

**LANA'I PLANNING COMMISSION
REGULAR MEETING
JULY 9, 2014**

APPROVED 09-24-2014

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Chair John Ornellas at approximately 5:30 p.m., Wednesday, July 9, 2014, in the Lana'i Senior Center, Lana'i City, Hawaii.

A quorum of the Board was present (See Record of Attendance).

Mr. John Ornellas: Let's bring this -- the meeting to order, the CPAC review, the Lana'i Planning Commission. Let's get right to it. First of all, any, any comments from the, from the community about what has happened in the last --? Tonight is we're gonna finish off Chapter 9 and then we're gonna move on to 10. Okay, hearing none, then Mary, you wanna --? It's, it's your stage.

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered. Maximum time limits of at least three minutes may be established on individual testimony by the Commission. More information on oral and written testimony can be found below.

D. Lana'i PLANNING COMMISSION DISCUSSION AND RECOMMENDATIONS RELATING TO THE DECEMBER 2013 DRAFT Lana'i COMMUNITY PLAN

- 1. Ch. 9 Land Use
- 2. Ch. 10 Urban Design
- 3. Ch. 12 Governance
- 4. Ch. 13 Implementation
- 5. Ch. 7 Infrastructure
- 6. Ch. 11 Housing
- 7. Ch. 8 Public Facilities

Ms. Mary Jorgensen: Okay, Chapter 9.

Mr. Ornellas: I think we're gonna -- we'll be doing maps today and end of 9?

Ms. Jorgensen: We're going to finish up the discuss of Chapter 9. We had the Land Use Principles and Standards to complete, and that was in your packet as part of -- there was piece with, with four new pieces in there that I put a new copy on your -- at each place tonight. And it looks like, it looks like this is additional text. Okay? And within it, there's on the fourth page,

the Land Use Planning Principles and Standards. And for those that got the meeting packet there was just a very quick summary of Chapter 9 from the last meeting that was on June 28th, and that was just for the people that were not here so they could catch up with it. There is one piece missing, and that was the Energy Park, so that will be added. And then anything else that comes out when we get the minutes we will -- we'll double check this, on these, on these summary notes. So moving on to, on the piece of the Land Use Planning Principles and Standards. I apologize since the copy that was mailed to you, we made some minor edits of just -- there were couple that were in the Land Use Planning Principles and Standards, that when looking at them again they had a more design nature to them so we moved them over and they'll be discussed with Chapter 10. Otherwise, it's as, as you see it there on page 4, and added ecological diversity in the list for number 1. It's sitting on the desk. Did you find it? Okay. So, any comments on that text? Okay, and it's proposed to be inserted before the Future conditions, on Future Growth area, in Chapter 9, on page 9-3.

And then there were a couple other 2.80B requirements that I wrote out some language to meet that. One is the "Desired sequence, patterns, and characteristics of future development." Well we have the pattern. That's shown on the land use map, and the characteristics is shown in the text. But we didn't have anything for sequence, so I'm suggesting on page 9.3, around, at the end of line 34 to add "The desired sequence would be to provide housing near Lana'i City to meet the current shortage, then to develop areas that provide economic diversity."

Mr. Ornellas: Any comments members? Move on. Next.

Ms. Jorgensen: Okay, and then another 2.80B requirement is item 12, and it says "Statements setting forth a) problems relating to land uses; b) projections relating to social, economic, and environmental effect of proposed development." We discussed this quite a bit and felt within the plan as a whole, it's been addressed in terms of the social and economic effects. But given the testimony last week, I thought maybe for the Kahalepalaoa site that you might want to add some additional text on page 9.6 at the end of line -- well, it would be line 32, and that would read "Development in this" -- and this is talking about the Kahalepalaoa area in general. And then it would add "Development in this area will require site design, such as green infrastructure methods, that reduces sediment and other pollutant run-off into adjacent coastal waters. The area also contains abundant cultural and archaeological resources that should be inventoried and protected."

Mr. Ornellas: Is it on this?

Ms. Jorgensen: It's on -- it should have been -- yeah. It's on the bottom of page 4 of the additional text handout. Which this is -- this has been added since the mail out so if you need it, it's in those packets that are over there on the table. And there's some extra copies over there on the table as well. Page 4. In Land Use Planning Principles and Standards, and then there's two additional additions to meet the 2.80B requirements where we're suppose to talk about environmental effects. And given what they were saying last week, I, I put this together as something that would -- it's very general, but it just calls attention to things that would probably be done in that area. You know, in general, that we have in other area in the plan, we

have green infrastructure and controlling, you know, for water quality, and the archaeological sites. But, it, it's just following up on the testimony.

Mr. Ornellas: When it, when it, when you, when your reference "area contains abundant cultural and archaeological resources that should be inventoried and protected," isn't there a HRS that mandates things like that? Can you include those HRS standards on, on this comment so that we have something to go back and fall on?

Ms. Jorgensen: For what defines what is a --

Mr. Ornellas: Well, there are HRS --

Ms. Jorgensen: -- cultural and archaeological?

Mr. Ornellas: Right. And there are -- there are laws that pertain to this if it could be stated, you know, in parenthesis, what the HRS that you're -- that this would fall under.

Ms. Jorgensen: Okay, we can --

Mr. Ornellas: It gives it --. I think it gives it more weight than just us saying it.

Ms. Jorgensen: Okay, we'll look for that.

Mr. Ornellas: If somebody, if somebody reads this at a later date, they may, they can, they can just reference the HRS.

Ms. Jorgensen: Okay.

Mr. Ornellas: And I think it gives it more weight. Any objections members?

Ms. Jorgensen: Thank you.

Mr. Ornellas: Okay. Go ahead.

Ms. Jorgensen: Okay, that would be the end of the thing. Oh, the text section with the exception on page 9-9, the part that talked about Future Conditions Planning Standards would be deleted naturally because we just put in a new section. And then also as we discussed last week, in appendix, where we showed what, on page A-27, appendix 9.4, the Lana'i Planning Standards that are in there, we talked with Corp Counsel and he said that A through D were not legal to have in this document. They're like private agreements, and you can't ask a landowner to sell something, so those need to be taken out. And number E is, he said, he recommended having a -- that would be covered with tree ordinance. Are you finding it on page A-27, appendix 9.4?

Ms. Beverly Zigmond: Mary, excuse me, were they in previous, the A through D, in previous,

the previous community plan?

Ms. Jorgensen: All of this on the page came from the 1998 Community Plan. And I believe these might be some of the agreements that are from with the company and the previous -- like, Castle & Cooke company.

Ms. Zigmond: I'm familiar with what they are. I'm was just wondering why it was okay then and not now, and what happens if they're not in this plan.

Ms. Jorgensen: I'm not sure why it was okay then. I just know that in discussing this with Corporation Counsel because it's, you know, when I read it, it was, it seemed odd that it could say in a County plan that a private landowner would have to sell their property when, when a parcel is developed. So it was -- it's not part of the project agreement, and, and Corp Counsel said yes this would, this would not be legal to have this. So I don't have no idea why it was in the 1998 plan and, and your question as to whether it can be removed -- that's what Corporation Counsel recommended is taking it out, so --

Ms. Zigmond: Maybe we should talk about that because, again, if it's not there and it goes away and people's memories get hazy and I'd really hate to see that go away.

Ms. Jorgensen: I think the question is who is this agreement with, you know, to have these in here? Yeah, it's documented in another agreement with the Company and the community. I don't think this is an agreement between the County and --. You know, because we can't, we can't say to a landowner that they need to sell something, a piece of property. I can check more with Corporation Counsel as to --

Mr. Ornellas: Yes, please. That's a --

Ms. Jorgensen: What happens to it if it's not in this plan, and was in the previous plan.

Mr. Ornellas: Yeah, because, you know, there's a couple of things on there that I distinctly remember, like, the trees behind Hotel Lana'i for instance. That, that was an issue in 1998, and that's the reason why it was put on there because there was some thought of expanding Hotel Lana'i back in 1993, so --

Ms. Jorgensen: Yeah, now that one's different, and he was recommending a tree -- some sort of action that would be a tree protection ordinance, and I believe in Chapter 10, remember we had a discussion about all the pine trees and how to protect them. But there, there may be an action like that, and if not, we can check and, and come back on that one.

Ms. Zigmond: And on Item F, is that moot now?

Ms. Jorgensen: That's -- the Police Station has been built, and the Courthouse has up and relocated, so, yes, I would say that was, that could be deleted.

Mr. Ornellas: Can --. Go ahead David, go ahead.

Mr. David Yamashita: Dave Yamashita from the Planning Department. I would add also, Bev, that these A through E are -- they're tied to a specific parcel as the other standards are more general in nature. So just from a, kind of a consistency point of view, it's just odd to have these singled out, or these lots singled out, when these other standards apply to, really, a much larger areas.

Ms. Jorgensen: So I can ask Corp Counsel about what happens when they're in the 98 plan and then we take them out of, of this plan. And we'll double check whether E is covered somewhere with protection of the trees, and whether an action is needed for an ordinance. So find a location for that.

Mr. Ornellas: Okay. Any comments, members, to have Corp Counsel make that decision? Can it be in writing and sent to us before?

Ms. Jorgensen: If that was -- we'll request that, yes.

Mr. Ornellas: Okay. Yeah, we don't want to get it on our table when we show up at our next meeting.

Ms. Jorgensen: Okay.

Mr. Ornellas: Thank you.

Ms. Jorgensen: Okay, I think that completes our review of the text in Chapter 9, and we're now going to move on to reviewing the Land Use Map corrections which in your packet you have a, a table that's 11 by 17 table that Mike's going to be using in explaining it. So, everybody have that? There's, there's other packets back there if you need one. It looks like this. Yeah, 7-2.

Mr. Mike Napier: Good evening Chair, Commissioners. I'm going to go through this table that has been handed out to you, and we basically identified some of anomalies in the maps and we've also -- we're looking at areas in the maps that don't comfort to State Land Use Conservation. So we've identified those areas, and we've also identified some areas that when we got the Pulama Lana'i map there were a few areas that we had some anomalies on as well. So what I've done is I've created some areas on the map that -- I'll turn on the layer here. Okay, these areas up here that you see in the purple are the areas that we're going to be talking about tonight. There's 15 different areas. A lot of these are just State land -- State conservation land use areas that have different community plan designations. And some of these -- a lot of the areas that you see in the purple are outside of the detail area maps that we had discussed, or CPAC had discussed and the Planning Department. So, some of the areas were not discussed in the meetings, and we found a few anomalies in there, and they aren't too serious, but we just wanted to make you aware of these places.

Okay, so I'll go to area 1, and this is basically State land use conservation that has been

covered by open space. So I'll use this swipe tool and I'll swipe down, and on the bottom, we have State land use. The yellow is the conservation areas, the green is the agricultural areas, the browns are the rural, and urban is grey. And I'm sorry about the colors. For some reason the grey is magenta up there, and the colors are a little different. And, I tried for half an hour trying to get the colors straight, but I'll explain anything you have questions on. So, anyway, this area right here is this -- I mean, this map right here is the State land use map. What I'm doing right now with the swipe tool is I'm bringing the CPAC approved map over, over the top. And you can see the area right here that we have State land use conservation, this area right here, that the Department is proposing that this area be proposed State land use conservation be taken out of that area as, as open space, open space area. If you have any questions, please stop me, because this is very -- there's a lot of layers here, and just, just ask me.

Mr. Ornellas: So, where, where it says area 1, right where it's written, and just below that there a, there's a blob right there.

Mr. Napier: Right there.

Mr. Ornellas: Yeah.

Mr. Napier: Yes.

Mr. Ornellas: What --. You know, I remember back in -- I remember back in the 93 plan that was taken out only because it was in that plan it showed a little spot on that side of the island where it was rural development, and we took it out because we didn't want it there. We didn't want nothing that had an opportunity or a chance to be built out. And so we wanted to keep it open space, and now I see it's back up there again.

Mr. Napier: Right, we -- all the rural areas, our recommendation is to -- the rural state land use areas, we, our recommendation is to keep them open space community plan because just to be consistent in our mapping. So, it is, it is in there, you're correct, but it is as open space in, in the department's proposal.

Ms. Jorgensen: So that green open space, the CPAC discussed it as keeping it on the eastern coast, the way it was in the 98 plan. And, the only difference is where there was state conservation land underneath, the CPAC said let's, you know, show that as County conservation. And as we discussed on June 28th, we were not using the County conservation. We're trying to phase it out because it duplicate with the State conservation. So this area being outside of the detailed areas that we were so focused on, that, it's an err -- it's just a map error that we didn't take the open space off that particular piece of, of State conservation lands. So, we're -- that -- it's only that striped area that we're proposing any change from the CPAC version.

Mr. Ornellas: You guys -- does the County trust the State? Because I don't trust the State. They don't need to come to us. They don't need to come to this community and do whatever they want to do on their land. And it's plainly obvious with the DHHL thing down there that we

have going on. Because if somebody shows up with, with a bucket on money and starts doing stuff on that site, they'll fold in a heartbeat and we'll be lost. We have no recourse.

Mr. Napier: Well, it's your decision. It's the Planning Commission's decision.

Ms. Jorgensen: But in terms of State land use, we have no, as the County, we have no jurisdiction over that land. So if somebody came in to the -- anywhere where there's -- that's why we wanted to show it here. Anywhere where there's the State land use that you're seeing in this gold-ish color, and if somebody came and said they want to develop something on there, we as the County would say you need to talk to the State. We have no -- we don't have any jurisdiction. We can't do anything.

Mr. Ornellas: Okay. Well, hopefully, the County would say go see the community first. Then, go see the State. Because we want to be part. When we start giving up our home rule that's when, that's when this community gets really pissed off is because a lot of decisions get done on Oahu and on Maui without this community's knowledge. And that's where, that's where the trouble starts. And that's why you have people jumping up and down and screaming. It's because of this kind of stuff. And I remember those, and I'm sure Ron can remember and Kurt can remember the discussions that we had over what the State can do and without -- with or without our knowledge. Mostly without our knowledge. So, I'm real -- I'd rather keep it in the County only because we can, we can, you know, we can -- at least the County listens to us. You guys show up. State don't show up. Go ahead Kurt.

Mr. Kurt Matsumoto: Kurt Matsumoto, Pulama Lana'i. So I'm a little confused. First of all, John, that land is not State land. That's our property but it's zoned conservation, so State conservation zoning. But in the, in the map it says open space. Now, I thought the County doesn't have a conservation designation, so the, the use designation went to open space because that was the most -- how would you -- the most closest to the State's conservation zoning. Am I incorrect?

Ms. Jorgensen: Open space is the closest in terms of a land use designation. This is --. It's not zoning. And -- but where there's State land use conservation district, which is shown in yellow, the County is saying we're -- we would be using the State's district. The same way you see a State road on a County map, it shows that that's State property. This is a, this is a district that we -- it's not property, but I'm just giving an example of how you can have both County land use designations and State land use designations on the same map is that we, we don't have to designate that State land use conservation, I mean, conservation area. And if you did, you can put open space, and then it would look like this one up on the top.

Mr. Matsumoto: Okay, but I don't understand what you're trying to accomplish by doing that because all throughout the process from CPAC and through the Planning Commission process here you've been consistently explaining that there's a difference between the maps. And they don't, they won't necessarily come in to alignment through this process, but yet you're demonstrating that you could have two distinct zoning on the CPAC map. So why are you choosing that particular spot to point out the anomalies, and not all the other ones which are

even more distinctly different types of zoning?

Ms. Jorgensen: It's only for the State conservation, the State land use conservation category that we removed County land use designation.

Mr. Matsumoto: But why? What are you trying to accomplish by doing that is what I'm saying. It's confusing enough already for everybody, and now you're adding another dimension that never was available before. Now you're saying it's possible.

Ms. Jorgensen: It's to show where all the conservation land is. So we talked about this in CPAC and they agreed to show the conservation land. Corporation Counsel, the Planning Director, everybody was onboard with showing all the conservation land.

Mr. Matsumoto: But in CPAC that's not the map that was approved. The CPAC map that approved is already in the document so --

Ms. Jorgensen: This one with this part being green because it was an error outside of what they were discussing in these detailed areas. So, this little piece where it's almost like that didn't get peeled off, the open space on top of the conservation. As a mapping, this is a mapping correction. It's not any change in what the intent is because we did this all over the map, and we missed a spot. And this was part of the problem of, of multiple maps like maps coming from Pulama Lana'i and then we transferred them into County maps. And some of these things weren't seen that, oh, because you have to go through and see what's in these multiple layers. And so this little piece was not taken off for the CPAC.

Mr. Matsumoto: You're still not explaining why you're choosing to show the State designation when all through the process you've indicated that the maps don't need to be in alignment because this is County. So I'm not clear why you have to show the State's designation underneath the County's zoning.

Ms. Jorgensen: Okay. Those are, those are two different topics. One is the topic of can we get it where what is in the State layer is that a land use consistency with what's in the County, and we figured out, no, we can't always do that because the State has what they have, and we have what we have. The other one was what can we do to show more clearly what's going on on the island in terms of the land use designations that are there. And since we don't have any jurisdiction over State land use conservation lands, it was proposed that, well, let's just show them as State land use conservation lands so that it doesn't look like one giant green area as it did in the 1998 plan. So you can see more clearly like this little piece that, you know, that is in the middle, there's something different going on there. There's this piece. There's something different than, than the land that's around. All it is is showing where the conservation lands truly are.

Mr. Matsumoto: Okay, well, it still doesn't explain what I'm asking you. The County has designations, right? You have a classification that you have to follow, and open space is the highest category for restricting use and development. So I'm not clear why it's important for

you, in the County's maps, to show the State conservation land. I'm not, I'm not opposed to it, but I'm just, I'm not clear. Throughout this process it's brought up, you've been consistent in explaining the differences in the maps, and now you're making the effort to choose in one area to show the State's designation and I'm just not clear why, what's the reason.

Ms. Jorgensen: This is not a change from what was discussed in the CPAC to show the conservation areas as conservation. The difference is in whether it's a County conservation which is the same as State land use conservation and its definition so --. Yeah, I, I think, it was thoroughly discussed in the CPAC why we would -- why we would take off the open space over the State conservation lands and show them. So it's, so it's not a change in what we were doing. It's a correction of we missed an area on the map, you know, when we were taking that layer off, and that's all it is. And as to why the County would want to, to have a map that more clearly shows what's going on in the land, it was because it is hard when you're looking at a map like that to know what, what can you do in these lands up there when it's all green. When there's a difference between what you can do here in conservation, and what you can do here. So it was to provide clarity is why the County wanted to show conservation and ag that's covered with open space.

Mr. Matsumoto: But, it's two different processes that get addressed though. So for the State, the conservation lands, the County doesn't decide what happens under that, under that State land use designation.

Ms. Jorgensen: Correct.

Mr. Matsumoto: So, I don't understand why the County feels the need to end up listing that. The County would deal with that under its authority. And the, the designation that you've explained consistently to us is that open space is the designation that would apply for the County in that area. So, when I hear the Chair questioning what you're doing, what I'm trying to point out to you is that it's just continuing to add to the confusion for everybody about what exactly you're doing with the map. Is it the County's -- is it the County's land designations that you're trying to show or are you trying to blend the two together? And if you're trying to blend the two together, why only the conservation lands?

Ms. Jorgensen: The conservation lands are ones where we had no jurisdiction over, so -- and it was to, it was to show -- we can't --. We have designations for the others, so, yeah, you can cover all those conservation with open space and it would look like that. As I've said, the reason we were, we were taking it off is to show the difference between where there's something else underneath it, and where it's all open space. So if you're, you know --

Mr. Matsumoto: I guess I can understand that if it was --

Ms. Jorgensen: And we had those discussions with the CPAC. This is not something new, Kurt. It's not something that is happening now.

Mr. Matsumoto: I can understand that if you were just demonstrating to the group what the

differences are, and underlying that, there's that added layer of protection because it is zoned State conservation. So, as a tool, I understand, I understand that. But, what the group can express is they want all that green mass at the top because that's what the County can apply. So they're getting the same thing is, what, you know --. So I just am still not understanding what you're trying to accomplish I guess. I'm not saying that it's wrong or that it wasn't discussed, I just don't understand how come it has to be put into the map that way.

Mr. Ornellas: Mary, so -- so if, if, if we -- if we thought it would be better, I mean, if we went to open space, that would be a County jurisdiction. If we continue, if we continue to go with conservation, that's a State jurisdiction. Am I right? Oh, somebody's shaking her head no.

Ms. Jorgensen: That's, that's correct. If you -- if you used the map --. Wait, it's -- oh, if you put open space over the, over this, it's still State jurisdiction. And all it, all it does is make it where you can't see where we have no authority and where we do. And I know in discussing this the Planning Director and Corporation Counsel, and then it was discussed at CPAC meetings, and everyone was in agreement with let's show the difference. Not show it like that where it's harder to see. It's, it's mostly as, as Kurt said, it's, you know, if the intent is to just show where the lands are, that is primarily what we're doing. Because it doesn't change what we can do in terms of how the land is used. And that's what the point of land use categories are, is to show what you can do, how you can use that land in that area. And this doesn't change that at all.

Mr. Ornellas: Members, any questions or --? How about, Debbie, Caron, Ron, you remember any conversation from this? Alright we have -- I think we have that map too, but --. Please use, please use the mic Caron. Thank you.

Ms. Caron Green: As I understand it, this is what was in our book. And as I understand what she's saying is there was an error made here in the conservation area what, that the State owns in this center section was not properly shown. So all they're doing is correcting that jurisdiction. And as I understand it the State designation trumps all other designations, is that correct?

Ms. Jorgensen: That's my understanding of it, yes.

Mr. Ornellas: Alright, I don't want to beat this into the dirt, but -- I just --. Okay, Mary, let's just continue. I mean, I can't fight City Hall, so at least, let me think about it some more.

Ms. Jorgensen: The one thing I can do is go back to Corp Counsel and say is there any reason that we'd want to have open space over this because, yeah, we can double check.

Mr. Ron McOmber: . . . (Inaudible) . . .

Ms. Jorgensen: We did have numerous discussions, Ron, with the Planning Director and Corporation Counsel about this.

Mr. Ornellas: Not here.

Ms. Jorgensen: And we had it, we had it with the CPAC as well.

Mr. Ornellas: Okay, let's --. Can you do that, talk to Corp Counsel and express the feeling that, you know, we don't want to lose home rule. I mean, we don't want somebody else --.

Ms. Jorgensen: You don't have --. It's just --. Yeah, there's no home rule in that area. It's State conservation. They have the highest authority.

Mr. Ornellas: Well, while you were talking to Kurt, and I remember why the State has such a foul taste in my mouth is because Hulopoe Beach Park is a cultural -- it's a preserve -- but yet when . . . (inaudible) . . . wanted the -- exit to Eden wanted to film a movie, they actually bought their way in to Hulopoe and parked that ship in our bay. And that, that's all it took was money. So, you know, we, this community fights hard for its, for its open space because of the hunting and people going out fishing and that kind of stuff. So when you have somebody in Honolulu making decisions for us, it doesn't, it doesn't sit well. It doesn't sit well with us. So, let's -- so let's just move on. Can I get the -- get you guys to go to Corp Counsel and let us know please?

Ms. Jorgensen: Okay.

Mr. Napier: Okay, next area. Alright, this area is basically State -- we're going with the State land use again, and if we look underneath, I apologize for the colors again, but --

Mr. Ornellas: Where are you?

Mr. Napier: I'm sorry. We're right next to the harbor, on area number 2. So I'm going to turn on the State land use labels. Okay, and along --

Ms. Joelle Aoki: Where is it?

Mr. Napier: I'm sorry, this right next to Manele Bay. I can turn on the imagery if that will help too. So it's right here, and it's a little section of land that actually -- what we're proposing to do is to move the project district over to match the State land use line, rural line. And this is, right here is State land use rural, I believe.

Mr. Ornellas: What, what map are you using? 98?

Mr. Napier: 98, that's correct. Sorry.

Ms. Jorgensen: That's not the 98 because --. Well, that is I think because you have this little strip of green along the coast.

Mr. Napier: Right.

Ms. Jorgensen: Which was open space, and yet underneath that it's State land use conservation. So, it would, again, the same as in the other area, whatever is State land use

conservation would show on the maps as State land use conservation. So it's all the same. This map, map 1 and map 3. They're all corrections of shown -- of something. The State land use conservation's underneath, remnants of open space from the older maps were left on and just taking those off.

Mr. Napier: Yeah. Well the proposal is to extend the project district over to match the State land use boundary here, and keep this open space as it was in the CPAC plan so --.

Ms. Jorgensen: Is that the existing project district, Mike, or is it just --

Mr. Napier: This, okay --

Ms. Jorgensen: -- rural land underneath?

Mr. Napier: Right. It's State -- State land use rural underneath, and I'll -- which is the brown here. This is State land use rural. This is State land use conservation. So, and this is CPAC map.

Ms. Jorgensen: So it's not changing the boundary of the project district at all.

Mr. Napier: Let me make sure I have the right -- oh, I'm sorry, I have 98 layer on. Okay, I'm sorry. There we go. Okay, see this is confusing. State land use urban here, and this is State land use conservation. So now this is the CPAC map coming up with -- this is CPAC conservation, this is the project district, and this is the open space. So our proposal is to bring this area over, this area right here is all we're talking about, and changing the State land use conservation to conservation along the shoreline and open space that was, that's over the State land use conservation. So right here is no change. This is, this is open space or urban, whichever the Planning Commission wants, and we propose to pull the project district over a little bit too.

Ms. Aoki: So you're expanding the project. Is that correct?

Mr. Ornellas: Use your mic.

Mr. Napier: Right. That's -- that's the proposal. We're not changing project district. Okay. Alright. Okay.

Ms. Jorgensen: . . . (Inaudible) . . .

Mr. Napier: It is urban underneath it.

Ms. Jorgensen: You have open space on top.

Mr. Napier: Then it should be open space here. Okay, so --

Ms. Aoki: I'm sorry, I'm a little confused, but you have urban underneath it and open space on top of it. How does, how does that work?

Mr. Napier: That was -- this is the question, is what do you want to do with this area right here? So, you know, State land use is underneath right here. Okay, alright. Okay, well, we won't do that.

Ms. Aoki: So what's -- what is the question in reference to the pink striped area in area 2?

Mr. Napier: This area right here is -- it's open space right here on the community plan map right now. It is over State land use urban. So, it's, it's what you want to do with that, I guess.

Ms. Aoki: So just to clarify, you're showing us the comparison from the State land use map versus our County map, and how it's overlapping urban and the County has it as open space, and we on the, the CPAC map shows it as open space.

Mr. Napier: Right.

Ms. Aoki: However, when you went back to check to your record for a State land use you show that it's actually urban.

Mr. Napier: Yes. That's correct.

Ms. Aoki: But if we make a decision as, as the Planning Commission, will it even make a difference with the State because they're still going to revert back to their -- refer back to their map, and say, no, it's urban and this is what we're going to do there, right? So, is it, is it even worth our time to, to --? Okay, thank you.

Mr. Ornellas: So, we're just going to keep it open space? Okay.

Mr. Napier: So over here is open space then.

Mr. Ornellas: Yeah.

Mr. Napier: Okay. Not where -- not where the State land use conservation is. That's correct.

Ms. Jorgensen: Where it's urban, you could leave the open space over it. If State land use urban, you can put open space on top of it. You've done that all along the eastern coast. But where you have State land use conservation it will show the State land use conservation.

Mr. Ornellas: Okay, any objections to that? I mean, it's -- I mean, you know, I tell you what, can the Planning Department give us a little bit of a, a guide as far as what if we do this, what if we don't, what are our options? I mean, it's just --

Ms. Jorgensen: We have the proposals in this, in this chart for the Planning Department

recommendations. So there are three areas where, where we're saying show State land use conservation that are, that are corrections. I think there, there was a mis-communication as to what was under that little purple part on the edge of the project district. I thought it was all conservation in that area. But it's not, so -- so any area that's, that has State land use conservation would show up on the map as State land use conservation. And that little piece if it was just -- it's not -- if it's not part of the project district, then we would recommend putting open space as you had previously and just put that over it, County open space.

Ms. Zigmond: To say I'm confused is probably an understatement. So State trumps and State says that that's urban?

Ms. Jorgensen: No, State does not trump in all. The State looks at what the County designations are on all areas except for conservation lands. That's why we took it off only on the conservation lands because that's the only place where we can't say, oh, this is conservation but we want to make it single family residential. We can't do that.

Ms. Zigmond: The State only trumps if it's conservation. But in this case it's State urban, but County open.

Ms. Jorgensen: Yes, you can have that combination.

Ms. Zigmond: And they would look at the County first. Cause otherwise it's smoking mirror. I mean, like, one way is this, and one way is that, and, and it's confusing and it seems to be misleading if somebody was looking at that really and saying, okay, it's open space, but it's not State urban. So I'm saying it's smoking mirrors, I don't know.

Ms. Jennifer Maydan: Jen Maydan, Planning Department. Bev, can I address that? On that parcel where it's State urban and County community plan open space, if the landowner came in and they saw that it was State urban and they wanted to develop it, say with homes, with residential, they would have to get a community plan amendment because urban and -- well, open space would not allow you to do single-family homes. So you would have to get a community plan amendment which requires an environmental assessment which would require public review. So where the case of the conservation land it's purely State jurisdiction. County has no say. But when it's State rural, ag, or urban, the community plan weighs in.

Mr. Ornellas: So do we, do we want to give, give it the open for the and keep open so that way they got to get a community plan? I mean, if I'm not --. I'm trying to figure out where that little point is, and that's the cliff. If you want to build houses over there --. So just keep it open. Any objections? Alright.

Ms. Jorgensen: Mike, do you want to move on to number 4?

Mr. Ornellas: Please.

Mr. Napier: Okay. We're on actually -- that was 2. We're going on to 3, actually.

Mr. Ornellas: We're going to 3, right?

Mr. Napier: That's correct.

Mr. Ornellas: Okay.

Mr. Napier: Okay, this area is near the harbor, and this is a State land use conservation issue again. Underneath the CPAC map, State land use --

Mr. Ornellas: Mike, can you give us what map are you looking at?

Mr. Napier: I'm sorry. I'm on number 3, on, this is Chapter 9, number 3 on our map corrections paper, and the map is -- let me pull it up here -- the map is right here. Yeah. This is 9.9, and you can see it right here. Map 9.9.

Mr. Ornellas: That's map 9.9?

Mr. Napier: That's correct.

Mr. Ornellas: Okay. Okay. I thought you were -- I thought you were still talking about Manele, but you're talking --

Mr. Napier: No, no. This is, this is Kaumalapau. Okay, you got it? Alright. Okay, so I'll turn off all these layers again. Okay, so we have the State land use conservation issue again here. And if you look underneath you can see -- let me turn off -- okay, this is area 3 is what we're looking at in this, this polygon right here. So, underneath we have the State land use conservation, and the CPAC had drawn agriculture over that area.

Ms. Jorgensen: In an earlier proposal there was a large, about 100 acres of rural residential that Pulama Lana'i later took off. And when they took it off it was, it was the, that, the piece that was left there on the map -- and if you look at your map 9.9 -- you can see the line of the State conservation. That it curved kind of up. And then the ag moved over there because it was part of a proposal for rural residential. When the rural residential was removed, the ag should have been moved back to -- so that it shows it's State conservation land. There wasn't a CPAC proposal to have ag over the conservation. So we're recommending that you show it like the other areas that are State land use conservation. So that little patch of ag is removed. We're talking about this little piece right here. Yeah.

Mr. Ornellas: So Mary that would be if we kept it -- if we kept it agriculture, who has control over that? I mean, other than the owner, but the State would have --?

Ms. Jorgensen: It would be -- it, it's the same. It's State land use conservation. So you could put ag on top, the conservation would trump it. So we were trying to be consistent and showing all the State land use conservation as it is, just straight the way it is.

Mr. Ornellas: And this, and this map is basically showing -- this was a CPAC recommendation that they, that it stays this way?

Ms. Jorgensen: No, it was not even discussed at CPAC, that piece, because it wasn't a proposed development. And the CPAC focused on the development areas, and at the time -- earlier in the process it was -- there was 100 acres of, of development that was removed before they did their final approval of the maps. And so this was just left on and it -- but it wasn't discussed, these changes, you know, as agriculture.

Mr. Ornellas: And so your recommendation is to keep it as agriculture?

Ms. Jorgensen: No, to show it as State land use conservation.

Mr. Ornellas: Yeah, what number are you looking at? Number 4?

Ms. Jorgensen: Number 3.

Mr. Ornellas: Members, what do you want to --?

Ms. Jorgensen: See where the State land use conservation is, the line, it was like when it was going to be a development, it just moved so that it was right next to the rural area. And --. But when it's not a development, then for consistency across the map, it just shows State land use conservation.

Mr. Ornellas: Members, do you want to use their recommendation, Planning Department's recommendation? Okay. Go ahead Joelle.

Ms. Aoki: Is that area, like, right where the turn is in the road, and Trailer Pacific who did the renovation at Kaumalapau stack all their gravel up in the hill? There's that, that turn off to the right. If it was State land, if -- does anybody know?

Mr. Napier: Is it right here?

Ms. Aoki: No? You don't know. Well, if it is State land use conservation, right --

Mr. Ornellas: . . . (Inaudible) . . . Just follow the road. Go the other way. Down. Keep going. Right there.

Ms. Aoki: Does that affect the use of that area? Because right now, I think, if there's any repairs to the harbor, they will need that area to stage, aggregate and equipment, and that's what it's being used for right now. Any overflow, that's the storage area.

Ms. Maydan: Jen Maydan, Planning Department. I believe the area you're saying is not within the area we're talking about. And, anyway, it wouldn't change anything that currently --

Mr. Ornellas: Half of it is.

Ms. Maydan: Well, if they are operating that on conservation land as is because -- what's shown in this map isn't in place right now. This is a draft map. So if we change this it does nothing to what is on the ground right now. Because when we change this we're going, we're reverting back to what is today in place. There is no ag jurisdiction right there today.

Mr. Ornellas: Okay.

Ms. Maydan: So it would not pass any current land uses. Conservation.

Ms. Aoki: . . . (Inaudible) . . .

Mr. Ornellas: It's conservation. Okay. So we'll take the Planning Department's recommendation then. Unless, Pulama, that's your storage area down there with all the heavy equipment because there's nothing, there's nothing all the way up the hill until you get to the, the shuttle station. Okay.

Mr. Matsumoto: . . . (Inaudible) . . .

Ms. Lynn McCrory: . . . (Inaudible) . . .

Mr. Ornellas: Okay, we'll just --

Ms. Aoki: There's really no question then . . . (inaudible) . . .

Mr. Ornellas: Right, change the color.

Ms. Jorgensen: That's correct.

Mr. Ornellas: Yeah.

Ms. Maydan: Can I comment?

Mr. Ornellas: Go ahead.

Ms. Maydan: Jen Maydan. If you had a desire to change it from conservation, having the community plan designation ag would be the first step. So if you, as a landowner has a desire to change, then this is okay.

Mr. Ornellas: Okay, we'll just stick with the Planning Department's recommendation then.

Ms. Jorgensen: These are mostly corrections from oversights on these maps as it transferred from one hand to the other with, during the CPAC process being so focused on the developed areas that when things were outside the developed areas they didn't always get caught. You

know, they were just -- yeah, so we're just bringing them to your attention.

Mr. Ornellas: Okay. I'm sure the CPAC probably would have ran another extra two weeks just trying to find out what it was. But anyways, so let's move on to 4?

Mr. Napier: Okay, area 4. Alright, this one is actually an easy one, so --. Yeah, this is actually just an FYI, and it's consistent with the CPAC and our draft is just a change from the 98 community plan. There's a little piece of agriculture right here that was in State land use conservation, and it has been rectified in the CPAC map and you can see right here. So I'll show you where the State land use conservation is. Okay, so that's consistent. This line is consistent right here with State land use conservation and, and the CPAC recommendation. It was just different in the 98 community plan, and I'll show you right here. So it's right here.

Ms. Jorgensen: It's a mapping error.

Mr. Napier: Mapping error, exactly. So that one's okay.

Mr. Ornellas: Okay.

Mr. Napier: Alright. Area 5.

Mr. Ornellas: Number 5?

Mr. Napier: Yes. And, yeah, this is Lana'ihale, and this is a mapping error as well. I'll turn on --

Mr. Ornellas: What map are you using?

Mr. Napier: This is actually out of the mapping areas, I do believe. This is one -- this is up on the Lana'ihale.

Mr. Ornellas: The benches?

Mr. Napier: Yeah. And there's some places where the CPAC conservation kind of overlapped in to the State land use ag, and vice versa, where the agriculture, the CPAC agriculture, had two little points right here, in to the State land use conservation. And I'll use the swipe tool to show you that. So you can see the cross hatched areas or the areas in questions. These one, two, three. And if I drag the community plan map over the State land use you can see these areas where the conservation is kind of bleed into the State land use ag.

Ms. Jorgensen: So these are again, I think, the difference between mapping systems are very complex and so the consultant to Pulama Lana'i that was working on the maps, R.M. Towill, when they transferred the maps to us, it's like have a wiggly line. A little bit of the ag went into conservation, or the conservation went into ag, or a little bit of open space went in, and that's all number 5 and 6 are doing, is just matching with what, what the ag and the conservation lines were before.

Mr. Ornellas: Yeah, can you, can you show us the actual, what it looks like from above --? Yeah, where --. I'm trying to -- you see that, that little square instead the agriculture? Is that a red? The magenta one?

Mr. Napier: Oh, okay, and that was --? Okay, these are the areas in question.

Mr. Ornellas: Right, and I'm not talking --. I'm talking -- there's a little piece that's --

Mr. Napier: The CP is --

Ms. Jorgensen: The little triangles?

Mr. Ornellas: Yeah.

Mr. Napier: This?

Mr. Ornellas: Yeah, that, right there.

Mr. Napier: This?

Mr. Ornellas: Yeah.

Mr. Napier: Let me turn off and see what's in there.

Mr. Ornellas: No, that's in the Palawai.

Ms. Jorgensen: That's the new development that's in the Lana'i City where -- it's the one that is the light industrial for the film studios. That magenta piece that you were just looking at. It's the proposed new community designation of light industrial.

Mr. Ornellas: Okay that's above. So the road is next to your -- yeah, that's the road.

Mr. Napier: That's the road. Yeah, that's correct.

Mr. Ornellas: . . . (Inaudible) . . . That, right there. Okay. Alright.

Mr. Napier: We'll go to area 6.

Mr. Ornellas: Alright, we recommend Planning Department recommendation? Is that okay everybody? Okay. Go ahead. We're at 6.

Mr. Napier: Yes, we're at 6. Same kind of thing where we have -- let me turn on the State land use --. This area right here is, is where the CPAC conservation, right here, leads into the State land use ag, right here, where my cursor is. And it looks like it's a mapping error as well.

Ms. Jorgensen: So over the ag, State land use ag, which we do have some say what happens, we're recommending putting open space. No, wait. There's --. Yeah, the ones that are along the coast would change to open space.

Mr. Ornellas: So area 6, all the way at the bottom, that's also going to be changed to open space?

Ms. Jorgensen: Open space.

Mr. Ornellas: Then up above where -- is that blue, off to the right of your cursor?

Mr. Napier: Right here.

Mr. Ornellas: Yeah.

Ms. Jorgensen: That's, that's the area at the third resort. So that's all -- all those County designations there are the ones that the CPAC approved. So we're not discussing -- I don't, I don't know why you have that one in there.

Mr. Napier: Yeah, I think that was an artifact because I thought we were going to.

Ms. Jorgensen: No, there's nothing in the area.

Mr. Napier: That's right. Yeah, it's not in my book marks here.

Mr. Ornellas: Okay, so what's the color --? So open space around the -- the third resort? Is that open space? Yeah.

Ms. Jorgensen: That is, that is proposed and I was -- that is an interesting area. It was proposed as a first an open space, then as a conservation, and so it would be proposing that it's in -- when the development is -- and they go to the -- there's some other areas, they have to go to the State land use board for changing the designations, they would change it to conservation. It's a 1,000 foot buffer that the CPAC asked for to kind of contain the community. You could put open space over it too. It's not currently State land use conservation. And in the text it's pretty clear what the intent is for it to be -- remain that way in perpetuity so it couldn't change. Well, they just asked a question about --

Mr. Ornellas: Okay, so members, do we want to take the recommendation of the Planning Department for number 6? Bev? Okay. Let's -- we'll take your recommendation. You know, you guys can't retire until this thing is fully implemented, yeah? So we can go back and yell at you guys when something doesn't go right with your recommendations.

Ms. Jorgensen: Well, you want me to die while working. Okay.

Mr. Ornellas: Nah, at least David. We gotta keep David around.

Mr. Yamashita: . . . (Inaudible) . . .

Mr. Ornellas: Number 7.

Mr. Napier: Okay.

Mr. Ornellas: No action. Number 8.

Mr. Napier: Okay, number 8. Okay, this area is in town and we have a difference in the 98 plan and the CPAC plan where the light industrial was extended to the road as well as the business commercial area right here.

Ms. Jorgensen: And, and this was discussed at the CPAC a little bit, but I, I couldn't find anywhere where there was a motion that says to approve this, so I thought it was best to look at it as to -- you know, because that's -- it's changed from open space into light industrial and commercial.

Ms. Aoki: . . . (Inaudible) . . .

Mr. Napier: This is, the top layer is the CPAC. This is what it is, and the CPAC approved. This is the 98.

Ms. Aoki: . . . (Inaudible) . . .

Mr. Napier: Open space.

Ms. Aoki: . . . (Inaudible) . . .

Mr. Napier: In the 98 plan it is.

Ms. Aoki: . . . (Inaudible) . . .

Mr. Napier: Right here.

Ms. Jorgensen: But the CPAC didn't recommend this. It wasn't proposed as new, you know, new developed areas. So this was --. But I remember it coming up briefly at one time ago, you know, we have this change. But it was not -- it's not a new --. Well, it's on the map as a new proposal, but I don't think we completed the discussion. So we're, we're seeing, and maybe the CPAC wants to speak to this as does it make more sense to you to have the light industrial and commercial areas go up as a County designation to go to the street or do you want to have an area there along the street that is open space, that would be an area. And maybe Pulama Lana'i has a reason to have it be that designation. I really don't know what, you know, why it changed. It, it's just on the map.

Mr. Ornellas: So is, is the -- from the sidewalk to the, let's say, to the laundry, is that considered

open space or is that part of the, the footprint of the, the laundry?

Ms. Jorgensen: Currently, as it is right now, the 98 plan, it would be, it's in open space. In one of the maps we received from the consultant it had this change of it being commercial has -- it's extended all the way to the sidewalk, and the light industrial is extended all the way to the sidewalk.

Mr. Ornellas: Okay, so, if it's extended all the way to the sidewalk, so the parking lot could actually be attached to the sidewalk, a parking lot.

Ms. Jorgensen: If it -- if there's -- there could be zoning that would pro -- you know, have setback in there. I'm not familiar with the . . . (inaudible) . . .

Mr. Ornellas: Yeah because right now, I mean, it looks really, it's really nice because when you drive down Fraser which you're talking about, just before you get to Kaumalapau, they have a lot of nice trees, and grassy area, and, and that's what we want to maintain and not have industrial all the way up, or light industrial all the way up to the, to the sidewalk.

Ms. Aoki: From your estimations, what kind of square footage are we looking at on the setback?

Mr. Napier: I can give you a quick one here, I think. Let's see, I'll have to do with our drawing tool real quick. I can get you an estimation. It's about -- it say 38,000 square feet.

Ms. Aoki: . . . (Inaudible) . . .

Mr. Napier: From the road, and this is ball park, a 107 feet, approximately.

Ms. Aoki: 107?

Mr. Napier: Correct. That, that's ball park because --. Let me give you a better measurement on that with the imagery. Okay. Yeah, about -- yeah, 107 feet, somewhere around there, maybe a little more.

Ms. Aoki: Would you happen, would you be able to measure the distance the square footage in front of the laundry, the, the central services's laundry building to Fraser Avenue?

Mr. Napier: Show me where that is.

Ms. Aoki: Right there.

Mr. Napier: To here?

Ms. Aoki: To Fraser Avenue.

Mr. Napier: To right here. Okay. My measure tool up. About 63 feet.

Ms. Jorgensen: It looks like you have a lot of buildings in the open space areas so -- except in that other section, but there is some in the light industrial.

Ms. Aoki: Mr. Chair, I think it's something we should really consider with the open space because it would not be beneficial for us to have the Gateway Park, this beautiful entry into our city, make a left turn and then right there is light industrial. You know, next to the laundry, we've got all those beautiful trees, they've landscaped the front area very nicely, in front of Central. I think we could continue, we -- I'd like to recommend we continue that, that continuity coming up the road and, and the look of, of not having commercial right there in your face as you're coming up the road and parking lots.

Mr. Ornellas: So --. So, I mean, can we just --. Can we --. How do, how do we say that if we want to have some sort of a buffer between the road and the commercial or the light industrial?

Ms. Jorgensen: You could just keep it as it is in the 98 plan as open space, and then that gives you, as you're discussing it for any, and I think you could look at that. If you want a narrower stripe for some reason, you could proposed that of open space. It looks like some of it is already developed.

Mr. Ornellas: Go ahead Kurt.

Mr. Matsumoto: So, I understand -- Kurt Matsumoto -- so I understand Joelle's sentiment, but you guys can see from the aerial that if you, if you don't do something, what you have currently is existing non-conforming. So, you actually have buildings that are in open space. So the, the reason for the correction was to address that. So you're just correcting a, a non-conforming. And it's, it's existing use already. And then the other strip, as you guys know, that's where we currently have the employee's parking to catch the shuttle. So if you turn that into open space, then I'm not sure, but I don't think that we could use that for that purpose. So again it's just correcting the use. Now, historically that was where the mixing plant use to be. So it's been -- it's been light industrial for -- back into before I was born.

Ms. Jorgensen: It could be addressed in Chapter 10 in terms of putting that designation on it, but having a, again, something that retains the trees in a particular area.

Ms. Aoki: Thank you Kurt. And I appreciate you putting that overlay with that, the lines, because I didn't understand that that, just looking from the color map, I didn't understand that that is actually where the laundry is existing now. But, by doing it that way, with your 3D, that gives us a better perspective, so I do understand that and thank you Kurt. Is there a way that we can make a recommendation to make it conforming, but consistent with how they have the landscaping and that set back along by the, by the laundry?

Mr. Yamashita: One -- this is Dave Yamashita -- one suggestion as Mary said, is to look at an existing action and there's something on 10-7, page 10-7, action 10.05 with a 4 red. Anyway, it says "Develop design guidelines for structures in Lana'i City, but outside of the BCT to provide guidance on appropriate form, scale, architectural character, details and materials." And I think

that's what you're looking at. Right, and, and something like this if it was done would address, would address this issue without --. Just giving, I think, the company more flexibility and maybe, I would hope, opening up an opportunity for a conversation with the community. So, I don't think you want to propose over regulation, but you want to get what your concern is.

Mr. Ornellas: Okay. I see what you're saying. Okay, so -- so basically we can just leave it the way, the way it is and move on? Or, do you want to change? There's a recommendation.

Ms. Jorgensen: You could, since the CPAC didn't formally approve this, you could, you could recommend that it be kept as an extension of the commercial and light industrial as currently shown on the map.

Mr. Ornellas: Okay. Any objections? Alright. So then let's move on to 9, open space? What, what map is that?

Mr. Napier: This is in the same area. It's right below the waste water treatment plan.

Ms. Jorgensen: Number 9 is the jail site.

Mr. Napier: Jail site.

Ms. Jorgensen: Which we would just recommend is approve it as public-quasi/public. That's how it was meant by Pulama Lana'i and it's the jail, right there on the corner. It's a change of it being commercial to public-quasi/public.

Mr. Matsumoto: Kurt Matsumoto. It's, it's actually the opposite of what you explained. It currently is zone residential, and what we're recommending is that it become part of the BCT. So not public-quasi/public.

Ms. Jorgensen: Okay, I think in the September draft that we received from you it was public-quasi/public.

Mr. Matsumoto: No, then that was an error.

Ms. Jorgensen: Okay. Okay. So -- so you want it part of the BCT.

Mr. Ornellas: Any objections to changing it to BCT? I mean, there's still a ton of regulations that attach to, attach to that building, right? Okay. Alright, any objections to making it BCT?

Ms. Maydan: Jen Maydan. BCT is zoning. What are we proposing for community plan? Commercial right?

Ms. Jorgensen: Right.

Mr. Ornellas: If, if everything around the park is also zoned commercial, then we'll keep it zoned

commercial.

Ms. Jorgensen: It would be zoned commercial. I mean, excuse me, it would be the County land use designation would be commercial.

Mr. Ornellas: I sure don't want to give it to the State. So we'll keep it with the County.

Ms. Jorgensen: Okay, I just want to clarify that we're doing County and not -- the land use designations, not zoning.

Mr. Ornellas: Okay, I stand corrected.

Ms. Jorgensen: It's confusing.

Mr. Ornellas: Alright, so, you got that, you got that change?

Ms. Jorgensen: Yes.

Mr. Ornellas: Okay. Let me ask the CPAC members, do you guys remember? Was that -- is that okay with you guys? I mean, we're changing something. Okay, you're getting old Butch. Alright, so let's move on to the next one. Number 10, agriculture. What, what map are you looking at for number 10?

Mr. Napier: It's below the wastewater treatment plant.

Ms. Jorgensen: It's the Lana'i City map 9.5. Yeah, 9.5. Okay, Mike, you want to describe that?

Mr. Napier: Right, so this is below the wastewater treatment plant, and it's -- we have the community plan, the CPAC is on. I've turned on the CPAC recommendation or, or approval is ag. And, the 98 plan, I'll turn on the labels for that, is open space. So you can see, I'll pull up, the open space turns into ag in this area, and the light industrial up to the top right is what we just discussed earlier. So the 98 plan is open space, right here, and the CPAC recommendation is agriculture, here. These two parcels. Or excuse me, this parcel, here.

Ms. Jorgensen: So your choice is whether you want have it be open space or agriculture in that area.

Mr. Ornellas: Members, do you want to change it to open space or agriculture? What's your --? CPAC had it what?

Mr. Napier: CPAC has it as agriculture.

Mr. Ornellas: Okay. Keep it as agriculture, members? Okay, we'll just keep it as such. Before we leave this map, where its got park -- keep going -- there you go. So, change the colors. You were changing the colors, and that color was -- yeah, what is--? What is that color?

Mr. Napier: This is business commercial from the 98 map, and it changes to park in the CPAC recommendation.

Mr. Ornellas: Okay, we'll keep it as park. Unless somebody's got a change of heart from the last meeting we had. No. So the next one is --?

Mr. Napier: This is area 11.

Mr. Ornellas: 11? Is that where we're at?

Mr. Napier: That's correct. Okay, let me turn off these layers here.

Mr. Ornellas: Okay, where are we?

Ms. Jorgensen: This is by the Manele project district, on the southern coast. It's these areas. I don't know. They were outside of these detailed maps that we were looking at. A little piece of it was in -- was discussed by -- when we looked at area, the detailed for 9.8 map on Manele there was one proposal for a rural residential area, but most of what we're discussing is outside of the detailed map.

Mr. Napier: Okay, this is the CPAC map here, and underneath, the State land use, I will swipe it down, we have State land use conservation and State land use rural. As I swipe up, we have open space over conservation here, so we want to take that out because of our previous conversation about the State land use conservation. And I'm sorry the colors are a little hard to see, but this is CPAC conservation, this lighter color, and this is CPAC agriculture. So, we have conservation, community plan conservation over State land rural in these areas. So if I turn on our -- if I turn on our recommendation we would turn the State land use rural areas into open space, the green areas here, and this would be all State land use conservation. So basically we would be taking the rural, State land use rural, and putting open space over those, and leaving these areas State land use conservation. This area here was open space that we would turn into conservation.

Mr. Ornellas: So, so the dark green -- is that dark green? I'm color blind so I'm having hard time with color. Yeah, that's -- that is State land use rural?

Mr. Napier: Rural.

Mr. Ornellas: And you're recommending, the County's recommending to do that as open space?

Mr. Napier: Open space.

Mr. Ornellas: And that, that line -- yeah, okay. So, the -- what is that? Yellow? Orange?

Mr. Napier: This line?

Mr. Ornellas: No, over the other side. The other side of the rural. Yeah. Keep going. Okay that. So down where those two points meet down at the bottom, yeah, that's Kanalu. And so --

Mr. Napier: It's State land use rural right there, at this point.

Mr. Ornellas: And you're recommending, the County's recommending open space? I can, I can live with that.

Mr. Napier: Okay.

Mr. Ornellas: Anybody else? That, that, yeah, that green part right there would be open space.

Ms. Aoki: Could you swipe down again please? That, that little pink spot there, what is that?

Mr. Napier: This right here?

Ms. Aoki: Yeah.

Mr. Napier: That is State land use rural, and I can turn on the imagery if you'd like to see what it is.

Ms. Aoki: The little pink there?

Mr. Napier: This, that's brown actually.

Ms. Aoki: Or, yeah, the other color in between the yellow and the green.

Mr. Napier: It's, the projector has changed my colors for some reason. I don't know why. Oh, that's State land use rural right there I believe.

Ms. Jorgensen: Wouldn't it be open --

Mr. Napier: State land use --

Ms. Jorgensen: County open space over the State land use rural? So there's somehow there's a mistake in this.

Mr. Napier: Right. We're looking -- no, no, no -- we're looking at State land use right here with some corrections over the conservation area. When I swipe up, this disappears. It turns into open space.

Ms. Jorgensen: Okay. So, it's one of those little striped areas left over or so.

Mr. Napier: Right.

Ms. Jorgensen: Okay.

Mr. Ornellas: Okay, so members, any objections to turning that part where the cursor is now into open space? No objections? Okay. And then the -- go up the coast line towards Manele. Where's, where's the other green part?

Mr. Napier: Let me turn on this.

Mr. Ornellas: Yeah, that one. Okay, if you start -- if you start from that green part and you start working towards Manele. Okay, that's all open space?

Mr. Napier: That would be State land use conservation. This is State land use conservation.

Mr. Ornellas: The blue?

Mr. Napier: Not the blue. No. I'll do the swipe. The blue is rural. But this, in the CPAC recommendation is open space.

Mr. Ornellas: Okay, I can live with that.

Ms. Jorgensen: This is another case of it being State land use conservation, and just showing it as that all the way down to the coast.

Mr. Ornellas: Okay, and then the -- next to the green is a yellow. Just go back. Yeah. That --. Go up. Yeah that. What is that?

Mr. Napier: That's conservation.

Mr. Ornellas: That's all conservation? State?

Mr. Napier: That's correct. That's State conservation. If I do the swipe through you can see the yellow here. That's all State conservation. This is rural. And this would be State conservation as well. That, the hatch marks just indicates we want to change it from open space to conservation that's underneath it.

Mr. Ornellas: Any objections, members, to leaving that part as is? Okay. Alright, so the next one --? So the only thing that we changed was that one next to Kanalu, right? That green part next to Kanalu. Yeah.

Mr. Napier: The two green parts.

Mr. Ornellas: No, just that one. That other one --. That one, and that one too?

Mr. Napier: That's correct.

Mr. Ornellas: Did we change that one? Dang. Okay. Alright, so let's move on to -- what am I on, Ron? 12? Thank you. Alright, so this is urban rural over --. And where is this one at?

Mr. Napier: This is at Kaumalapau Harbor again.

Mr. Ornellas: Okay.

Mr. Napier: And this is another State land use issue where the community plan -- let me turn it on --

Ms. Jorgensen: It's map 9.9.

Mr. Napier: 9.9 -- had conservation over State land use urban. And I'll use the swipe tool again to show you that. And you can see right in this, this area here, this is State land use urban and this is community plan conservation. This discrepancy right here and on this side. So I'll turn on our recommendation which is to turn this area into open space, the green, and that basically is because the State land use underneath is urban in these areas.

Mr. Ornellas: Okay.

Mr. Napier: It's kind of a mapping error.

Mr. Ornellas: Alright, members, any objections to moving -- to put it into open space? Go ahead.

Ms. Jorgensen: Number 13.

Mr. Napier: Number 13.

Mr. Ornellas: 13.

Mr. Napier: Okay, this is just below the area we looked at. Sorry, I had the imagery on. My computer runs a little slower. Let me turn that off because we know where that is. Okay, underneath, on the CPAC recommendation we have the conservation.

Ms. Jorgensen: That was County conservation so --

Mr. Napier: County.

Ms. Jorgensen: Yeah.

Mr. Napier: And on the State land use map, we have an area of rural and urban here. Our recommendation is to turn that all into open space.

Ms. Jorgensen: That area was rural in the 98 plan. But with the new proposed mixed use

residential on the upper part that we felt that you didn't need to have the additional rural area below the road . . . (inaudible) . . . in that upper.

Mr. Ornellas: When you say "we," you're talking about the Planning Department?

Ms. Jorgensen: Yeah, our recommendation for that area 13 is to have it be open space.

Mr. Ornellas: But isn't that where -- was part of the, the residential, the 50 acres?

Ms. Jorgensen: No, that's, that's above it where you see that, that area that Mike's pointing out.

Mr. Ornellas: Okay. So, it's below that.

Ms. Jorgensen: It's one where the, the CPAC had County conservation over State land use rural. And since we can't -- and we're -- since we're using State land use conservation cannot -- you can't have two State layers on top of each other. So in this case, we have State land use rural with our recommendation of open space on top.

Mr. Ornellas: Okay. Any objections members? Alright, go ahead, next.

Mr. Napier: Two more. Okay, this is up near Koele, and I believe it is right out of the Lana'i City map. Right above the Lana'i City map.

Mr. Ornellas: Okay, so we don't have a map of this.

Mr. Napier: Right. And you can see this is the Lana'i City, here, map, and it is right in this area, right above it. So, Mary can probably tell you if it was discussed in CPAC or not. I believe that's why . . . (inaudible) . . .

Ms. Jorgensen: No, it's not, it's not that area. We didn't.

Mr. Napier: So that's why.

Mr. Ornellas: So, you want to do what?

Mr. Napier: Open space. We actually recommended this area as agriculture in the CPAC plan, and we recommend to bring it back to open space to comport with the 98 plan.

Mr. Ornellas: And, and the CPAC had it at, at what?

Mr. Napier: Agriculture.

Ms. Jorgensen: Well, the CPAC didn't discuss it. It was just that it was on -- you know, in all the map, moving back and forth from the consultant I think it ended up being agriculture. It could've been at one time there was the light industrial film studios over in that area. There was

some -- we had some confusion on our part even where the cemeteries were. So somewhere in there it just got switch from what it was before which was open space.

Mr. Ornellas: That's the Spark Matsunaga Peace Center. Ding. Wasn't it, wasn't it at that location above Koele, by the, by the --? That's where Murdock wanted to put it, right, the Spark Matsunaga Peace Center, East West Center. Yes.

Ms. Jorgensen: So Mike when you make it open space, does that little blue square still show up there?

Mr. Napier: Yes.

Ms. Jorgensen: Okay.

Mr. Ornellas: So, your recommendation is to just put it in open space?

Mr. Napier: Yes.

Mr. Ornellas: Any objections members? And CPAC didn't talk about it.

Ms. Jorgensen: No.

Mr. Ornellas: Okay, so, we'll go with the open space.

Mr. McOmber: . . . (Inaudible) . . .

Mr. Ornellas: There you go. Thank you Ron. And you're all for that. Number 15, agriculture, 9.4 map.

Mr. Napier: Right, this is just above the area we talked about and it was not on any of the maps. This is a real easy one. This has been changed, I believe. In the CPAC draft -- yes, and the CPAC approved, excuse me -- it comports with the 98 plan which I'm turning on.

Mr. Ornellas: Okay. So, so the recommendation by the CPAC was agriculture?

Mr. Napier: Actually, this is a question. It's, it's extended out from the 98 plan. And I'll use the swipe tool here. This is the 98 plan. We're talking about area 15 right here, and you can see how the ag has been -- or the open space has been extended right here -- into the agriculture. And I can turn on the imagery and we'll see exactly where that is so you folks can see. Turn off that. And it's this, this area. This area right here.

Mr. Ornellas: Okay. Those are old pineapple fields, yeah?

Mr. Napier: Yeah, I believe so.

Mr. Ornellas: Yeah.

Ms. Jorgensen: So our recommendation -- because the CPAC did not discuss this -- is that it was a mapping error and we just moved it back to agriculture as it was previously.

Mr. Ornellas: Any objections members? No?

Ms. Aoki: Mary, where is that?

Ms. Jorgensen: It's up above the city up here.

Mr. Napier: It's right here, Joelle.

Mr. Ornellas: No objections to turning it to agriculture, members? Okay. So be it. Alright, we're going to take a 10 minute break. We'll come back at 7:35 p.m.

(The Lana'i Planning Commission recessed at 7:25 p.m. and reconvened at 7:35 p.m.)

C. APPROVAL OF A REVISED MEETING SCHEDULE to discuss recommended revisions to the 1998 Lana'i Community Plan.

The commission may take action on the proposed revised meeting schedule.

Mr. Ornellas: Alright, so we're done with the maps for Chapter 9. Let's go on to -- oh, public testimony? Anybody wants to say anything before we move forward? Thank you Ron. I can always depend on you. Okay, yes, I'm trying. Let's go, on the agenda, Item C, approval of revised meeting schedule to discuss recommended revisions to the 1998 Lana'i Community Plan. Go ahead Mary you want to explain it?

Ms. Jorgensen: Okay, in the packet, there was the schedule that you had seen earlier. And what we're proposing on that is everything stays pretty much the same. We're just looking that maybe we, we would have a need for a date in September, and better to get it ahead of time, you know, just in case we need it. With, with Mike being the only person doing maps, and we had a lot of more people before, I could see that, you know, in August we might not have all the maps. Some late comments from the agency's might come in. And if we're trying to get everything while it's more of a consensus document and, and have it with very few changes after your final -- final recommendations, then it would be nice to have that out there in September if we need it. So you have a choice on this piece of paper, different dates. We just need one.

Mr. Ornellas: Okay, so, can we get -- can the members send you something by Friday so they can check their schedules and pick a date?

Ms. Jorgensen: Okay. That would be fine.

Mr. Ornellas: Okay. One of those three.

Ms. Jorgensen: One of those three.

Mr. Ornellas: E-mail please. Thank you. Alright so let's go to 10, then. Chapter 10.

Mr. Yamashita: Okay, are we ready?

Mr. Ornellas: Go for it.

Mr. Yamashita: Alright. Let's see. So this is a chapter that, I think, the CPAC had quite a few comments. We've integrated them into the chapter. We've added a few of our own comments just to elaborate on some things or to clarify. And our comments are in blue. But, it's -- there really aren't that many substantive changes. I think we can just start going through the sections John.

Mr. Ornellas: Yeah, let's start off with the page 10-1.

Mr. Yamashita: Okay.

Mr. Ornellas: Any, anybody has anything on 10-1, background and existing conditions for Urban Design? And everybody's okay with the changes by the Planning Department, which is in blue, and red? Yeah, those are the --. Alright so nothing on page 10-1. So 10-2? On 37, line 37, Strategy 1A that you guys crossed off is "Explore, analyze and implement the most effective strategies for preserving and rehabilitating historic buildings within the BCT." What made you guys take that out?

Mr. Yamashita: I don't recall. Do you? Okay, this was -- Kathleen had gone through this and had struck this one, so, I can't speak to what she's thinking about that.

Mr. Ornellas: Okay, CPAC members -- have you read that? Are you guys okay with that, that change? We're on page 10-2, line item, line number 37, and they've got it up there too.

Mr. Yamashita: I suspect, John, that we were trying to integrate and simplify things. I suspect that, at least when I read, 1A below it does incorporate the intent of the one above it.

Mr. Ornellas: But you're also scratched out that last sentence. That's basically the same thing. So, did you --? It says "prepare guidelines the protection--" and that's been, that's been crossed out.

Mr. Yamashita: Well, yeah, we already have those.

Mr. Ornellas: Okay.

Mr. Yamashita: There already are guidelines for the BCT.

Mr. Ornellas: Yes, but it's not in this document, right?

Mr. Yamashita: Okay. Right. Jen just pointed out that under Strategy 2A there is language about revising and enhancing and reviewing the BCT design guidelines to provide more detailed guidance.

Mr. Ornellas: Okay. Alright. Then, maybe, maybe your next, the Molokai and all the rest of the seven, when you guys do something like this, you might want to put as a reference on where you guys stuck it. Because if you just keep taking stuff out then people -- we're gonna have to depend upon you six months later to decide -- to tell us why you did it and where did you put it. So, you know, maybe the next time around.

Mr. Yamashita: Okay. Point taken.

Mr. Ornellas: Ron, do you have a question? Okay, can somebody give him a mic please? Thank you Mike.

Mr. McOmber: You know, David, it's your prerogative to do this, to go through it. But what I'm upset about is that never came back to the CPAC. And if you're going to change what they're talking about now before it goes in front of the Council it's going to be changed again. I don't think it's fair to the CPAC that we didn't get to see some of these changes and comment on them. I mean, you're putting it in front of this body. But we didn't see those. We didn't see those changes. I don't think that's fair to the CPAC all the time we spent here, to have that come up and then we gotta sit here. We can't even argue the thing because it's not our position now. I mean, we put a lot of time in this effort, in this room, and then you guys willy nilly just change things and mark stuff out. We may want to comment on that. That's just my comment on it. Thank you.

Mr. Ornellas: Thank you Ron. So any, anything else for 10-2? Page 10-2? Okay, let's move on to 10-3. So Issue 4, you basically took out everything and put in your own. So --

Mr. Yamashita: I think that it seems as though it is an elaboration. And, again, I can't speak for what Kathleen was thinking, but the idea is that you've got an existing grid, and an existing character for old Lana'i town, if you will, and the thought, as we talked about it, was that any new development should respond to them in some way. I mean, you can't replicate that because that's a part of the historical development, and you've got new standards and new issues you have to deal with. But what we were attempting to discourage is having new development looked like it belonged in Kapolei or one of these newer subdivision. So, that's the intent of this.

Ms. Zigmund: And actually, if I can point out that it looks like Issue and Strategy 5 on the next page became the Issue 4 pretty much. Yeah? Am I reading that right?

Mr. Yamashita: Issue 5 --

Ms. Zigmond: Which is now deleted. It looks like that was folded in to Issue 4.

Mr. Yamashita: Right, that's correct.

Ms. Zigmond: So I, Mr. Chair, I think that this doesn't look like an arbitrary and capricious editing here so much when you look at the next page. It's just moved around.

Mr. Ornellas: Okay. Alright, so no objections to 10-4, let's move on to 10-5. Okay, let's move to 10-4 then. Yeah, I don't -- you know, reading this, I kept thinking of our last LPC meeting when, when Gail came up and started talking about her frustration of getting --. Some of these houses around town have now turn into hotels, and I use that term loosely. We have one going up right over here behind by LCS. We have the castle on Third Street. We have one over here by -- across the street from Gail's place that are, you know, that are monstrosities and Gail said she's got videos and pictures of construction workers coming out that house and there's 19 of them. So, I don't know if we're going to -- if that should be an issue on this chapter or on the housing chapter which is next, I think, in Chapter 11. So, I think, I think, you know, we're going to have a discussion of this on our next, next week's regular LPC meeting about short- term, long term rentals, and I'm sure that's going to be a topic. And then maybe when we come from that will know more, so we could add to this, either this chapter or Chapter 11 as far as what do what this community to look like 20 years from now. So we keep this, these mini hotels down to a minimum. Otherwise the whole, the whole character of this community will change in 20 year if we allow this to continue to happen. Alright, so nothing for 10-4? How about 10-5? Okay, 10-6. These are the goals, policies and actions.

Mr. Yamashita: Where did that come from? So what do you want to say? Just, Mary pointed it out, something under Policy 7, we may want to do a little editing on the last line where it talks about "urban design character are met efficiently and with beauty and grace." Yeah, we're not quite sure. I think we may want to clarify that. Well, there's a way to say it I think that maybe people can understand it a little bit more. So maybe it's an early warning . . . (inaudible) . . . deal with that one.

Ms. Jorgensen: As the Planning Commission, if you -- if this policy was written as guidance for you, what would you -- and you had a project come in -- what language would you like to see here? I mean, is that clear to you to see "with beauty and grace?" Yeah, I'm seeing some head shakes. So, so if you have a recommendation for what language would help you review projects as they come through your commission?

Mr. Ornellas: Give us some time on that one.

Mr. Yamashita: Okay, we'll come back with some ideas.

Mr. Ornellas: Yeah. Yeah. But, you know, when I was talking about these monstrosities that are being built around town, that, that fits into number 8. My problem, and I'm sure the people of Lana'i would agree, is County of Maui issues these permits from Maui, from Wailuku without any input from this community. And the results are these monstrosities that get built around our

town. There's -- right now there's no, there's no recourse for this community to fight something like that. In the, in the planning -- in the -- during the permitting, you know when these people, the contractors go after permits because it doesn't come before the Lana'i Planning Commission. But, if, if we don't see it, who does? Nobody until, until it's built or being and there's nothing -- we can put crap into the horse. So I don't know how we can, how we can remedy that.

Mr. Yamashita: Well, again, the action that we had talked before, 10.54 on the next, right across, directly across, "develop design guidelines for structures in Lana'i City, but outside the BCT to provide guidance on appropriate form, scale," and so on, that, again, that's where you could have something that would guide the commission.

Mr. Ornellas: Alright.

Mr. Yamashita: It sounds like it's a compatibility issue John, and so you've got to define compatibility and what that means. And you would do that by looking at form, scale.

Mr. Ornellas: So under partners it's got Pulama Lana'i. And how about Lana'i Planning Commission as a partner?

Mr. Yamashita: Well, it would come before the Planning Commission. On a lot, a lot of these things would come before the Planning Commission.

Mr. Ornellas: These houses that have been built around town does not -- did not come before us.

Mr. Yamashita: No, what I'm talking about, developing the guidelines.

Mr. Ornellas: Okay, but, but -- you know, we need, the community needs to be part of the, part of the group that puts together these guidelines. Okay. But it doesn't -- but it doesn't say that as a partner. It's got the Planning Department and Pulama Lana'i.

Ms. Maydan: Jen Maydan. The -- your planning commission would review the design guidelines as part of the process of the County adopting the design guidelines. It doesn't need to be identified in here. It would happen as part of the process of adopting the design guidelines.

Ms. Zigmond: Mr. Chair, are you suggesting that the community needs to have input before it comes to us for that approval. That's what I'm hearing, yeah. And I have a question that's related to that, and I brought it up previously. What happened with the design guidelines? I mean, there was the County's version and there was the company's version, and then I would -- would somebody address where that is now? It was about a year or two back, wasn't it?

Mr. Ornellas: Go ahead Lynn. Pulama.

Ms. McCrory: The County's version never went any where. That just stopped. And then the version after that was the Castle & Cooke version, and a part of that was approved by the Lana'i Planning, but not all of it. And what we're looking to do is to go forward with design guidelines and work with the community, and looking at starting with the Maui County ones as -- well, we won't start with that. We'll start with what is already in effect because there are design guidelines in effect. And then we can expand from there. But it would be a community process. It's not us sitting down and trying to write something. We're not -- that's not reasonable.

Ms. Zigmond: But you said part of the company's guidelines was approved by the Planning Commission.

Ms. McCrory: Part of the Castle & Cooke --

Ms. Zigmond: Right.

Ms. McCrory: -- company guidelines were approved by the Planning Commission.

Ms. Zigmond: So you know about when that was?

Ms. McCrory: When Sally was Chair.

Ms. Zigmond: Okay, because I was on that and I'm stretching my imagination.

Ms. McCrory: It was the portion of the streets section. And let's say there were 10 items and only five were approved, and they've never been approved by Council. So they're still waiting for adoption by Council. Lynn McCrory.

Ms. Aoki: So by adoption of this action on 10.05 -- yeah 05 now -- will that make an impact on insuring that those building permits for these private homeowners does come back for community input? Because what's happening right now is that it's not to where it can come in for community input because there's another monstrosity that is being planned one street below me and a couple of houses over from me. And they're talking two-story, and they're going to, like, max out, which is very worrisome to me.

Mr. Yamashita: Well, these guidelines would be done. I mean, it would take a while. So, I don't know that it would solve your immediate problem. I think the only recourse you have now is to ensure that it meets zoning, all the zoning standards.

Ms. Jorgensen: Since these are design guidelines rather than the change in zoning standards, do you --? Just as -- there was a recommendation to having different standards for the street standards in Lana'i City. What I'm hearing is you might be looking for a revision of the code for, for the housing setbacks, building height, that would be a, a standard rather than a guideline. Can you do that? Jen knows this more in detail.

Mr. Ornellas: Let's go with Lynn first, then Butch.

Ms. McCrory: Lynn McCrory. The design guidelines can cover a huge number of items even the colors of house, and the types of roofs, and the streets and how wide they are, and whether there's electrical lines overhead or underground, whether there's gutters, curbs, or sidewalks. They all get put together and then it's passed through the Lana'i Planning Commission. And then from there it goes to County Council where it becomes, if it passes, an ordinance. And that's the basis under which you can enforce something. So if, as an example, you say, you do not believe houses should be higher than one story, just to give a simple example, and that's what's in the ordinance, they can't built houses higher than one story. So in your design guidelines, you're laying out what's an acceptable house, street, color, roof, infrastructure, a whole range of things. Design guidelines are very large and very comprehensive. Or, you can just take small sections and say I'm only going to deal with the house or I'm only going to deal with infrastructure, or I'm only going to deal with streets. And that's kind of what happened with the Castle & Cooke ones. They only took part of the streets and some parking issues.

Mr. Ornellas: Okay Butch?

Mr. Gima: Butch Gima. In, in terms of your role and responsibility tonight be careful that you don't -- deal with this chapter to try and solve a current problem. I think you're looking at apples and oranges here. You're looking at more -- design guidelines are more a macro view of what's going to be done in our community. It would be, I think, irresponsible to change stuff in this chapter to try and remedy the problem that you brought up, John, about the monstrosities. And you also have to take into consideration that these houses had they not been filled with contractors probably would not be an issue tonight. And so, you have to look at it from the stand point have they met code when they built, built their house, and then, at the, at the same time, you're more concerned about use. And you cannot legislate use -- that, that's in a whole different arena. So I would caution not to address that issue tonight in this Urban Design Chapter.

Mr. Ornellas: Okay. Thank you. That's a good point. I do think we should talk to -- I'll talk to Clayton and see if we can start that process on, on the regular Lana'i Planning Commission on guidelines and stuff. Let's start that conversation on that end, not on this, on this particular CPAC revision. Alright, so we're on 10-6. Anything else on 10-6? How about 10-7? No comment on 10-7, then we'll move on 10-8. Members, any comments on --?

Mr. Yamashita: Okay, John?

Mr. Ornellas: Yes.

Mr. Yamashita: Under 10 point -- on 10-7, 10.01, "Develop a statement of urban and rural design principles," the last sentences says, "Upon completion include as an appendix," we're actually going to include it as part of the chapter. This is --. Right, and this is what we touched upon earlier in the meeting. So we might want to go through that again just to confirm what we agreed upon. Oh, I stand corrected, we did not go over it. Okay, so we need to go over the urban and rural design principles which are in the packet. Okay, does everybody have those? So we have --

Mr. Ornellas: Is that page 5, yeah? Chapter 10, Urban Design?

Mr. Yamashita: Right. Page 5, Urban and Rural Design Principles, and there are 11 listed. And, I think, I mentioned this before at the Saturday meeting that one of the challenges of, of trying to prepare this is that it applies to the whole island and, yet -- the character of different parts of the island varies so much. You've got Lana'i City, and you've got the Garden of the Gods, and you have Manele and -- so trying to prepare Urban and Rural Design Principles that you can apply to all of these areas is really pretty challenging unless we maybe break it out. So this is something that I think we all need to consider is how do you use this as a principle? There may be comments from people -- I'm not -- maybe commission members or --

Mr. Ornellas: So has --. Have you guys read? Anybody have read this? I mean, I read the one that was dated 7-1 or 2, and that only had 8. This one, this is 7-8, with 11 items on there so --. I mean, I don't know if --

Ms. Jorgensen: It's the same as the -- what was in your packet except for this three on the top were under land use and then we just moved them over into the design because they're just basically design principles. They were, they were -- yeah, they were in the 7-1 version, but they were just in the wrong place.

Mr. Ornellas: Alright. Kurt, go ahead.

Mr. Matsumoto: Kurt Matsumoto. I just had a few questions. Under bullet point number 6, the sentence that talks about street networks, I just wonder if you could add some kind of language that says "where possible." Because I don't know that there's too many places in expanding the city now that you can continue the existing grid. I think I understand the spirit of what that's trying to say but that sentence doesn't work. Bullet points number 8 and number 9, I'm kind of confused if this is referring to residential areas, or if this is specific to a commercial area. And then on number 3, is that specific to the commercial core that exists today? Or are you just blanketing the entire city?

Mr. Yamashita: Okay, I'll start with the last question. On number 3, I believe the intent is that it refers to the existing town and --. Does that answer the question that it's Lana'i City?

Mr. Ornellas: So it's the whole town, David, is that what you're saying? The whole town from Koele to Kaumalapau Highway and beyond?

Mr. Yamashita: I don't know that we've set specific boundaries. It's just -- I would say it's what's there now, whether it includes the newly developed residential areas. It's really the historic, the historic structures and the parts of the city that have the, what you would characterize as historic Lana'i town. So in, in thinking about it, John -- I'm just thinking on the top of my head -- it probably does not include the new subdivision areas. Certainly in the new DHHL subdivision. I don't know that we would say that's part of the town's historic character. And it doesn't have historic structures. But it does say that new buildings should be, should compliment and enhance the town's historic character. So, and again, that's a pretty broad term. And, again,

that's the challenge of trying to provide guidance without over regulating something. Okay, to answer Kurt's other questions on number 8 and number 9.

Mr. Ornellas: Go 6 -- street.

Mr. Yamashita: Okay, "where possible," I think we can do that. That -- I think that, that was always the intent. Number 8 and number 9, my sense is that it does refer to mainly the commercial areas. Did you have any --? You think so. I know when we were looking at this, I think I was visualizing the Lana'i City. And also I would say in any, even in new commercial areas, that buildings should be oriented towards the street, and parking ideally, it should be either on street or behind the back, behind the buildings. No, commercial. Yeah.

Mr. Ornellas: Kurt? Go ahead.

Mr. Matsumoto: Kurt Matsumoto. Just, just -- I just have a little, I guess, commentary about number 3. So I, I think I understand the, the reason for the suggestion, but -- so, like, I'll give you a story. Like my dad's house is actually two old plantation houses that were torn down and he made it into one house. So, this language is so sweeping that, you know, that would, that could prevent him from doing that if this was today. So in a lot of cases I think the intent may end up with unintended consequences. Now, you know, to Butch's point, you're not trying to solve, you know, problems that are going on today. You're thinking about the future. But, that's kind of what I'm thinking about is people who own -- we're not the only ones who own plantation era homes, right? A lot -- there's a lot of them that are actually privately owned. And what this is kind of saying to those people is you cannot tear your house down. You cannot -- I shouldn't say, you cannot -- you should not be allowed to do that. You should be doing everything you can to preserve exactly the way it looks, so, you know, don't add to the front, don't expand another bedroom because it's historic. So, it's a, it's a tough one. I think I understand the intent, but it's also a really hard to tell people who've owned their homes for how ever many decades, you're going to pass it on to the next family member and they want to do something to it. What are you going to tell them? That you can't modify the house ever? So --

Mr. Yamashita: What I would suggest is that you may be give us time and we can revise this because I know what you're saying, I know what we intended. I use to live in a national registered historic district in an old house, and we, we had guidelines, but we, we added on to our house. So it is possible to do that with the historic structures. But you just have to craft language that encourages and fosters the renovations of historic structures in a respectful way. And that sounds really broad, but, you know, you can only go so far without, again, being overly restrictive because you don't want to force people into keeping their houses exactly the way they are because that's, that's not the intent of historic preservation. You want to allow people to continue to live and populate these structures. But they need to respect the historical character and fabric. And it's just -- it can be done through the way we write these.

Mr. Matsumoto: Yeah, I'm glad that, you know, you can revisit the language, but, like, take into account something. So, for example, you know, historically the town, all the houses were one color, and then it, it got change. And then the people had their freedom to paint their houses.

So which one is historic? You know, are you going to prevent people from putting siding on their house because the paint was the historic nature of the house? So, it's just questions about how -- historically on Lana'i people have been able to do things with their homes according to the way they want to, not because there's some historic guideline.

Ms. Jorgensen: I feel like I could go both ways because I live in a historic district and I would like to do whatever I want with my house. But, there isn't in Lana'i City a existing historic district. There's historic buildings, but nothing --. So, the difference with where Dave lived that was a historic district and people had a certain benefit. In other words, they received something for, for being part of that. And the housing values went up because of it being, you know, they knew what that area was going to look like over time. And some people like to live in that, and other people don't. They want the freedom to see sort of an evolving town. So it's really, this community has, as its going through this change, and you're seeing those buildings, there's a huge question in front of you of, of what it is that you want to see in future. Are there particular streets or areas that, that somehow you can provide an incentive that those houses keep that quality that make you feel like as you walk down that street you're in Lana'i City, and other areas where the people who want to paint their house, you know, turquoise, they have that choice or whatever. So, it -- yeah, right now there isn't a historic district, but if you -- anything that is over 50 years, and my house is a 1960 so it just became that age of where if I touch anything on it, it's under, you know, under the historic guidelines and it's considered --. You know, when you're in a historic district, if you have a house like that it's considered contributing to the overall historic district and you start to lose those pieces, you don't have that, the fabric gets all worn and you don't -- of the way it looks and pretty soon it doesn't look like what you remember.

Mr. Ornellas: Dave, go ahead, take a shot at rewriting 3.

Mr. Yamashita: We will. But I just want the commission members to think about this and I would love to hear from the commission members because what Kurt is talking about really gets at the central issue in, in how do you maintain what's best about Lana'i and Lana'i City? And through the first series of meetings and the workshop what we heard was we love -- from the people -- we love Lana'i City, we love the way it looks for a lot of good reasons. And so what does that mean? I mean, does it mean you, you maybe ask people not to do certain things or to encourage them to do other things? But it's about trying to do what I think you're after which is to preserve what people love best about Lana'i City, but also how do you then allow people to renovate so they can meet their needs? And it's, it's a really hard question. And so we'll give it, we'll give it another shot, but I just -- that's really -- I just want people to understand that, that is a central issue, and not only in Lana'i City but for historic preservation as well.

Mr. Ornellas: Go ahead Butch.

Mr. Gima: Yeah, it's always going to be tough striking, striking a balance and -- but in the absence of a bullet point like that I think that can be maybe worse consequences. Just for historical context in terms of what you were referring to people wanting to preserve and enhance, I mean, LSG had the, the . . . (inaudible) . . . survey done so there's imperial data

shows that a whole segment of the community does want to preserve the character of, of our community, amongst other things that they want to preserve. So you can use that as a foundation for coming up with, you know, language that cover this, this bullet point.

Mr. Ornellas: Okay, so --. Alright so we'll --

Mr. Yamashita: We'll come back. We'll work on it and come back with, with language that tries to deal with the issues that Kurt brought up, but then also respond to what we heard from the community.

Mr. Ornellas: And Butch, we have -- you have that on the community right? The . . . (inaudible) . . . information right? Butch will send you what we got out of . . . (inaudible) . . . and so that could help you draft something. What you laughing for? Sorry, yeah. Alright, so let's continue on. Are we done with this page, for the Urban Rural Design Principles, Chapter 10?

Mr. Yamashita: I, I -- those were all the comments I think we had.

Mr. Ornellas: Okay. And so we're on page 10-8. Anything on page 10-8?

Mr. Yamashita: John, I just wanted to clarify, going back just for a really quick second, on the principles. I think what we'll do also is maybe clarify when these apply mainly to commercial areas.

Mr. Ornellas: Yeah, commercial and also put in the words, "where possible."

Mr. Yamashita: Right.

Mr. Ornellas: I think we've got it down for 6, 9 and 8. Okay, it's --. Go ahead.

Ms. Jorgensen: We have in here the insert that was for the Infrastructure section on Future Multi-Modal Transportation System. And the reason it was here was that we mentioned it briefly when we discussed Chapter 7 that we said that it also applied to the Urban Design chapter because the character of a town changes quite a bit with the design of the streets, and all these other requirements for multi-modal. What kind of -- is it a shared street for the bike paths or what ever. So you -- so when it comes back with the correction for the principles, you might also when we revisit Chapter 7 on this transportation system keep that in mind in terms of what, what do you want within Lana'i City to meet future needs for transportation.

Mr. Ornellas: Okay. So, that concludes Chapter 10. Is there any maps for Chapter 10? No? Okay. So do we want to -- it's 8:30. So we want to end this?

Mr. Yamashita: Wait, hold on John.

Mr. Ornellas: Go ahead.

Mr. Yamashita: Yeah, we, we may -- we did not do 10-8. It's a whole page, 10-8.

Mr. Ornellas: Yeah, 10-8?

Mr. Yamashita: Yeah, did we already go through that?

Mr. Ornellas: Yeah, I asked, and nobody gave -- said anything. Do you want to say something?

Mr. Yamashita: No. I'm speechless.

Mr. Ornellas: Our members -- I asked the members if they have anything for 10-8 and I didn't hear anything so that's it for 10-8, for Chapter 10. John nodded so he must be right. Go ahead Joelle.

Ms. Aoki: 10-8, is what you said, right?

Mr. Ornellas: Page 10-8.

Ms. Aoki: But we're still going to come back to 10-6, item 7, right? Not tonight, but later.

Mr. Yamashita: Later. Right.

Mr. Ornellas: Yes, later.

Mr. Yamashita: We'll work on beauty and grace.

Mr. Ornellas: Okay, I think that's as far as everybody wants to go so when's our -- our next meeting is --

Ms. Jorgensen: John, do you want to have Chapter 13 introduced so that when you're looking at it -- it's the Implementation table. No? Okay.

Mr. Ornellas: No. Let's just --. Because the next on the list is Chapter 11.

Ms. Jorgensen: No, we're not doing 11 tonight. We did that on May 28th. We were going to do -- is Governance, but that's -- we can wait on that. It's fairly simple.

Mr. Ornellas: Okay. No, let's just --

Ms. Jorgensen: Okay.

E. NEXT MEETING DATE: August 6, 2014 for review of the Lana'i Community Plan

F. ADJOURNMENT

Mr. Ornellas: I want you guys to get up to Hotel Lana'i so you guys can enjoy the festivities up there. Okay, so our next meeting is scheduled for August 6th. Alright, and then any, any comments, members? We're okay? Okay, so we're done. Adjourned.

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 8:35 p.m.

Respectively submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Joelle Aoki
Shelly Barfield
Kelli Gima
John Ornellas, Chair
Bradford Oshiro
Beverly Zigmond

EXCUSED:

Stuart Marlowe
Stacie Koanui Nefalar, Vice-Chair

OTHERS:

Mary Jorgensen, Planner, Long-Range Division
Jennifer Maydan, Planner, Long-Range Division
Mike Napier, GIS Analysis, Long-Range Division
Dave Yamashita, Planner, Long-Range Division