean and shoreline, Waialua and Haleiwa Towns from Kamehameha Highway and Kaukonahua Road as one enters into the North Shore.

- Mauka views of the Waianae Mountains from Farrington Highway, Kaukonahua Road, Kamehameha Highway, and Weed Junction.
• Mauka views of the Koolau Mountains and pali along Kamehameha Highway from Haleiwa to Waia‘e.

3.1.2.3 Guidelines - Wetlands

• Preserve and maintain all North Shore wetlands and wildlife habitats. When considering future activities/construction in the vicinity of biologically sensitive areas such as wetlands, the preferred sequence will be to:
  – avoid ecologically sensitive areas entirely
  – if not possible, minimize potential project impacts; and
  – if negative impacts are unavoidable, require mitigation that will offset the loss of resources

As previously stated on page 55, the onsite jurisdictional wetland on the subject parcel has been delineated and reviewed formally by the U.S. Army Corps of Engineers. Haleiwa Plantation Village will not only avoid disturbance of the wetland, but will construct a protective buffering area in the form of a fitness and interpretive recreational zone running completely around the wetland’s onsite perimeter. Project layout and site design provisions have intentionally configured its facility layout to avoid negative impacts on adjacent and onsite wetland resources.

3.2 Agriculture

3.2.2 Policies

“Maintain the current agricultural land use and zoning designation of agricultural lands within the Community Growth Boundary that are in the State Agricultural District and zoned for agriculture, except for limited “infill” areas contiguous to Haleiwa and Waialua Towns that are designated for future residential.”

The proposed project consists of two parcels, one of which is nearly entirely within the State Agriculture District and zoned Ag-2 (Agriculture), but within the Community Growth Boundary. The other parcel is within the State Urban District, also zoned Ag-2, and also within the Community Growth Boundary. The project site is located
immediately adjacent to the existing Kilroe Place neighborhood and Parcel 27, which is scheduled for commercial uses.

The project’s residential subdivision is configured as an extension of the existing Kilroe Place neighborhood, leaving the bulk of the agriculturally-zoned and districted open space articulating Haleiwa Town from its makai neighborhoods continuous and intact.

Therefore, in location and configuration, the proposed project constitutes a contiguous residential “infill” within Haleiwa consistent with the overall intent to preserve important agricultural lands of the North Shore.

3.5 Residential Communities

“Residential areas on the North Shore are concentrated around the former plantation towns of Haleiwa and Waialua, with smaller clusters of residential neighborhoods scattered between Mokulēia, Kawaiola, Sunset Beach and the uplands above Pūpukea. The Community Growth Boundary is intended to contain the spread of development away from significant agriculture and preservation areas. The need for additional housing on the North Shore will be met primarily by “infill” development of existing vacant lands within the Community Growth Boundary.”

3.5.1 Policies

“Maintain sufficient inventory of land within the Community Growth Boundary to accommodate existing and future housing needs.”

“Direct future residential development to Haleiwa and Waialua within the Community Growth Boundary, including new apartment districts adjacent to Haleiwa and Waialua Towns where increased densities that address affordability may be desired, subject to community and agency review.”
“Preserve and protect the rural character and natural features and setting of the North Shore by establishing appropriate development and subdivision standards for buildings, roadways and infrastructure systems, in contrast to existing urban standards.”

“Incorporate rural standards that require development to be sensitive to and have minimal impact on the area’s rural character.”

“Provide a mix of housing types and prices to meet the needs of existing residents, including accommodations which are affordable to low- and moderate-income, gap group, and elderly households, and other special needs populations.”

“Ensure safe and efficient circulation networks that provide bicycle and pedestrian travel between residential areas and neighborhood destinations such as schools, parks and neighborhood commercial facilities.”

“Support the development of sustainable communities through the use of low-impact development principles and technologies.”

3.5.2 Guidelines

Rural Residential

“Densities range from five to eight units per acre, or up to 10 units per acre for alternative development options which enhance rural character and maximize consolidated, usable open space. Lot sizes range from 5,000 square feet to 10,000 square feet, allowing the application of optional design standards. For smaller lot developments of less than 5,000 square feet, alternative clustering is encouraged.”

“Use rural development standards to determine appropriate scale and character, smaller building footprints, greater setbacks, and more landscaping (use of hedges to create walls and grassed front yards, and rural roadways with no sidewalks, curbs, and gutters).”
“Avoid monotonous rows of garages and driveways along neighborhood street frontages by employing features such as varied building setbacks and shared driveways.”

“Plan and design new or infill housing development, as well as modifications to existing homes, to be generally compatible with the predominant form and character of existing homes on adjacent properties and with the neighborhood as a whole.”

“Use plantation architectural features such as pitched roofs in varied forms, exterior colors and finishes, building orientation, floor plans and architectural details to provide visual interest and individual identity and accentuate the rural setting. In general, buildings are to be less than two stories or 25 feet, although the height may vary in response to required flood elevation, slope, or other physical site constraints.”

As the proposed project is located within the Community Growth Boundary and is configured as contiguous infill development of single family homes adjacent to existing single family homes and intended streetfront commercial uses, and as the exterior design of the future homes that will be built on the proposed houselots will be guided by design guidelines oriented toward maintaining the town’s historic character and the intent of the Haleiwa Special District, it supports the above policies.

SUITABILITY OF THE SUBJECT PROPERTY FOR THE NEED BEING ADDRESSED

The proposed Haleiwa Plantation Village project intends to address Oahu’s need for additional housing opportunities. It specifically targets the “workforce” or “gap group” market segment, a frequently underserved segment of housing need. The land which it proposes to occupy is clearly and unequivocally suited for its proposed purpose by virtue of its location, adjacent uses, and onsite characteristics.

As this proposed project encompasses two tax parcels, the subject and an adjacent parcel, property suitability will be addressed first in terms of the entire project, with citations of the suitability of the subject parcel following where particular suitabilities exist.
Location and Adjacent Uses

The excellent suitability of the proposed project’s location lies in its proximity to Haleiwa Town facilities, the character of its immediate surroundings, and the fact that it proposes an “infill” residential development.

Haleiwa Plantation Village would provide “workforce” or “gap group” housing opportunities within Haleiwa Town, providing convenient proximity to Haleiwa businesses and services, a benefit to future residents who may be owners or employees of those enterprises, and to families and seniors for whom convenient access to lifestyle services would provide desirable convenience, fuel savings, and other economies. This would be particularly beneficial to residents associated with “startup” businesses yet to realize their full revenue potentials and to seniors, for whom long distances to needed services could prove particularly challenging.

The project’s immediate surroundings would accentuate the suitability of its location. The existing residential neighborhood and low-key businesses along its eastern side and the articulation open space along its western boundaries will provide relatively quiet settings conducive to a residential environment, allowing the future residents of Haleiwa Plantation Village a tranquil refuge from the more frenetic pace of the businesses that even a rural environment can generate.

With these dual advantages, the proposed Haleiwa Plantation Village, as a residential project, would be able to offer convenience to business, employment, and services while providing a residentially tranquil atmosphere for its future residents.

The subject parcel, which will hold the detention basin, the open fields above the underground wastewater treatment plant, the natural wetland, and the linear park, would offer not only the advantages of convenience and tranquility, but the visual expanse and “natural” settings of its open space elements located as well.

Finally, as an “infill” project directly adjacent to existing rural Haleiwa Town facilities, the proposed project is a compact extension of these facilities, enabling the protection of the
articulating open space between the town core and the makai neighborhoods, thus maintaining the existing balance between the built and “natural” environment in Haleiwa.

In these ways, with a location offering both convenience and tranquility while maintaining Haleiwa’s distinct and important balance between its built and “natural” environment, the site of the proposed project, including the location of its component subject parcel, are uniquely suitable for the need it proposes to meet.

**Onsite Characteristics**

The general condition, current uses, usage suitability, topographic characteristics, elevation, and resource status of the overall site and the component subject parcel also demonstrate its suitability for addressing “workforce” housing need.

As previously cited, the project site has been heavily and repeatedly modified since the mid-19th Century. Most previous evidence of pre-European usage patterns except for some of the walls remaining from old loi farming and any evidence of pre-human conditions have been virtually eliminated. Current uses now include the use of part of the site for storage of equipment and material for offsite commercial farming activities, incidental farming for personal use, with the remainder of the site vacant or overgrown with dense grasses and stands of trees.

While the subject parcel carries a “State Agriculture District” designation, an “Impacts on Agriculture” study by Plash Econ Pacific LLC has concluded that the entire project site, including the subject parcel, is unsuited for commercial agriculture. A summary of its findings is presented earlier in this document under “Soils”. The project site’s location at the abrupt end of Kilioe Place, an existing road serving the existing 16-parcel residential neighborhood that has been designed to accommodate traffic from 200 homes strongly suggests its suitability for residential use and a previous intent to extend residential use beyond the existing neighborhood into at least parcel TMK: 66010003.

The suitability of the project site for residential use and the probable previous intent to establish residential there at some point is reinforced by the site’s topography. The entire site is relatively flat. There are no promontories or significant sloped or other changes in ground elevation which would require significant topographic alterations and the concomitant costs of grading, fill, or
excavation to “even it out”. These topographic characteristics render the project site suitable for residential development. The lack of need for substantial topographic modifications and the costs that would involve work in favor of targeting the “workforce” market segment.

The ground elevation of the project site reinforces its workforce residential-friendly development characteristics. The ground-surveyed elevation of the site ranges between approximately 6.4 feet – 15.5 feet MSL (Mean Sea Level). FEMA flood maps show most of the site in Zone X, an area outside the 100 and 500-year floodplain elevations. The Makai portions of the site are shown in Zone AE, with a calculated flood plain elevation of 6 feet MSL. This puts the site above the calculated FEMA floodplain elevation. This topographic characteristic is even more pronounced on the subject parcel, which ranges between 8.1 feet – 15.5 feet MSL. Finally, with the exception of the jurisdictional wetland, there have been no cultural resources or endangered natural resources discovered at the project site. As previously stated under “Cultural Resources”, the archaeological investigator, after a surface visual inventory found “no surface remains of human habitation...” It was his opinion that, “due to extensive site modifications,...” and the presence of a very high water table, the opportunities for discovering, gathering, and examining onsite subsurface deposits was “probably a very remote probability.”

The fauna and flora visual survey found no threatened or endangered species or species of concern no indigenous plants, and only one indigenous bird, the golden plover or “kolea” which is a migratory species whose presence in Hawaii is periodic rather than constant.

The proposed project intends to respond to the presence of the jurisdictional wetland not only by completely avoiding its disturbance, but by making it an asset for residents of the project, as a natural resource with potential interpretive value and a setting for recreational activity.

Given these onsite attributes and proposed project responses, the suitability of the proposed project site and its component subject parcel is strong, not only for meeting housing need, but for meeting the need of the “workforce” market segment, since its level topography and absence of inundation potential will reduce or eliminate the expense of substantial topographic modifications, the probably absence of onsite cultural remains may avoid expensive onsite cultural asset mitigation actions, the absence of the presence of threatened or endangered plant or animal species renders any conflicts with such resources nonexistent, and the creation of a recreational buffer zone around the wetland will transform a potential constraint into an onsite asset.
Finally, conclusions of the “Impacts on Agriculture” study, which found the entire project site clearly unsuitable for commercial agricultural activity, strongly suggest that commitment of both its parcels to “urban” uses. Given the island’s large housing deficit and therefore strong housing need, and the proposed project’s direct adjacency and potential connection with an existing residential neighborhood, residential use is a clearly suitable use for both project parcels. Given the strong need for “workforce” segment housing islandwide and the project site’s characteristics, “workforce housing” is a clearly appropriate use for these parcels.

**INTENDED MARKET**

Haleiwa Plantation Village’s intended market consist of those individuals and households in the “workforce” market segment. This is a segment earning no more than 140% of the area median
income ("AMI", with the category usually defined as a range between 120% - 140% AMI). Actual income limitations for this market segment are defined in accordance with household size and are updated annually by the U.S. Department of Housing and Urban Development (HUD), and hence anticipated prices, which would respond to these income limitations and prevailing financing interest rates, are necessarily undefined at this point and will probably remain so until the project nears the end of its entitlement process. Since two processes: the Zone Change and Special Management Area application processes will follow a successful processing of this State Land Use Amendment application, pricing will remain necessarily in abeyance until the approach of those approvals.

The City and County of Honolulu housing study for Oahu cites a current need for over 24,000 additional housing units to address pent-up demand, also citing a need for 5,000 new housing units per year for the next several years to catch up with demand and to address new household formation.

While the greater number of new private-sector projects since 2000 have emphasized housing for individuals and households at higher market levels (upper mid-market, luxury, and super-luxury), public agencies have recognized a very substantial need for housing at affordable levels and are encouraging the development of “affordable housing”. At this time, although affordable housing has long been defined by the State as housing with buyer income limitations of 140%, the State Hawaii Housing Finance and Development Corporation (HHFDC) and the City Department of Planning and Permitting and the City are defining affordable housing income limits at 120% of Area Median Income (AMI). As a result, while the bulk of recent and current private sector projects are currently tending to target higher and luxury income levels, State and County public sector agencies (with the exception of HCDA) are encouraging affordable housing projects for those with incomes of 120% AMI or less.

This leaves the income segment between 120%-140% unpromoted, without strong public support and little private response. This segment includes many households with multiple incomes, persons at the beginning of their careers, rising young professionals with good incomes that frequently fall short of most current market rate new projects, and many seniors on fixed incomes who may have income levels that would disqualify them for housing priced at the 80% - 120% AMI range but be inadequate to meet market rate prices of new and even much of the market rate resale housing today.
Given this situation, there is need for housing at the 140% AMI or “workforce” market segment. The proposed Haleiwa Plantation Village proposes to provide housing in and around this range, thus filling an apparently underserved need of a current economic “gap” or underserved group.

**DESIGNATED USE vs. PROPOSED USE**

The subject site, TMK: 66009002, is currently designated State Agriculture. This application proposes that it be designated State Urban as a first step in enabling the detailed planning, design, and implementation of the proposed Haleiwa Plantation Village project.

The subject parcel’s State Agriculture designation corresponds with the State Agriculture designation which defines the rest of the articulation open space between the Haleiwa town core and its Makai residential neighborhoods, while it is bordered on its other three sides by the State Urban District, which encompasses the Country-zoned lands to the north, the business-zoned properties fronting Kamehameha Highway along its southern border, the existing Kilioe Place residential neighborhood along a portion of its southern border, and the proposed Haleiwa Plantation Village residential uses of its partnering parcel along the rest of that southern border.

As previously discussed, the “Agricultural Impacts” study conducted by Plasch Econ Pacific, LLC has concluded that the lands under both parcels that the proposed project would occupy are collectively unsuitable for commercial agriculture, one reason being the project’s small 6.866 acre size. The subject parcel, on which the jurisdictional wetland is located itself is even smaller at 3.273 total acres of the approximately 0.59 acres of wetland are subtracted from this total area, that would leave little more than 3 acres available for agricultural production, increasing the size deficit for commercial agriculture and rendering the site, as concluded by the Plasch analysis, severely unsuitable for commercial agriculture.

Given the subject parcel’s clear unsuitability for commercial agricultural use, the clearly strong need for new housing units just to meet existing pent-up demand on Oahu, the equally strong need to meet the underserved needs of individuals and households in the “workforce” or “gap group” market segment, and the fact that the proposed Haleiwa Plantation Village project, proposes to use the subject parcel in the implementation of a project to meet that housing “gap group” need, it is clear that an urban designation for the subject parcel to enable it to be used as
part of the land under the Haleiwa Plantation Village would not only be appropriate, but would meet a portion of Oahu’s very conspicuous and much publicized housing need.

In view of the foregoing discussion, a State Land Use designation of “Urban” is both the more appropriate and necessary designation of the subject parcel.

OTHER REASONS IN SUPPORT OF THIS PROPOSAL

Three points that emphasize, elaborate on and add to the observations and reasons cited throughout this document supporting an amendment of the State Land Use District Boundary at parcel TMK: 66009002 to enable the placement of this parcel in the State Urban District are presented in the narratives on the following pages:

The Need for the Proposed Haleiwa Plantation Village Project

The proposed project is needed to address Oahu’s, and by extension, the State’s large housing deficit, and to address in particular, an often underserved “workforce” or “gap group” sector of the population. The emphasis of both State and City agencies to emphasize the support of affordable housing at no more than 120% AMI and the emphasis of private market rate projects to focus on upper income brackets emphasizes the need for other parties to consciously serve the population sector addressed by the proposed Haleiwa Plantation Village project.

The inclusion of the subject parcel in the State Urban District is necessary to enable the parcel to become an integral part of the project, and in so doing, to enable the project. Without it, the project as proposed would not be possible. Without the parcel, the project, even in modified form, may not be feasible.

Land Use Compatibilities

As cited on page 17 by the Agricultural Impacts study, agricultural activity is frequently considered an irritation and nuisance by residents living adjacent to agricultural operations, often as a result of noise, smell, dust, and chemicals. In view of this, to attempt serious
commercial agricultural activity on the subject parcel could be expected to annoy residents of the adjacent Kilioe Place neighborhood and adjacent business owners fronting Kamehameha Highway. Given the conflicts that this is likely to generate and given the outcomes of such conflicts, it is doubtful that the agricultural activities on the subject parcel, if attempted (there are none now), would not persist for very long.

In consideration of this, use of the subject parcel for residences and the residential support facilities as proposed would be a far more compatible use. It would help decrease the existing housing deficit, meet North Shore SCP new housing targets, provide wastewater treatment services for residents of the existing neighborhood who desire it, and provide a place for North Shore residents, including seniors, area employees, and business owners a residence location near services and places of work and employment, increasing the feasibility of new businesses and strengthening the viability of established ones.

Enhancing the Relationship of the Built and “Natural” Environments

The subject parcel, as the southern edge of Haleiwa Marsh, has the opportunity as part of the proposed Haleiwa Plantation Village, not only to serve as the Haleiwa Town edge in this location but to create a “soft edge” transition and “interplay” between the built environment of the town and “natural” environment of its distinctive articulating open space.

The “soft edge” would be created by the texture and scale of the proposed project’s residential component – the homes along portions of the project’s western and northern borders (as opposed to a “hard edge” often typified by a continuous built surface or an “edge” made up of a relatively continuous line of structures placed closely together so that their mass is far greater than the spaces between them), while the “interplay” between the built and “natural” environments would be created collectively by the subject parcel’s detention basin, the open fields of the underground wastewater treatment plant, the wetland, and the park which together would perceptually “draw” the natural environment of the large articulating open space into the built environment of the project.

This “interplay”, together with the residually-created “soft edge” would create a gradual and harmonious transition between the environments of the Haleiwa town core and the large,
defining open space along its western edges. This relationship could serve as a precedent
guiding the further evolution of the town. The proposed project would provide the first
opportunity to create this precedent, for the benefit of the town as a whole and the Haleiwa
community at large.
5. IN SUMMARY

The following narratives summarize the salient points of our requested proposal to amend the State Land Use District Boundary to place parcel TMK: 66009002 in the State Urban District. They are presented first from the perspective of the proposed project the Boundary Amendment would facilitate and then in terms of the merits of the site’s suitability for its proposed use.

MERITS OF THE PROPOSED PROJECT

The merits of the proposed Haleiwa Plantation Village in terms of housing needs and benefits to the town of Haleiwa in which it proposes to located are presented below. Another dimension of the project: its consistency with public policy, has been thoroughly addressed in previous sections of this document.

Meeting Housing Needs

Haleiwa Plantation Village proposes to develop houselots to provide home ownership opportunities. In doing so, it addresses immediate housing needs which various public studies have recognized as acute and have estimated at 66,000 new homes statewide over the next 10 years, of which over 24,000 are attributed to Oahu, and of which over 1,500 would be needed on the North Shore by 2035.

The Haleiwa Plantation Village proposes to create 29 residential houselots in an intown location, in convenient proximity to places of business, employment, shopping, dining, family services, discretionary amenities, and other lifestyle support elements. It will provide new housing choices in a region where much of the existing housing inventory is old, expensive, or remote.

In addition, it proposes to target the “workforce” or “gap group” market segment, a frequently underserved segment of the Oahu housing market. Most public agencies (with the exception of HCDA) define the limits of affordable housing at 120% AMI and most current Oahu market rate housing targets higher and luxury income levels, leaving a “workforce” or “gap group” market
segment: generally those individuals and households with incomes of between 120% - 140% AMI both unpromoted and underserved.

In summary, Haleiwa Plantation Village intends to meet a widely underserved “gap group” market segment in a location well-suited to support places of residence. It therefore addresses not only the acute need for new housing, but focuses as well on a market segment with currently limited housing choices targeted to its economic demographic. As such, it is a project well-deserving of implementation.

Benefits to Haleiwa

As a proposed intown housing project, Haleiwa Plantation Village will benefit Haleiwa in multiple ways. Of these, three are of particular significance: Economic Support, Strengthening of Haleiwa’s Architectural Identity, and Maintenance of Natural Assets.

**Economic Support:** The creation of new homes can retain existing intown households and attract others to Haleiwa, helping to both stabilize and amplify the town’s onsite customer and workforce base, increasing the strength and resilience of the Haleiwa business climate as some existing businesses remain unchanged to receive more patronage, others re-orient or emerge to meet the demands of a stable resident population or add additional elements to the town’s business mix, and all businesses, existing and new, collectively serve the various needs of residents, visitors, and offshore customers alike.

**Strengthening of Haleiwa’s Architectural Identity:** The location, development texture, and design guidelines of the proposed project will strengthen the architectural characteristics which help differentiate Haleiwa visually among the constellation of rural Oahu towns. The project’s location, not only as a residential “infill” project but as a visual extension of an already long-standing neighborhood with a similar single-family subdivision pattern reinforces the established rural residential component historically associated with Haleiwa. Its design guidelines, which will promote the use of forms, architectural features, materials, colors derived from distinguishing visual features of Haleiwa Town and its Special District provisions will help to project some of the Town’s distinct design vocabulary into this new residential extension, setting an example for how all extensions to Haleiwa’s physical structure should be expressed.
Finally, Haleiwa Plantation Village’s development texture and its integration of open space elements in the form of the natural wetland, the band of open recreation, the open fields above the wastewater treatment facility, and the “naturally” landscaped detention basin integrate with and, in a sense, participate with the adjacent open space as a small extension of it. In this way, the proposed project constitutes a rural extension of Haleiwa’s country character, an extension of the open space, and with appropriate project-generated guidelines, provides an opportunity to set a constructive and appropriate method of defining the seam, as a “soft edge” transition, between Haleiwa’s built and “natural” environments.

**Maintenance of Natural Assets:** A distinctive characteristic of Haleiwa is its relationship with the natural environment, to the extent of maintaining an extensive swath of open space which articulates its town core from the makai residential neighborhoods in the “natural” state it has assumed as an intown element for over a hundred years. Haleiwa Plantation Village, as a new neighborhood with its own onsite natural resource and which links Haleiwa’s built environment with this “natural” open space, provides a natural edge between the built environment and open space. Project layout and site design provisions have intentionally configured its facility layout to avoid negative impacts on the adjacent open space and its onsite wetland resource.

Onsite stormwater piped and surface flows will be directed into a detention basin intentionally oversized to accept periodic flooding events reported by Kilioe Place residents, preventing runoff from the project site onto the adjacent articulating open space immediately Makai of the project site. Wastewater from the project and from participating residents of the Kilioe Place neighborhood will be directed and treated by a self-contained onsite wastewater treatment facility to be built as part of the project in the absence of an existing public wastewater conveyance and treatment system in the region. Finally, the onsite wetland will remain undisturbed, protected by an open recreation area that will form a band around all three project sides of it.

In these ways, the Haleiwa Plantation Village will avoid impacting Haleiwa’s distinctive “natural” open space articulation while contributing, in its process of development, its own natural resource to the inventory of natural features this country town will have to offer.
Benefits to the Larger Context

As a small and finite action, the immediate effects of Haleiwa Plantation Village are local and most noticeable at the local level: on its immediate surroundings and in its contributions to Haleiwa and the North Shore. However, if this proposed project and its intended actions were to be buttressed by similar or reinforcing actions elsewhere throughout Oahu, providing housing opportunities to a frequently underserved market demographic, strengthening the unique identities of individual communities throughout Oahu, supporting the geographic diversification of the island’s economic base, and maintaining the balance between the built and unbuilt environments.

SUItABILITY OF THE SITE

The proposed project site of which the subject parcel is a part is suitable in terms of its location, its onsite attributes, and suitability for its proposed use, and the subject parcel is optimally suited for the specific project uses it proposes to accommodate.

Location

As a site lying immediately “behind” existing rural business and residential uses fronting Kamehameha Highway and configured as a physical extension of the residential component of those uses, the proposed Haleiwa Plantation Village is a residential “infill” development, consistent with and reinforcing the North Shore Sustainable Communities Plan strategy of “allowing limited growth in places such as the open spaces adjacent to the existing built-up areas of Haleiwa…” (DPP letter dated June 7, 2013, presented in Appendix A of this document). As cited immediately above under “Benefits to Haleiwa”, “Maintenance of Natural Assets”, the proposed project site is also in a unique position to establish an appropriate rural edge with the open space environment which is part of the town's identifying fabric. As such, development of the proposed project can constitute a natural part of the “filling out” or evolution of Haleiwa’s commercial/civic core.
Onsite Attributes

The proposed project site lies above the calculated base elevation of the FEMA-defined 100 – 500-year flood. It is also predominantly flat, with no significant topographic projections of depressions. These factors, which minimize needs for substantial topographic modifications or significant import or export of soils, facilitate efficient creation of houselots and development of a safe and easily-negotiable onsite roadway system giving access between the houselots and Kamehameha Highway.

An onsite visual cultural resources inventory found no surface artifacts and estimated that given extensive site modifications and the presence of a high water table, the likelihood of subsurface remains was low. In addition, a visual fauna and flora survey of the project site found no indigenous plant species, and only one indigenous bird species: the Gold Plover or Kolea, which is a migratory bird with only periodic residence in Hawaii. The sole natural resource condition at the project site was the natural (jurisdictional) wetland located on the subject parcel, which all project facilities have been designed to avoid and in fact, even protect.

The absence, with the exception of the wetland, of known cultural or natural resources of concern and the topographical suitability of the project site for efficient development of a residential community, the proposed project site is clearly physically suitable for its proposed use.

The subject parcel, the majority of which will host 6 of the project’s houselots and all of the major “open space” elements: the wetland, recreation area, the open fields above the wastewater treatment facility is excellently suited for the uses proposed for it. While its facilities are vital and indispensable parts of the overall project, it is also its less visually intensely occupied area. As the location farthest from the point of access to the project, the subject parcel, with its smaller share of the houselots and its major “open space” elements serves as the proposed project’s natural transition to the larger open spaces immediately makai.

The open space presence of the protected wetland coincides naturally with the open space nature of the project’s support elements and the subject parcel’s smaller number of houselots, helping the project to “feather down” in intensity in this area. The subject parcel’s open space elements adjacent to the makai open space, together with the small scale and separations
between homes lining the western edge of the project’s southern parcel (TMK: 66010003) will combine to form the project’s rural “soft edge” with the “natural” setting of the open space, creating an appropriate precedent at this edge of Haleiwa with its unbuilt environment.

Suitability for the Proposed Use

The proposed project consists of two parcels: The 3.273 acre subject parcel (TMK: 66009002) and the 3.593 acre southern parcel (TMK: 66010003), which is in the State Urban District. The location and attributes of the two parcels constitute optimum conditions for the use proposed. The advantages of the project’s proposed intown location, its appropriateness as an infill residential development, and its residentially-amenable onsite attributes as indicators of the site’s locational and physical suitability for the proposed use have been previously cited and summarized. In addition, the appropriateness of its utilization for the proposed use versus the current State Land Use designation for the subject parcel is has been validated by the 2012 Plasch Econ Pacific Agricultural Impacts study of the project site, which concluded that it was unsuitable for commercial agriculture for a number of reasons, among them being its nuisance potential as an activity adjacent to urban uses (the residential and business establishments fronting Kamehameha Highway), the less than optimal workability of the soil, frequent flooding, and the presence of a persistent pest (the Apple Snail) that creates significant challenges if not outright barriers to growing taro, one of the few crops suitable for the site.

Given the project site’s clear unsuitability for commercial agricultural use, a use more compatible with the already existing adjacent rural residential and commercial activities would be far more compatible and hence far more suitable. The residential use proposed for the project site, which would duplicate and potentially even service (the the wastewater treatment plant) one of the already existing uses (the Killoe Neighborhood) is optimally suited for the site, and in turn, the site for it. For this reason, the subject parcel, which remains almost anomalously in the State Agriculture District, merits conversion of designation to the State Urban District by virtue of this suitability and as part of the combined suitability of both parcels (TMK’s: 66010003 and 66009002) for the much needed residential use proposed.
IN CLOSING

Given the important needs the proposed project would address, the significant, potentially far-reaching benefits it could offer, the suitability of its site, the appropriateness of its location and manner of development, and the subject parcel’s indispensability to this proposed project, it appears clear that the subject parcel’s State Land Use designation should be appropriately Urban, and that the State Land Use Boundary should be amended to reflect this. It is in view of these considerations, and with respect, that we request this amendment.
May 23, 2011

Mr. Lowell K. W. Chun
1296 Kapiolani Boulevard, #1907
Honolulu, Hawaii 96814

Dear Mr. Chun:

Subject: Request for an Administrative Judgment on a Possible Rezoning Request For Two Parcels In Halawa, Tax Map Keys 6-6-9: 2 and 6-6-10: 5

Your letter dated January 11, 2011 requests a determination by our department as to whether the housing project being considered by your client, Scott Wallace, conforms to the August 2010 Prefinal North Shore Sustainable Communities Plan (SCP). Our response is as follows.

As you know, the newly adopted revised North Shore SCP (Ordinance 11-3) took effect on May 3, 2011. Thus, the following comments discuss the relationship between your client’s planned zone change and this recently adopted SCP.

The SCP now contains language to support infill housing on the edges of existing residential or commercial areas and to allow minor reinterpretations of plan boundaries on a case-by-case basis. Therefore, Mr. Wallace’s proposed housing development appears consistent with the new SCP, but we will need to confirm that based on our evaluation of the specific zone change request.

Should you have any questions, please contact Mike Walkins of our staff at 768-8044.

Very truly yours,

David K. Tancuse, Director
Department of Planning and Permitting

DKT:js

cc: Scott Wallace

SCP 5 Year NS Final Plan Response
June 7, 2013

Mr. Lowell K. W. Chun, President
Pacific Catalyst, LLC
1296 Kapilani Boulevard, Suite 1307
Honolulu, Hawaii 96814

Dear Mr. Chun:

SUBJECT: Request for Determination of Consistency of the Proposed Haleiwa Plantation Village Project with the Current North Shore Sustainable Communities Plan
Tax Map Keys: 6-6-9: 2 and 6-6-10: 3

This is in response to your letter dated December 5, 2012 requesting a determination of consistency of Mr. Wallace's proposed Haleiwa Plantation Village project with the North Shore Sustainable Communities Plan (SCP) in order to proceed with a zone change application. We find that the proposed Haleiwa Plantation Village residential project is consistent with the general intent of the North Shore SCP and does not need an SCP amendment. We apologize for our very late response.

Your project is generally consistent with two SCP plan elements, but will need to address a third SCP plan element on the protection of wetlands.

These three plan elements are discussed below:

- **Infill development.** Two vision statements support infill development at the edges of Haleiwa's existing built-up areas. They reinforce the basic North Shore development strategy of allowing limited growth in places such as the open spaces adjacent to the existing built-up areas of Haleiwa and Waialua (see last two paragraphs of Chapter 1 and the ninth bullet point in Section 3.1.1). The first paragraph of Section 2.2.6 specifically allows limited amounts of infill housing in Haleiwa on lands contiguous to existing developed areas. The last two paragraphs of Section 2.2.1 generally allow limited amounts of infill development on agricultural lands that are within the Community Growth Boundary and are "contiguous to lands designated for residential and commercial use." These vision statements apply to such places as the area around Haleiwa Mereh, which is in between the Haleiwa Road residential area and the Haleiwa Country Town District along the highway.
Together, the two policy statements allow at least some development at the edges of this open-space area, while still protecting the area's overall character. Together, the two statements also clearly apply to qualifying lands that are in either the State Urban District or the State Agricultural District. This is important because the project site is split between the two districts.

**Interpreting Map Boundaries.** The Introduction to Appendix A states that "the actual extent of uses prescribed by a specific boundary may extend beyond the indicated boundary by virtue of appropriate physical characteristics, compatibility with adjacent land uses, and physical accessibility, including access to the site from existing roads."

We have determined that the project being proposed meets these criteria except for the wetland problem mentioned below.

Our reasoning for this determination is as follows: First, the project site appears to be right on the edge of the Country Town District boundary in this area, since a literal interpretation of the SCP Land Use Map places this conceptual boundary right between the main project site and the 15-home Kiloce Place subdivision fronting the highway. Second, the residential zoning is compatible with adjacent existing uses on the highway side—the 15 homes and the neighboring residential and commercial uses just north of the site. Third, the main project site has access to Kiloce Place and the second parcel can be accessed either from the first parcel or directly from Kamehameha Highway. Finally, the physical characteristics of the project site make it an appropriate area for development; namely, the two parcels together are similar in topography to the highway-frontage lands, and would provide an extension of the existing Kiloce Place subdivision.

**Wetland Protection.** The proposed housing development may need to adjust its project layout in order to avoid wetland areas and related impacts to Haleiwa Marsh. Section 3.1.2.3 calls not only for protecting existing wetland areas, but also for not developing right next to them if possible, and, if not possible, for minimizing or mitigating any potential impacts. The developer recently discovered that the project site has one small wetland which connects directly to Haleiwa Marsh, and a larger one which appears to be an isolated wetland. Early indications are that the U.S. Army Corps of Engineers (COE) will declare this first wetland to be a "jurisdictional wetland" and will require that it be preserved intact. However, according to the developer, there is a good chance that both COE and the U.S. Fish and Wildlife Services will allow the second wetland to be developed rather than preserved. And, if both agencies declare the second wetland not to be an official wetland, then the SCP guidelines on wetland protection would not apply to it, since the SCP relies on these agencies to identify which areas are actually wetlands.

Any project impacts on Haleiwa Marsh or on any on-site jurisdictional wetlands need to be avoided or mitigated. These impacts and mitigation measures (such as wetland buffer areas) must be discussed during the project's environmental review.
Together, the two policy statements allow at least some development at the edges of this open-space area, while still protecting the area's overall character. Together, the two statements also clearly apply to qualifying lands that are in either the State Urban District or the State Agricultural District. This is important because the project site is split between the two districts.

- **Interpreting Map Boundaries**: The introduction to Appendix A states that "the actual extent of uses prescribed by a specific boundary may extend beyond the indicated boundary by virtue of appropriate physical characteristics, compatibility with adjacent land uses, and physical accessibility, including access to the site from existing roads."

We have determined that the project being proposed meets these criteria except for the wetland problem mentioned below.

Our reasoning for this determination is as follows: First, the project site appears to be right on the edge of the County Town District Boundary in this area, since a literal interpretation of the SCP Land Use Map places this conceptual boundary right between the main project site and the 15-home Kilie Place subdivision fronting the highway. Second, the residential zoning is compatible with adjacent existing uses on the highway side — the 15 homes and the neighboring residential and commercial uses just north of the site. Third, the main project site has access to Kilie Place and the second parcel can be accessed either from the first parcel or directly from Kamehameha Highway. Finally, the physical characteristics of the project site make it an appropriate area for development; namely, the two parcels together are similar in topography to the highway-frontage lands, and would provide an extension of the existing Kilie Place subdivision.

- **Wetland Protection**: The proposed housing development may need to adjust its project layout in order to avoid wetland areas and related impacts to Haleiwa Marsh. Section 3.1.2.3 calls not only for protecting existing wetland areas, but also for not developing right next to them if possible, and, if not possible, then for minimizing or mitigating any potential impacts. The developer recently discovered that the project site has one small wetland which connects directly to Haleiwa Marsh, and a larger one which appears to be an isolated wetland. Early indications are that the U.S. Army Corps of Engineers (COE) will declare this first wetland to be a "jurisdictional wetland" and will require that it be preserved intact. However, according to the developer, there is a good chance that both COE and the U.S. Fish and Wildlife Services will allow the second wetland to be developed rather than preserved. And, if both agencies declare the second wetland not to be an official wetland, then the SCP guidelines on wetland protection would not apply to it, since the SCP relies on these agencies to identify which areas are actually wetlands.

Any project impacts on Haleiwa Marsh or any on-site jurisdictional wetlands need to be avoided or mitigated. These impacts and mitigation measures (such as wetland buffer areas) must be discussed during the project's environmental review.
In conclusion, we find that the proposed Huleiwa Plantation Village project generally conforms to the North Shore SCP and an SCP amendment is not needed prior to submitting a zone change application.

Should you have any questions, please contact Mike Watkins of my staff at 768-6044.

Very truly yours,

George I. Atta, FAICP, Director
Department of Planning and Permitting

GIA-js

125LU-11/Consistency
APPENDIX B: TOPOGRAPHIC MAP OF PROJECT SITE