

**LANA‘I PLANNING COMMISSION
REGULAR MEETING
JUNE 20, 2018**

A. CALL TO ORDER

The regular meeting of the Lanai Planning Commission (Commission) was called to order by Ms. Caron Green, Chair, at approximately 5:00 p.m., Wednesday, June 20, 2018, in the Lanai Senior Center, Lanai City, Hawaii.

A quorum of the Commission was present (see Record of Attendance).

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.

Ms. Caron Green: Good evening everybody. Welcome to the Lanai Planning Commission. I see that we have quorum this evening. And before we begin our agenda, I would like to read something into the meeting, into the minutes, and Leilani I have a hard copy for you.

Okay, so over the past week or so I've had the opportunity to meet individually with all of the current Lanai Planning Commission board members. In addition -- excuse me -- in addition to giving us a chance to get to know one another a little better, these meetings also gave me a chance to discuss guidelines for future meetings. I believe all board members are in agreement with the following. Understanding that there were be conditions in which a testifier cannot stay until a particular agenda item comes up. This Commission will allow public testimony at the beginning of the meeting. However, it is preferred that we will allow the following procedure for each agenda item. First of all, we'll have a presentation. The Commissioners will then have an opportunity to ask questions of the presenter. We will then follow that with public testimony on that agenda item. Commissioners will discuss the agenda item, and then make a motion as well a second to the motion. Each Commissioner will then be given an opportunity to address the motion beginning with the maker of the motion. Further comments may be made after everyone has had an opportunity to speak. Commissioners will then vote on the motion.

While participation of both the community and the Commissioners is strongly encouraged, the Chair would like to ask that comments should be pertinent to the issue and as succinct as possible. Please note that public testifiers will not be allowed to testify more than once on an agenda item unless new or additional information is offered. When necessary the Chair will impose a three to five minutes time limit to public testimony in order to allow everyone an opportunity to speak.

I'd like to conclude by say, I would like to emphasize that these procedures are not meant to discourage public testimony. I recognize that meetings can be long, but I also think that a

public testifier can benefit from listening to the presentation and the Commissioners' questions before making a public testimony.

So having said that, is there anybody who would like to do public testimony and cannot stay until the individual agenda items? There being none, I think we will move to Item C, which is public hearing, and the first item on that is . . . (*Chair Caron Green read the project description for Item No. C.1. into the record*). . .

C. PUBLIC HEARING (Action to be taken after each public hearing.)

- 1. MR. WILLIAM SPENCE, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to allow for the temporary extension of any State Special Permit, Conditional Permit, Bed and Breakfast Home Permit, Short-Term Rental Home Permit, or County Special Use Permit while an application for the permit's extension or renewal is being processed, unless the applicant causes substantial delay in processing. (D. Raatz)**

Mr. David Raatz: Hello Chair and Commission Members. I'm David Raatz. I'm here on behalf of Planning Director William Spence. My title is Administrative Planning Officer. I work in the Department of Planning, and I'm here on Mr. Spence's behalf because he has proposed the land use legislation that the Chair just described. And under the County Charter before the Council can consider acting on a land use ordinance it must receive the findings and recommendations of the pertinent planning commission. And because this is a proposed countywide ordinance we're going to all three planning commissions so we're asking for your guidance on this proposed bill.

And just to step back a little and give some context before we get into the details of this proposal, under Maui County's land use system, we have zoning districts. And within each zoning district there is specific standards and permitted uses that are listed. Those permitted uses within a zoning district are considered uses as of right. Meaning that if you're in that zoning district, those listed uses are something that you can partake in without requiring any approval from anybody in the County. You have the right to do those particular uses.

There are also different categories where you need a permit from the County to engage in a particular land use. That can be the short-term rental home permit, for instance. It can be a conditional permit which allows you to do something that otherwise wouldn't be allowed on your property. Or, a special use permit, for instance, that the planning commissions issue. Many of the zoning districts list underneath the permitted uses the things you can do as of right things that are regarded as special uses which again requires a permit from the planning commission.

So these types of permits -- conditional permit, special use permit, short-term rental home permit, the various permits listed in the introduction -- those typically have an expiration date attached for them. They're for a limited duration. And typically if you have one of those permits, you're allowed to extend or renew the permit if you apply to the Planning Department and request that extension or renewal of your permit. What we're trying to do in this proposal is say if you're in a situation like that where you've submitted an application to renew or extend your existing valid permit, and during the pendency of the review of that application you're underlined permit expires, we will as the County allow that permit to continue on and be valid until the application for a renewal or extension is resolved one way or the other. We want to give good faith . . . (inaudible) . . . people who are trying to comply with the law and have met their deadline for applying for a renewal or extension to continue operating. We don't want to have a situation where somebody is trying to extend or renew a permit and the County, whether it be the Planning Director, a Planning Commission, or the County Council depending on the type of permit, has enacted prior to the expiration of the permit. We don't want to be in the business of shutting down those operations cause people are trying to do the right thing in those situations that I've just described. Frankly that's our standard practice in most cases is to regard that underlying permit, it's still valid even though it's technically expired if they've submitted an application for renewal and extension, and it's still pending, again, before the Planning Director, or the County Council, or Planning Commission.

This bill would codify that standard practice. We'd put it in the County Code and it would say that's how the County is going to conduct themselves in these situations. And we feel it's important to have that in the County Code because we're on kind of shaky grounds legally and even policy wise if we don't have something in the Code that says those permits can continue on while the renewal or extension application is pending. We do have a caveat in the proposed legislation that would say if the applicant is causing substantial delay in the process and for whatever reason. Maybe they're not providing information that we need to evaluate the application then that grace period would end. Then, then that underlying permit would be regarded as expired until the application is resolved one way or the other.

So that's the concept, and again we're asking for your findings and recommendations to the County Council. We would request that you recommend approval; that's one of your options. You could also propose amendments and recommend approval with amendments to the Council. Or, if you don't like this concept, you can recommend that the Council deny the Planning Director's request to have this bill enacted as an ordinance. Or, if you need more information from us, you could defer action on this matter and we can get back to you and come back for another meeting. So thank you for that opportunity, Chair, and I'll be happy to answer any questions.

Ms. Green: Thank you, and Commissioners, we have questions? Gerry?

Mr. Gerald Rabaino: Okay, can you explain to me "within 500 feet of the parcel." What do you mean by 500 feet of the parcel? Is it from the center of the parcel compared to your neighbors or corner lots?

Mr. Raatz: Thank you Commissioner. Can I ask for the reference on what you're looking at, please, just to make sure I'm looking at the same thing?

Mr. Rabaino: 19.40.09, Extension, paragraph B --

Mr. Raatz: Thank you.

Mr. Rabaino: -- third, no second sentence.

Mr. Raatz: Okay, thank you so much. I see where you're talking about now, and this is in Section 3 of the bill, and this would be amending the Conditional Permit Chapter, which is one of these permits that I referenced earlier that do have expiration dates. And what we're looking at here is legislation that's in what's called the Ramseyer Format where material that's proposed for deletion is bracketed, and proposed new material is underlined. So, just the way the legislative draft manual is set up if we want to go in to a section of the County Code and make some changes like this, we have to lay out the whole section even subsections that we're not proposing to change. And, and commissioner, the language you just referenced is already in the County Code, and we're not proposing that it be amended in any way, so it's talking about extensions of conditional permits.

And with that background I'll, I'll, I will go ahead and answer your question. So this is subsection B, it says "an applicant for a time extension shall provide by certified mail a notice of application for time extension to the owners and leasees of record located within 500 feet of the parcel on which the conditional permit use is located." And you're asking how we calculate the 500 feet. It would be, to the best of my knowledge, from the edge of the parcel out 500 feet. So we wouldn't start like in the middle, or the back of the parcel water ever. It would be from every edge of the parcel extending out 500 feet.

Ms. Green: Thank you very much. And Commissioners, I'm glad that you went ahead and mentioned it, understand we are not here to talk about the entire ordinance, we're only here to talk about the proposed changes. Okay, the changes that are the underlined items as he just said to be added, and the bracketed items to be deleted. Given that, does anybody else have any comments or questions?

Mr. John Delacruz: This is a new proposal. Back in November of 2017 -- and there's an item in here, today's agenda, that relates to that. How does this relate to that November 2017 change we made? It had to do with Special Management Area permitting.

Mr. Raatz: Thank you Chair and Commissioner, I'm not entirely clear what you're referencing, but this proposal would not apply to special management area permits. And that's a good question, but it would apply to the ones that are specifically listed here, which again are State Special Permit, Conditional Permit, Bed and Breakfast Home Permit, Short-Term Rental Home Permit, and County Special Use Permit. So the SMA Permit would be in a different

realm, and that would be based on each Planning Commission's rules, each set of rules for the particular SMA on each of the three islands. The SMA standards are outside of the scope of the County Code and the Comprehensive Zoning Ordinance.

Mr. Delacruz: So that, that, that action we took in November of 2017 applied to only to Special Management Area because that was an extension action also. So for this...zoning, these zoning districts, the action has to be separate from that.

Mr. Raatz: Yes, thank you very much for clarifying that. It would be a completely different category. And on a somewhat related note, if I may Chair, we're not proposing to change the substance of the standards for determining whether you're entitled to a renewal or extension. Those are set in place right now in the County Code. We're just saying while those standards are being applied your application, and while we're evaluating it, we're not going to shut you down if you applied in time.

Ms. Green: Does anybody else have a question?

Mr. Delacruz: Jumping the gun, but when you measure the 500 feet and it goes to the third item on this Section C, on a pie shaped lot, do you take the part of the parcel that is closest?

Ms. Green: Can we wait till we get to that? Okay, thank you. All right, anybody else have a question? Do we have any public testimony on this item? Does anybody like to speak? Winnie?

Ms. Winifred Basques: Thank you. Winnie Basques. I think I talked about it, prior, months ago, about the 500 feet. I brought up the subject because I have a friend, her house is at the end of the lot, okay, and on the other side is a road. How are you going to define a 500 feet which includes with the road, if we wanted to make a vacation rental or bed and breakfast? That was my question the last time I asked you folks, but I did not have no reply on that. Because she has a house here on the island, born and raised here, she's not here, she's moved to the mainland because she had to go to work. The thing is that when the subject came up about the 500 feet radius that means from her house, goes all the way around and come back, which includes the road. In order to do that, you have to get permission from your neighbors to do that. The issue that comes up about the radius of the lot where she is and she wants to do it, the bed and breakfast or vacation rental. Or, like when you having somebody coming in like for hunters, insurance man, anybody come they want to rent the area. But before you can do that, you need a permit, and that comes from the County. And you know how long the County takes, right, for get a permit. Thank you.

Ms. Green: Can you address her question about how you take, take into consideration the road when you're thinking 500 feet?

Mr. Raatz: Thank you Chair, and I appreciate the inquiry. I haven't study exactly what our standards are because again that's an existing part of the code that we're not proposing to

change. But I, I believe again as I mentioned earlier we go from the entire outline of a parcel whatever shape it may be and go 500 feet out in every direction and regardless what's there that's what we'll take a look at.

Ms. Green: Perhaps you could just ask the County to define that for us at the next meeting? That would be great.

Mr. Raatz: I'll do that.

Ms. Green: Thank you. Are there any other people who would like to do public testimony at this time? There being none, okay, we'll close public testimony. And Commissioners, Gerry, you have another question?

Mr. Rabaino: Yeah, page 2, on the top, item no. 3, okay in the bracket is the one you're deleting, the one underlined is the one you injecting, interjecting to that line? The permit holder shall mitigate any agencies' concern.

Mr. Raatz: Yeah, thank you for raising that. And again we're not intending with this bill to change any of the existing standards for determining whether an application gets approved or denied. This is one area where we did go in to the existing standards just to change the wording, not to change the substance, just to try to make it a little bit clearer and this is in the category of conditional permit. And it says, "The Planning Director may approve the application for time-extension provided the following criteria are met." And it lists four different criteria, and the third one, the way it was -- the way it's worded in the existing code, it seems to put the onus on agencies, and we thought really the intent is to put the onus on the permit holder, the person who is applying for an extension, and give them the responsibility for mitigating agencies' concerns. So now one of the criterion is that the permit holder has mitigated any agencies' concerns if this bill gets approved.

Mr. Rabaino: And then is this standard terms up to five years on Lanai and Maui? How come Molokai is up to one year? Is that standard language for this resolution?

Mr. Raatz: Thank you Commissioner. Now we're into Chapter 19.64 which is B&B Home Permits, and that is existing language that we're not proposing to change that. Thank you.

Ms. Green: Okay, are there any other comments or questions? Roxanne, any comments? Anybody? All right, I do have a couple of questions. One, so if you give an extension and then when it's approved, I would assume but I don't know that the new time period would go as of the date that the old time period ended, not when you make approval. So you would back date it. So if it's two years from the date that it was supposed to be, not the date that you actually approved.

Mr. Raatz: Thank you Chair, that's an excellent question. And, yes, you've described exactly how we would apply it. We're not intending to give anybody extra time beyond what they

would normally get so we would calculate the extension of the renewal from when the originally issued permit was due to expire. Thank you.

Ms. Green: Do you think there's any need to have language to that effect in here?

Mr. Raatz: Possibly. Now that you've mentioned it, we will look at stating that expressly within the bill. Thank you.

Ms. Green: And my other question was -- this is kind of a nebulous term extension, no time limit on it. Should there --? I'm assuming that you will be as expeditious as possible but it is kind of nebulous.

Mr. Raatz: Thank you Chair, that's another good question, and frankly that's been the subject of substantial discussion within the Planning Department, and last week at the Molokai Planning Commission. In this current proposal we intentionally don't have a stated period of how long this grace period would last. That's primarily because it's not within the permit holder's control how long the Council, the Planning Director or a Planning Commission will take to act up or down on their application for a renewal or extension. We thought that out of fairness it should be open ended and an indefinite grace period until the application is resolved.

Molokai didn't get a chance to finish their discussion so they didn't give us an official recommendation, but there were at least a couple of Commissioners there that thought not withstanding our basis for making indefinite in our proposal, there should be a specific limit to the, to the grace period; 90-days, 120-days, something like that. Again, they didn't specify, but that that's worthy of discussion and it may very well come up before the Council as well.

Ms. Green: Just out of curiosity, normally when you have these extensions how long do they last?

Mr. Raatz: As we told the Molokai Planning Commission, it's really impossible to give an answer that would really be meaningful because every situation is different. Some, I think, are very promptly approved, some take many months and it's just depending on the circumstances, sometimes we need to consult with outside agencies and they're not as timely as we'd like in the responses. Sometimes we have to do our own research and there may be staffing or other resource limitations that prevent us from moving very quickly so I wouldn't want to give any type of standard answer just because there really isn't one in all candor.

Ms. Green: Okay, thank you very much. Are there any other questions or comments? Would we like to make a motion? As he pointed out at the beginning here, we have four options, and if you look at that on the back of your, your cover sheet there, it's to recommend approval of the bill as drafted, recommend approval of the bill with amendments, defer if we have more questions, or disapproval of the bill. Is there somebody here who would like to make a motion?

Mr. Rabaino: I would like to make the motion. Recommend approval of this bill with amendments to the Maui County Council as is; item no. 2.

Ms. Green: And what amendment would you make, Ger?

Mr. Rabaino: The brackets that you guys are going to remove, that's fine. And, with the underlined what you call that underlined wording is going to be initiated in the ordinance, correct? That's it.

Mr. Raatz: That's correct.

Ms. Green: So do we want to say anything about the date of the -- you know when the extension would begin? Do we want to have anything added to that?

Mr. Rabaino: Well, as a condition is when they apply for the permit and it's submitted, right, it's from that time that you folks received it, on a certified mail according to the language in here, and then the clock starts running, correct, up to 90-days?

Mr. Raatz: Well, the 90-days and other references don't apply uniformly. For different permits there's different time lines. But, I think the issue we're getting at earlier is let's say there is an extension for let's say one year, one year from what date would be the question. And our intention was it would be one year from when that original permit was due to expire. But that isn't spelled out in the bill as drafted, and it may be worthy of inserting that language to clarify it.

Mr. Rabaino: Maybe you should interject the time period in the language of the ordinance and the bill. Other than that I'm fine with this.

Ms. Green: Okay, so to reiterate you're making a motion to approve the bill with an amendment to state when the extension would begin. Correct?

Mr. Rabaino: Correct, and inserting those conditions.

Ms. Green: No, that's it. Okay, do we have anybody who would like to second the motion please? Sherry seconds the motion. Thank you. Do we have any discussions, Commissioners, any further discussion? Okay, could I have a vote? All in favor of the motion? Okay, it's unanimous.

Mr. Raatz: Thank you very much.

It was moved by Mr. Gerald Rabaino, seconded by Ms. Sherry Menze, then unanimously

VOTED: to recommend approval of the bill with the amendments, as discussed, to the Maui County Council.

(Assenting: R. Catiel, J. Delacruz, C. Green, S. Menze, S. Preza, G. Rabaino, S. Samonte)

(Excused: M. Martin, C. Trevino)

2. **MR. WILLIAM SPENCE, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to prohibit or suspend the processing of an application for land use on a parcel that is the subject of a pending enforcement action by the Planning Department. (D. Raatz)**

Ms. Green: I assume you're here for all three, yes?

Mr. Raatz: Yes I am.

Ms. Green: Okay so we will move on to the second agenda item which is . . . *(Chair Caron Green read the above project description into the record.)* . . . Thank you.

Mr. Raatz: Thank you Chair. And for the record, again, I'm David Raatz of the Planning Department on behalf of the Planning Director. The Planning Director is proposing a land use ordinance and pursuant to the County Charter, we need the Planning Commissions' findings and recommendations on the bill before the Council can take it up.

Whereas the previous bill expressed an intention to reward people who are acting in good faith with the County and trying to comply with land use ordinances, this bill would take maybe the opposite approach. Somebody who is not complying with existing land use laws or permit requirements, and then they come to us and they're trying to get another land use permit, we don't think we should process that new permit until that prior or the existing violation is resolved. So it basically gives an incentive to resolve existing land use violations and we think that's a matter of fairness and consistency. And again it reflects a practice that does at least occasionally occur within the Planning Department today, and we would like to see this policy codified so that we know we're on solid ground in looking at these situations in such a manner.

Ms. Green: Thank you very much. Commissioners, once again, we are only here to address the items that are deleted, those are the bracketed items, and the underlined items which are being added to this document. So having said that, if there are any comments or questions. Yes Roxanne.

Ms. Roxanne Catiel: Page 4, No. 15 on solid waste disposal, isn't that an Environmental Management category because environmental is bracket. Or isn't the Department of Public Works should be bracketed instead of Environmental?

Mr. Raatz: Thank you Commissioners, I appreciate that close reading and at first glance I think you may be right. We will take another look at that. And it's interesting that, if I may Chair, that the structure of this bill most of what you'll see here does not include any new substance. It's just bracketing out outdated or incorrect references to departments as the Commissioner pointed out. But we want to make sure we're doing that accurately so thank you very much for pointing that out. We'll certainly look at that.

Ms. Green: Thank you Roxanne. Anybody else have any comments or questions? John?

Mr. Delacruz: When you, when you talk about if a parcel is the subject of a pending enforcement action by the department, that's the County Department of Planning, right?

Mr. Raatz: That's correct.

Mr. Delacruz: And that's only if it's been deemed by the department that the enforcement action is necessary.

Mr. Raatz: That's correct.

Mr. Delacruz: So it's not a situation where if someone else, a competitor or a neighbor, didn't like it, they file a complaint, that would not stop the application itself. Only if the department deems enforcement action is necessary.

Mr. Raatz: That's correct. Thank you for that question and I would call the Commission's attention please to page 2 of the bill under subsection C, the underlined new sentence at the end of C1 is really the only new substance that we're proposing to put in the County Code, and I'll just, if I may Chair, briefly read that into the record. "An application shall be deemed incomplete if it is for or relates to land use on a parcel where there is an unresolved enforcement action for a violation of the comprehensive zoning ordinance pursuant to Chapter 19.530," period, and that's the whole sentence.

Chapter 19.530 is our basic enforcement authority for the comprehensive zoning ordinance. And we say enforcement action so that raises it beyond a mere complaint and the Department has, for instance, issued a notice of violation. We would regard that as an unresolved enforcement action and that would make that parcel ineligible for a new permit from the Department of Planning.

Mr. Delacruz: Thank you.

Mr. Raatz: Thank you.

Ms. Green: Thank you. Anybody else have a question? Okay, I have a couple of comments.

On page 3, No. 10, you talk about here including increases in property value. What about decreases in property value?

Mr. Raatz: Thank you Chair, and again this is part of the Code where we weren't intended to change the substance because this is the existing list of standards for...for evaluating different elements of the comprehensive zoning ordinance. But, again, that is a fair point and we'll take a look at it. Maybe changes in property value would be more efficient way of dealing with it because you can look at increases and decreases.

Ms. Green: Okay, thank you. My other comments I will make afterwards since they're in the text and not having to do with changes in the, changes.

Mr. Raatz: Thank you.

Ms. Green: If there are no more questions from the Council Members, I open this up to public testimony. Does anybody in the audience wants to testify on this particular item? There being none. Okay, Commissioners do we have any further discussion or would somebody like to make a motion?

Ms. Sherry Menze: I make a motion to accept this.

Ms. Green: Approve the bill as drafted?

Ms. Menze: To approve the bill as drafted.

Ms. Shelly Preza: Sorry, I just have a question. Perhaps we should consider approval with amendments to address what Roxanne brought up about the sewage, the solid waste disposal. That's the only change. So I make a motion to approve the bill with that amendment.

Mr. Rabaino: Second.

Ms. Green: Thank you. Shelly has made a motion, and Gerry has second it. Is there any further discussion? All in favor? Opposed? It's unanimous. Thank you.

It was moved by Ms. Shelly Preza, seconded by Mr. Gerald Rabaino, then unanimously

VOTED: to recommend approval of the bill with the amendments, as discussed, to the Maui County Council.

(Assenting: R. Catiel, J. Delacruz, C. Green, S. Menze, S. Preza, G. Rabaino, S. Samonte)

(Excused: M. Martin, C. Trevino)

3. MR. WILLIAM SPENCE, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to redefine "lot width." (D. Raatz)

Ms. Green: We are now on agenda item no. 3 . . . (*Chair Caron Green the above project description into the record.*) . . .

Mr. Raatz: Thank you Chair. Again, David Raatz of the Planning Department on the Planning Director's behalf with a proposed land use ordinance for which we're seeking your findings and recommendations to the County Council. This bill would establish a new definition of lot width in the comprehensive zoning ordinance. In most zoning districts, minimum lot width is a standard that needs to be applied. We've been told by our staff planners and by people in the community that although our existing definition at first blush seems to make sense and actually would be easy and fair to apply if every parcel was rectangularly shaped. We have a lot of odd shaped parcels in Maui County and it's a really vexing problem to try to figure out what the midpoint is, what opposite lot lines mean. Again, if you have various different size so we have a lot of difficulty in applying this existing definition. So we've done some research and the proposed new definition is much shorter, simpler, and very common in other jurisdiction. So we look at this, it's almost the housekeeping, good government type of proposal but it would have major impact in making it easier to apply the standards of the comprehensive zoning ordinance.

So the proposed new definition simply states lot width means the diameter of the largest circle that can be inscribed within the lot lines. So regardless of what weird shape you might have for any particular parcel you draw a circle, a perfect circle, as large as you can with anywhere within the confines of that parcel, and the diameter of that circle is now your lot width. And then you can, when you're proposing a new project for instance, you can take a look and see does this shape, does this design of the project meet the zoning district standards for minimum lot width and you can move on from there. And again it would be very simple and it would take out discretion and judgment that we currently have to deal with every day with this existing definition which is not working for the government or the residents of Maui County. Thank you.

Ms. Green: Thank you very much. Anybody have any questions? Yeah? It's just the biggest circle that they can make in the lot, Ger. Okay, if there are no questions from the Commissioners, I'll open this up to public testimony. Is there anybody in the audience who would like to comment on this agenda item? There being none, I will come back to Commissioners and ask them if they have any further comments, or if somebody would like to make a motion.

Mr. Rabaino: I need a little clarity here because I'm trying to visualize. If it's a square lot, and if you draw a circle around it, what happens to all that little curves? Is that considered inscribed within the lot line?

Mr. Raatz: Yeah, so I think in your example, let's say you have a perfect square and then you draw a circle, then the diameter of that circle would be -- it would come out the same way with the existing definition basically. It would be the midpoint straight through the, the parcel. Yeah, so for those neatly, you know, shaped parcels we don't have a problem. But, those really don't exist.

Mr. Rabaino: What if you get a cucumber shaped?

Mr. Raatz: Then you're going to need to --

Mr. Rabaino: The house, the lot is next to a valley or a gulch or a ravine, how do you justify the lot width?

Mr. Raatz: Under the existing code that's a question that comes up very frequently and we're not confident in the right answer in all candor. We're just not, so with this new definition, again, we're going to be taking out judgment, discretion. Just wherever you can fit that largest circle, that diameter equals your lot width and you just move on from there.

Ms. Green: Okay, any other questions or comments?

Mr. Delacruz: Where is this definition applied? I mean, to me it doesn't matter because I try to buy a square lot. But for those that have a pie shaped lot how does this affect them? Taxes or anything?

Mr. Raatz: Thank you for the question. I don't think it affects taxes or anything beyond land use. But again if you go through Title 19 of the County Code most of the zoning districts will list various standards of how you can use your property and develop your property, and minimum lot width is one of those elements. And if you come up short, you don't have the minimum lot width then in certain cases you wouldn't be able to use your property as you otherwise could base on the zoning district.

Mr. Delacruz: Thank you.

Mr. Raatz: Thank you.

Ms. Green: All right, any more questions? Okay, would somebody like to make a motion?

Ms. Shirley Samonte: I recommend approval of the bill as drafted to the Maui County Council.

Ms. Green: Do I have second?

Mr. Rabaino: Second.

Ms. Green: Okay. Thank you very much. Shirley has made the motion, and Gerry has

seconded it. Commissioners, any further discussion? Can we have a vote? All in favor? It's unanimous.

It was moved by Ms. Shirley Samonte, seconded by Mr. Gerald Rabaino, then unanimously

VOTED: to recommend approval of the bill as drafted to the Maui County Council.
(Assenting: R. Catiel, J. Delacruz, C. Green, S. Menze, S. Preza, G. Rabaino, S. Samonte)
(Excused: M. Martin, C. Trevino)

Mr. Raatz: Thank you so much.

D. Orientation Workshop No. 1 on the Roles of the Long Range Planning and Plan Implementation Divisions (P. Eaton)

Ms. Green: Okay, at this time we are moving on to the Orientation Workshop No. 1 of the Rules of the Long Range Planning and the Plan Implementation Divisions. Quite okay, yes, thank you.

Ms. Pam Eaton: Good evening. How are you guys? Great. So my name is Pam Eaton, and I'm the division chief for the Long Range Planning Division, and aside from Caron I don't think I've had the pleasure of working with you folks so it's nice to see new faces. I came --. I've been with the County for almost eight years. I spent my first three years with the Department of Water Supply as the division chief for the water resources and planning, and then moved over to Planning, and I've been with Planning for almost 3 ½ years. People ask me and I got criticized a couple of times because ended up blowing through one of these orientation and didn't introduce myself so sorry.

For those who are interested because I've been asked my background is Political Science. I have a master in Oceanography and Urban Planning in both, and I've worked with NOAA, FEMA, the State of Rhode Island, EPA and Army Corp for about 28 years before moving to Maui.

So tonight what I want to talk to you all about is basically what the Long Range Division does, and in terms of your community plan which was adopted in 2016, how you are to be using it and how it relates to the type of work you guys do. So I will give you sort of an overview of our division staffing and our responsibilities, the Long Range Planning frame work which many of these documents you guys use and are important to your work, the Countywide Policy Plan, the General Plan, and then of course the Community Plans. Thanks Leilani.

So, you can go to the next slide; it's with the staff. Okay, awesome. So a lot of folks ask and really don't understand what the Long Range Division, we're the only division that does these

community plans, and the general plan, and the countywide policy plan. And we're also the only planning department and division in the entire state that does this all in house. We do not use consultants, this all comes out of our little office and I like to put names with faces. However, two of those faces are no longer with us, but that's okay. One of them is Joy Paredes. I don't know if any of worked with Joy, but she's now with the Fire Department. And then Garrett who I think did come over here for a hearing with Annalise perhaps, but Garrett moved back to the mainland to be with his family. But the good news is Jen Mayden, who Caron you may remember, she worked with the Lanai Community Plan, she was promoted to the supervising planner. Richele has been promoted to division secretary, and fingers crossed, we may have a new full-time planner which is not official yet. So what that means is basically I have three full-time planners, and one half time planner. I think you guys -- some of you may know Doug Miller, and then me, and that's basically the capacity of your Long Range Planning Division. But we're an awesome freaking staff so it's all good.

So some of our responsibilities -- and there's probably a more current picture of the staff at the top minus Garrett -- but basically our responsibilities were to update the General Plan, all kinds of projects related to that, special studies, technical resource studies. A lot of people don't understand that those are part of the plans. Social-economic analysis, long range planning, you know, looking at land use and tax implications and so forth.

We also work with the stakeholders and decision makers and a lot of the state agencies when we put these studies together and put these plans together. We do a lot of coordination. That's something that's very, very important to me is to break down, rather than I guess they break the silos, build bridges so that we're talking to one another, not just within the Planning Department, but within other county agencies as well as state agencies too. I think that's absolutely critically important.

In the Long Range Division I have two, basically two disciplines and that is all cultural resource planning is done in the Long Range Division. Many of you have probably met Annalise. She's come over here and presented before. She's in my Long Range Division. And then Geospatial Mapping, GIS, all mapping and analysis is in the Long Range Division as well. Okay Leilani.

So the current projects, and I guess I can delete Lanai Community Plan because that's a done deal. But right now we've been dealing with the Molokai Community Plan. Sorry. That was submitted to the County Council by our department in 2016. The Maui County Council still has the Molokai Community Plan. I don't know what to say. We're hoping, though, that it will be approved, reach final approval September 30th. The Resolution was passed last week by the County Council for their third extension, and we're hoping that will be done on September 30th. We have started with the community engagement process and a lot of the research and just starting to draft the West Maui Community Plan now.

The other things we are involved in and it doesn't really touch on Lanai as much but I know I've spent a huge amount of time and used staff as well to do transportation planning. I don't

know if anybody has heard about the Maui MPO, the Metropolitan Planning Organization. Essentially it's this diverse group of representatives from Planning, Department of Public Works Transit to deal with statewide, Federal and some of the County road projects and taking the funding. You know 25 to 100 million for every one to four years, and kind of program that money. So, we've been very, very involved in that.

Okay, next slide. So with regard to just sort of a background because I've heard a lot of your questions tonight and so forth which is great. With regard to the community plan, the Maui County Code ordinance 2.80B is our so-called Bible, so basically that was created in 2000. Or I should say amended in 2004, and so if you have questions about the process or the content or sort forth -- you shouldn't because your plan is fairly new. Most plans are anywhere from 10 to 15 years old -- but basically it is all contained in 2.80B, and that dictates the process, it dictates how CPAC is appointed, the timeline. It's supposed to be six months for CPAC, six months for Planning Commission, and then a year for County Council. But it also adds some other elements that I think are very important which can relate to you, and that is those elements that have been put in deal with implementation with regard to the progress that's being made with things that you've asked for in your implementation actions of your community plan and what is happening and monitoring which again is very, very important for you guys. There's a lot of implementing actions in the Lanai Community Plan, and so the Implementation Division which I get to do next for Kathleen gets into some of that. So in that aspect and the financial element, and in the financial element it takes the implementation action are supposed to be programmed into the annual county budget. So that's kind of like where the rubber hits the road, so that's something you may want to look into with regard to some implementation actions particularly if there's still critical issues here on Lanai. Okay.

Ms. Green: Can I interject something here?

Ms. Eaton: Yeah.

Ms. Green: And Stanley you could probably agree this too. When we were doing the Community Plan on of our big things was okay so we put this in there, is it going to happen?

Ms. Eaton: Money. So I don't know what thing in particular, but that's a fair question. That's some of the biggest frustrations as we were return to communities and certain implementing actions still have not been done. So one thing I think is really important and that is making sure you go to budget hearings and making that voice heard. But I'll be very honest and I'll be very frank, a lot of these community plans, it's a wish list. It's a Christmas list. It's not real. It's not practical. It's really not. I mean, if you really look at the budget of the County and what the County has how are you going to spread this money apart. So I was hired, basically my first day in the Planning Department was when you had your final planning commission meeting. But on Molokai we tried very hard, and it's going to be even more, I think now the Council's finally understanding, you know, the community plan is not about putting 5,000 implementing action in that cost \$500 million. That's crazy. You've got to really prioritize your top 10 actions to make sure it's done, and then, but then update them more frequently. So I

think there needs to be, and there's going to be a big reality check, but that's a very, very fair question in terms of, yeah, when are they going to get done? Okay, so staff, money, taxes, you know, how do you -- that's the things you've got to look at.

Ms. Green: I'm sorry I'm interjecting in here, but you know, when we were going through the process, I don't think there was a way to prioritize. You know, we got on to the end there and you go through and you say all these things you want and who's going to do it, etcetera, but there was no prioritization.

Ms. Eaton: I'm pretty sure there is Caron because -- Yeah, there is and it's 1's, 2's, and 3's, and that's in the final chapter in the community plan. I'm fairly certain because that's, that is part of it. You guys did prioritize. But you know, I'll be honest with you, we sort of took about a nine month timeout per the Mayor's directive to relook at how can we do this better? And we looked at about, gosh, I want to say probably anywhere up to about 100 to 200 different communities around the country who's doing, you know, the new evolution of community planning. We looked to the APA; we worked with them. The Rockefeller Institute. You know, we looked at a 100 sustainable cities, I mean, some really like top cutting edge, they don't prioritize anymore. They don't prioritize. And it's not that it's not important, but they drive it by community engagement, community involvement and money availability. And they tie it more closely particularly if you're dealing with infrastructure and CIP, it's the more realistic needs that are driven by the community. I think prioritization is important as long as you have a really balanced, diverse group of the community available, not have it driven by five people in a community but really a very well balanced community. So I think that's important. But a lot of times like even this says we're supposed to put in how it costs. That's meaningless. I mean, it really kind of is because replacing water infrastructure, sewer infrastructure, road infrastructure now, what's that going to cost in 10 years?

I mean, that's, that's a very difficult thing to do so you probably heard about we had the Title 19 audit, you know, to re-write our zoning code. And that was the actual report that came out, that was one of the criticism was to take out the funding aspects because it becomes meaningless after a while and they're just throwing numbers in. But, no, the bottom line is I think you need to a little bit more realistic with implementing actions and funding and so forth. Fair question. Okay.

So this is the essentially the framework that you guys work in terms of the planning framework for Maui County. And it shows the overall -- this is what we refer to as the General Plan. So what you're looking at is the Countywide Policy Plan. I'll talk about this a little bit. And then you essentially have each -- I know we call it a community plan, but basically an Island Plan, right? Lanai, Molokai, Kahoolawe, Maui Island Plan, and then of course, each one of the planning districts on Maui Island. Okay?

So with that usually right about now I get asked the question how was the order decided in terms of when the community plans get updated. And it's really hard to read thing is an actual document, but it's Resolution 13-13, and then the County Council basically decided the order

of which community would be -- which community plans would be updated when. Lanai, you guys of course are done. Molokai, we're hopefully soon over with. West Maui, we're working on now. South Maui is next, and then Central, Wailuku-Kahului, then Makawao upcountry area, then Paia-Haiku, and then Hana, and then finally Kahoolawe.

Ms. Preza: Sorry, this is just a quick question, but and it's not really pertinent to Lanai, but how is the Kahoolawe Community Plan going to be done?

Ms. Eaton: That was part of the --. We're not there yet. It's at the end, and obviously things are much, much important. I have a feeling that's going to change before we get there. That's definitely a fair question.

Ms. Preza: Okay, yeah, I would love --. I mean, yeah, if we can get an update on that that would be really interesting. Because I think it is important, but you know, how do you do that one?

Ms. Green: It seems to me too if each one of them takes as long as ours did and Molokai, it's going to take the full 10 years to get through the list, and we'll start all over again.

Ms. Eaton: That's on a good day. No, that's why we're trying to streamline and improve this process hoping to make vast improvements as compared to the experiences in Lanai and Molokai, and I'll get to that in the end of my presentation how we're hoping to short cut that. Okay, yeah?

Mr. Rabaino: For the Island of Lanai Community Plan, why you don't have the -- because you have, what is that Kihei, Makawao, Paia and all that -- how you don't have Lanai City, Manele, Miki Basin, Airport, and Kaunalapau? Those are the areas that should be at least looked at for, especially Miki Basin, and where the hotel is. I think that's going to be the two vital area of the island, as well as Kaunalapau Harbor as we move forward.

Ms. Eaton: If you've seen the community plan for Lanai? Have you seen it yet? Well, when you look at Lanai's Community Plan, and you look through it, it covers all that areas.

Mr. Rabaino: . . . (Inaudible. Did not speak into the microphone.) . . .

Ms. Eaton: Well, the picture is referring to it as a community plan. Okay. Like for example Molokai, it's a picture. It's a square. But in the Molokai Community Plan, we talk about Kaunakakai, we talk about Lanai, you know, those areas.

I'm going to get you a copy. Okay, Countywide Policy Plan. So the Countywide Policy Plan is community driven. It's very, very important. It was a huge -- it happened before I got here, like, 2009, 2010. There was a huge effort to reach out to the community and essentially what we mean by Countywide Policy Plan is it's the broad overreaching policies. It's getting to the community's visions and values, and that's really important. You know, not the goals, the

objectives. It's what is it the community wants? What are you addressing now that you have that is not currently being addressed in your existing community plan? Where do you want to be in 10 and 20 years? It's sort of that visionary aspect of planning, and super important. It really gets into the core principles and core values of the community. So, you know, if for some reason you guys don't have a copy of these documents, please, please let me know, and I'll make sure they get out there. But to me it's really important when you're looking at these things because there was a lot of involvement by the community in terms of what is important to the community. Okay, next slide.

Okay we can actually -- yeah, I just basically described this Leilani already. You can go to the next one, and that is what is the General Plan. So the next document that's really important, and again you guys should have copies of is the Maui Island Plan. So granted it's Maui Island, probably not as important as the Countywide Policy Plan as directly pertinent to Lanai. But essentially the Maui Island Plan was, I think, they started around 2000, again 2008, 2009. It was finally approved in 2012. Actually they started it earlier than that. But the Maui Island Plan is basically addressing directed growth. Where does Maui want to grow? Where do they not want to grow in the future? It's island wide. It was the first ever really island wide effort looking at regional and interregional issues in development areas. A question that's frequently asked is when you look at the Maui Island Plan towards the back there's maps, for like you said, all of the different communities within Maui, okay within West Maui, within South Maui, and there are boundaries that are drawn. Urban growth boundaries, rural growth boundaries and so forth. The Maui Island Plan, and it was obviously a lot debate and hard work, they went through deciding where those boundaries occurred and but that was it. The community plan decides what happens within those boundaries. So that's where we get into community plans land use that I know you guys look at. So the community decides what community plan land use designations do we want within those boundaries. Now understand, community plan land use is not zoning. It's community plan land use which is visionary, which is aspirational, but it is not comprehensive zoning. I cannot underscore that enough. Okay Leilani next slide.

Ms. Green: Could you, for the Council, tell them about the different designations of land use because it's not zoning, but you've got agriculture, you've got --. Isn't this what you're referring to?

Ms. Eaton: Yes, and they're all in your community plan with those explanation, Caron. So, yeah, all those designations -- Caron's right. So within a particular community plan land use designation by the zoning then allows certain zoning uses within that area. With whether it's ag, whether it's rural, you know, multi-town, you know, I'm sorry, business country district. Exactly.

Ms. Green: Urban, Rural, Conservation, Ag.

Ms. Eaton: Well those are State. Yes, no, but you're right. Those are also community plan. I think what's important to remember because when you have the community plan map in

front of you and the community plan is that it's not zoning. It's an aspirational document. It is not zoning, and not a regulatory document. But there's two exceptions, and I hate to confuse but you guys deal with this when it comes to an SMA, right? An SMA change and so forth, in that case you should be looking at the community. The other exception is when it comes to subdivisions, okay. But other than that the community plan is a community driven document that is an aspirational document.

Okay so getting back to this, a lot of folks ask because they're familiar, right, with the plan they've had, you know, since 1992 or 1996 or whatever, like why does this have to change. So aside from the fact that State law mandates that, as well as Maui County Code 2.80B, specifically there's two State law pieces that every community through their planning efforts must address. And one is climate change adaptation, and I believe that is Act 34. And in that Act it says that we are supposed to be addressing the impacts of climate change whether it's sea level rise, coastal erosion, you know, drought, flooding, so forth in our community planning effort because you want to see what impact that has on land use and future growth and development and sustainability. And sustainability also refers to energy, right, saving gas, fuel, those types of things, renewables and so forth, so those -- that mandates that. But I think as important is that community plans are not meant to be static, but they are basically supposed to evolve overtime, addressing new issues that might not be currently addressed in the existing plan. And I think probably the most important thing is community planning, the effort should allow a voice for future generations, younger generations. And that's one of the things that's really important to me is to try to reach the younger generations. I mean, really when you think about it, a plan is 10 and 20 years, they have the greatest at stake.

Okay, so the key update requirements, the type of things we look at so when you look at your community plan this is what will be in there. Most important is to prioritize the list of actions which can be projects, programs or regulations. For example, Molokai has mostly interim zoning which can create a lot of problems, so I think their number one action, prioritized action, under land use is to actually look into comprehensive zoning. So, things like that as well as fixing infrastructure. Let's say they want more steps, so it's a whole mixture of those different types of things, trying to implement and address the issue that's being -- that the community is concerned about.

The other things that are in the new update or in 2.80B are milestones, and I will get into this with Kathleen, the Planning Implementation Division, because they oversee implementation and milestones, and that was what I was telling you guys before about looking at implementing actions and where are we and how much progress is being made. And then annually, every single year, Kathleen's division puts together a status report on the progress made towards implementing actions. And I can talk about that a little bit in her presentation but the most recent one that was completed, I believe, it was a few months ago, all of this is on the County's website.

Okay, additional elements, I talked about sustainability and climate change adaptation is really important. That's been addressed. Looking at hazards, the impact of flooding, wildfires

and so forth in community plans particularly when you're looking at critical infrastructure and assets, and the impact that has on the roads. Water and sewer systems. Housing of course everybody knows. I don't need to get into that about the critical need of affordable housing. Every single community on Maui is looking at that one. Okay, next.

Okay, so what the community is not and there's been a lot of misunderstanding about this. The community plan is not a zoning, subdivision, or building code. It does not cover all state and federal laws, and while state and federal agencies look to it for policy guidance, it does not have jurisdiction over these agencies. And I think that's probably one of the most important things to know about a community plan and I think that's where there's been disconnect and misunderstanding is basically the role of a community plan, what it is and what it isn't. Okay?

This we can kind of flipped through because you guys have gone through the process already. There's probably other stuff more important that pertains to you.

So this is the new look of community planning in Maui; looking at Maui island. After we sort of did our nine month timeout and trying to look at how we can do a better job and streamline the community plan process, we also met with many, many, many communities, really looked at really the most critical need is better, better community engagement and branding and recognition and that sort of thing. So this is called We Are Maui, and we have a website. If you want to take a look at it, it's [www, dot, we are Maui, dot, org](http://www.wearemaui.org). And essentially that map that I had, that was up there, each color is the different planning district on Maui. And so what we did was we colorized each planning district and that gets into the order. So like now we're in West Maui so we have a We Are Maui which is the West Maui effort, and I've got a couple of shots of that. Everybody -- a lot of people ask, but we basically represent the diverse representation of basically all of our communities that call Maui home, whether it's for work, playground of just basically our kuleana because it should be a very exclusive -- I'm sorry, inclusive effort, not exclusive. Okay?

So this is a couple of snapshots of our website, and basically what I wanted to show here is that just -- and maybe some comparison to what you guys dealt with, we're trying to -- I mean, obviously when you have a CPAC and a group like you guys, when you're going over the actual draft of the plan, you know, people probably the best and most reasonable time to meet is in the evenings and so forth. We've gone through nine months of very intensive community engagement and we've done everything from evening workshops, Saturday open houses, but we are also doing just as much on our website. And I've got some website analytics that I'm pretty happy about. But it basically goes into everything that we're doing to plenty of --. We give a lot of basically letting people know what we're going to be talking about. We have workshops on coastal resilience. We had another one on infrastructure where we invited all of the directors of all the departments and infrastructure within the county to talk about West Maui's infrastructure. We had one on housing. We've had -- we've had them on, I think, on nine different topics. And then every time we do it, we have the presentation and then a summary of all the Q&A's and the answers on, on the website. We also had surveys, and we

also have idea walls, so we're really trying to do a much more, broader, you know, effort to reach the community in terms of all these different issues that they're faced with.

Ms. Green: Pam?

Ms. Eaton: Yeah?

Ms. Green: Do you have any idea -- do you record the number of hits you get or no?

Ms. Eaton: I'm about to do that Caron. You just read my mind. So right there, the website analytics, and I need my glasses. I'm so glad you asked that question. So we have analytics available to us, you know, every day if we want, but I try to collect them every month. And so since the end of August, really September 1st until the beginning of June, we've had, we have over almost over 2,800 users. And I'm updating these numbers. These are the numbers I got as of yesterday. So we have 3,000 regular users. We have a new 2,800 users. We have had almost 60,000 hits. We have 5,500 sessions. And basically the number of session per user is 1.5. So in the last month it's been a little slow because we've sort of been like writing and researching papers and putting stuff out, and I know it's going to pick up again in the next month when we release all the technical resource papers. And then we're hoping to empanel CPAC by October, and then of course, that will have a whole new, a whole new wave. Okay? Awesome.

So this, and again, this I could have skipped through, but basically the CPAC -- you guys have been through this, especially you Caron -- but basically the CPAC role was bringing --. I think probably the most important thing when people ask about what's the role of the CPAC member is to read the material. Like read it. You know, become familiar because it's a huge amount of material and you're making a huge commitment. But I think it's also to really come in with an open mind and be open minded and listen. There was a huge amount of public testimony throughout Molokai, and I'm sure there will be in West Maui, and you get a lot from public testimony. I think one of the biggest challenges now in doing these community plans, and it's not just Maui, it's around the country. I mean, I've been at this for 33 years, and back in the day people came whether it was a harbor management plan, a public access plan, or a growth management plan, everybody still had the same kind of views, everybody was still passionate back then as they are now, this is no new thing, but people were willing to listen and people were willing to compromise. And right now it's like my way or no way. That is pretty difficult to put together a plan when our job is simply to be facilitators and to be true to the process. We don't have an agenda, we don't have an itinerary other than to make sure it's open, it's accessible, it's transparent. So for me, I think what is very important for 13 CPAC members is they need to be open minded and leave the agenda at home. And this is not just Maui, it's around the country and I'm sure it's a national rederick, right. Unfortunately the cultural . . . (inaudible) . . . right now, but I think that's been the biggest challenges to planners is dealing with the community, and I mean the people on this side and that side and all the sides who just are unwilling to compromise. And so how do you come up with something that's a meaningful document when you're unwilling to compromise? So I think that's the

most important role.

Okay, Planning Commission...this picture cracks me up. This is taken right out of the Charter. I'm sorry, the Maui County Code. But basically it's to get a copy of the community plan first of all, and I think it's important to be familiar with it. And you can, when you look at it, it's pretty easy to flip through. You don't have to read it cover to cover, but you can use it as a reference document so that when you get your agendas and you know what projects are out there, take a look at. Because the way it's organized is it's organized by transportation, by facilities, by land use and housing. You can flip to that section and take a look to see, you know, where the community was at with this. So I think it's important to be familiar with your community plan, and how the community feels about that. Okay, next slide.

So I was going to ask you guys, what do you think your role is if anybody had any answers with regard to utilizing the community plan or your role here as a planning commissioner. Unfortunately I don't have candy to bribe you with anyway.

Mr. Delacruz: . . . (Inaudible. Did not speak into a microphone.) . . .

(Mr. John Delacruz was excused from the meeting at approximately 6:15 p.m.)

Ms. Eaton: Okay, thanks.

Ms. Green: Thank you John.

Ms. Eaton: All right, so if you have any questions, comments or whatever, that was it by the way. Mahalo.

Ms. Green: Okay, thank you.

Ms. Eaton: Anybody have any overall questions with regard to the community plan or the Long Range Division?

Ms. Green: No, but thank you for coming in and walking us through this, and for taking our questions.

Ms. Eaton: You're stuck with me because Kathleen Aoki is not here, so she asked me to give her presentation on PID. Is that next? Right, that's next? Okay.

Ms. Green: Yes?

Ms. Linda Mau: . . . (Inaudible. Did not speak into a microphone.) . . . just have you? Shall I start again, Caron? So, so she talked about that our community plan should be the voice of future generations, and I see how Kahului especially on Maui is implementing ideas of multi land use and also walkable communities. Has Lanai had access to those same kind of

resources or ideas or --? It would be nice to implement some of it.

Ms. Eaton: So that's an awesome, awesome question. So, how many folks here have heard of Blue Zones?

Ms. Mau: I did.

Ms. Eaton: I knew you did. So, you know, I'm just saying cause you guys have this healthy community, physical activity thing, right? I, I think Blue Zones right now is in Wailuku. It's centered in Wailuku and Kahului. But there's also an organization that works with -- now Blue Zones is in and out two years, boom, they're gone. But, there's an organization that's working with Blue Zones, Healthy Eating Active Living, HEAL.

Ms. Mau: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Eaton: Exactly, it used to be IMPACT. I don't know that answer but there's certainly resources on Maui that should also be available. Because I know Molokai is looking into this. Molokai's doing stuff. They're doing some complete street projects. They're looking at putting bikes on Molokai. So I don't know, but I know that there's like one of the people on my staff, Jen, is very involved with HEAL and Blue Zones, and we're trying to write a complete streets ordinance in Maui and trying to get it passed this year.

Ms. Mau: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Eaton: Okay so resources, okay, I tell you who have those resources. It's Department of Health. I can, I can hook you up. Do you work for Department of Health? Do you know Heidi Hanson?

Ms. Mau: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Eaton: Lauren Lore, she's with HEAL. And then Heidi Hanson holds the purse with the money so let me get you --. I have her number right on my phone. No, this is fantastic. Heidi, absolutely. We're signing an MOU with them this year, and so is all of Maui. Absolutely.

Ms. Mau: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Eaton: Absolutely. Yes.

Ms. Mau: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Eaton: Yes.

Ms. Mau: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Green: You need to come and put this on the mic.

Ms. Eaton: I'm sorry. While you're walking up here, I think it would be great to put State Resources also into this because I know Mr. Ellison has been doing a huge amount. And so I'm going to hook you up with Heidi.

Ms. Mau: Yeah, I'm really excited that, you know, I'm able to ask about this because, you know, there's a whole wellness kind trend going on. And what we're doing here on Lanai, we need to all set the same table and talk about how we can bring us all together because it's for the good of the people, it's for the good of our community. And there's resources out there that we need to really access but we haven't.

Ms. Eaton: So Department of Health, I think is going to be key. So I've got Heidi's number and there's also it's the Physical Health Institute, PHI, so it's like a subsection of DOH.

Ms. Mau: And Lauren is on the board of that.

Ms. Eaton: Great. Great. So I'll give you, I'll give you Heidi's number and her email. It's Heidi and then also Danielle Shaffer. It's both of them is who we work with.

Ms. Mau: Carol . . . (inaudible) . . .

Ms. Eaton: Okay, my names I know; we write the money checks, so I'll get you hooked up.

Okay, there's no power point. We're going to do this old school. All right, I'll try to explain. So how many folks have heard of the Plan Implementation Division, PID? Okay, no sweat, it's a brand new division. It's fairly new. It's about two or three years old. So PID was created after the Maui Island Plan was adopted, and the objective or the real reason behind PID was to, much to Caron's question, deal with implementing things especially sections within the Maui Island Plan. So that's why PID was created. A very, very small division. I think you've met Kathleen Aoki. I know she's been over here a couple of times. She's the Administrative Planning Officer. She's got one staff person, Carolyn Cortez, and then a half -- well, she's got Peter Graves who does GIS for her. So a very small division, but lots of big responsibilities.

So I'm page 2. So in 2014 -- I hate reading you guys. I'm going to try to be spontaneous but some of this stuff I want to make sure I leave out. So like I said 2014 the Plan Implementation Division was created to really have a dedicated, meaning this is all they do, a dedicated focus to implement the General Plan. The General Plan means not only the Maui Island Plan and the Countywide Policy Plan, but for example the Lanai Community Plan. They're responsible for also monitoring and implementation. So if you guys had questions about what's going on with, you know, various implementing actions with the Lanai Community Plan, you can contact Kathleen to ask her what's the status is particularly if there's something that's becoming a critical issue over here and you feel that it should be addressed so that I would definitely

suggest.

They undertake the projects and programs, and assist the Mayor's Office every year with the County budget in terms of the Capital Improvement Program. So they really take a hard look at what's being done, what needs to be done, making suggestions in terms of what should be funded and so forth. So I think, for example, with the CIP program, if there's certain things you feel are very, very important here in Lanai, I would definitely get in touch with Kathleen Aoki. I'm going to tell you right now, we're required to put our budget into the Mayor, October, November, so that's just something to keep in mind if there's particular projects, CIP projects in particular in the Lanai Community Plan to take a look at.

The Plan Implementation Division coordinates with the other County departments looking at implementation in terms of as you know in your community plan. In the back it's listed who does what implementation action by County departments. So Kathleen will go through and check in with those County departments when she does this report finding out where are you, have you even started it, is it done, are you midway, that kind of thing. And then this report is available on the Maui County website. So if you go to the Maui County website and you go to the Plan, you know, the Planning Department and then Plan Implementation Division that report will be there.

Okay, so your role, the Planning Commission's role in the implementation of the General Plan -- a lot of times there's special projects. I know recently there was the SMA, the new SMA maps, looking at things like that, so these special projects are pulled from community plans and the Maui Island Plan, and these may come by you guys for your approval, your input and so forth. It can be discretionary permits, you know, sort of a wide variety of projects, policies and programs in which case it may come before you for your input. New ordinance language, amendments and so forth. And a lot of those things came from various community plans and the Maui Island Plan.

So I'm now looking at the feedback loop, and essentially I think what Kathleen's trying to do here is she's talking about really why it's critically important for each one of the divisions to work together. Basically the process or the success of implementing the General Plan is only achieved when we all work together. Basically tracking and monitoring everything from zoning and enforcement to consistency with community plans, and then obviously making sure like you guys and that's the Current Planning. And then looking at once you've completed your community plan, getting those action, policies and programs implemented through PID.

So implementation actions what Kathleen has here basically I think a lot of people -- there was some confusion in terms of what an actual implementation action is so she's trying to make a point that a specific task, procedure program or technique to carry out policies, actions identified as specific activities to be undertaken in the future. So when you look at your community plan, and you go through the chapters you'll see that there's a goal, you know, whether, you know, it comes to housing or land use or public facilities, there's objections further defining that goal. Basically what is the policy that should be carried out in addressing

the issue of that goal, and then there's an actual action. And that's basically how that's broken down.

Okay, so in terms of the program, these are sort of different types of things that -- different concepts that are used in terms of how your community plan gets implemented. So basically the program is it could be, for example, Title 19. That's going to be huge, and you guys are going to be very involved in that. That's our zoning code which was basically created in 1961. So that is a very critical program which has a direct impact on you guys and your decisions, so you'll be very involved in that program as that program undergoes new changes and is rewritten. So that's a difference, for example, fixing a water infrastructure or a bridge or a road versus fixing or amending or rewriting an entire program.

So now I'm looking at a picture of the Title 19 Zoning Code Audit which is kind of what I just explained. The latest on that though is we did put that in, I think, \$500,000 into the budget to have a rewrite of the Title 19 Zoning Code based on the findings of the report audit. And we did get that money this year in the budget from the Council, and I believe it's the Director's intention to have the RFP's written this summer, possibly fall, have somebody hired before the fall and the end of the end to get started on the zoning code rewrite is the timing of that.

Other projects, to give you guys an update on, I'm looking at programs now. Basically the other projects that PID's responsible for is the -- I don't know how many people were here to see DSSRT, the Dead Sea Scroll Replacement Team, which is our digital zoning layer. That's underway right now, and I believe it's going to hit Planning Committee in mid-July, and hopefully will soon be approved, so you have an actual digital zoning layer you guys can look at. There's the Lanai SMA Boundary Amendment. The other major projects they're involved in CIP, as I mentioned earlier, the budget review every year, and then implementation reports which are due per Charter as well as the Maui County 2.80B that that has to be done every year.

So a lot of folks ask how do the community plan, or General Plan, or Maui Island Plan, how do these get implemented? Which I think is a good question. I actually like this slide, implementation activities. You can propose, or suggest, or the Planning Committee or Council Member, new or revise legislation. You guys did some of that tonight. A really critical one, I think, is CIP budgeting, taking a look what you have in there in your community plan for CIP projects, and lobby and get involved in that. Basically agency decision making. This is one of the most critical aspects, looking at the community plan and making sure that in terms of permitting and those types of decisions they're consistent with the community plan. The Mayor's Office, one example, is he could decide or not decide to add staff to divisions and departments. I mean, those are things that are frequently mentioned in community plans is adding resources. Council Members are obviously critical in all of this in terms on their making decisions mostly with the budget, but also land use decision in some cases. And then public and private party actions.

I think one of things that Kathleen is also trying to get to is the huge amount of actions that

are in our plans, and trying to take a look at how we're supposed to be implementing all of these actions. And the point she makes is there's 73 actions in the Countywide Policy Plan, 305 in the Maui Island Plan, and 707 actions right now in the Community Plans. She has one staff person, I have three. I mean, it's -- this is what I'm saying -- this is just getting out of control -- implementation occurs over a 10 to 20 year period and I think if you do the math you can see that can be challenging too unless we radically look at new ways of reviewing and adopting these community plans so they can be done more quickly. But, it all fits together. You know, having a flexible, active, thin community plan in terms of reasonable implementing actions, in terms of consistency, you know less zoning or rather less enforcements, so they all kind of fit together in terms of how to make things work.

And with that, that's the PID orientation and I think you guys are now done. You get two check marks. Any questions?

Ms. Green: Thank you very much. Commissioners, do we have any questions for Pam? Everybody's saturated.

Ms. Eaton: I'm saturated so you must be. No, thank you guys so much for listening, I really appreciate it. Thank you.

E. DIRECTOR'S REPORT

1. Open Lanai Applications Report as distributed by the Planning Department with the agenda.

Mr. Green: Okay, Dave, are you going to do the open land applications report or --?

Mr. Raatz: Thank you Chair. On the Director's Report section, we actually don't have anything to add other than to just point out that report is available for your review. If there's any questions or comments you'd like me to take back to the Planning Director, I'd be happy to do so.

Ms. Green: I guess not. Sorry, Roxanne.

Ms. Catiel: Short-term rental, I noticed there's four open. What do we currently have now here on the island? That's all the questions I want to know.

Mr. Raatz: Thank you. I don't have that off the top of my head, but that is available on the County website. We put the list of all the STHR permits and B&B permits divided by each community plan area, so I don't have my laptop right in front of me, but we could look that up or can look it up at your convenience.

Ms. Catiel: Because, you know, in what two years ago or this past two years they were trying to put a cap on short-term rentals so I don't know where we stand on that for the cap.

Mr. Raatz: Yeah, I mean that comes up as an issue in most community plan areas frankly, and in Chapter 19.65 of the County Code the short-term rental home permit ordinance, there is a breakdown for each of the community plan areas and I believe most of them has specific caps right now. And the code says when a particular community plan area is approaching the limit that's established by Code we have to notify the Council so they can be aware of that, they can consider raising the cap, or you know, be satisfied that, you know, the existing cap is sufficient.

Ms. Catiel: Yeah because right now Lanai doesn't have any cap and I've been reading the minutes, they wanted to put a 15 caps on for the short-term rental for Lanai. So nothing, I don't think nothing happened on that.

Mr. Raatz: Yeah, I'm not aware of any currently pending action on that front.

Ms. Green: Unfortunately I can't quite remember, but I thought this was with the Council. That this decision is held up somewhere. That there's a procedure to go through and it hasn't been determined yet.

Mr. Raatz: Okay, yeah, I'm sorry I'm not familiar with the current status, but we'll look into that and report back to you.

Ms. Green: Thank you. Anything else Commissioners? Okay, and it looks like we have agenda items for the July 18th meeting. Do we know if we have anything coming up?

2. Agenda Items for the July 18, 2018 meeting.

Mr. Raatz: There will be one more public hearing just like the three we had tonight on a proposed land use ordinance from the Planning Director. This is a proposal to clarify what accessory uses are permitted for farm dwellings. Farm dwellings, in Chapter 19.38 agricultural zoning district, are an accessory use to the principal agricultural use, and the question is what are the appropriate accessories to that accessory use, and the Planning Director will have a proposal for you to consider on July 18th.

Ms. Green: And that's it? Okay.

Mr. Raatz: That's all I'm aware of.

F. NEXT REGULAR MEETING DATE: JULY 18, 2018

G. ADJOURNMENT

Ms. Green: Thank you very much. Is there anything that anybody would like to have added to the agenda? Any item, any training, anything? All right, if not -- and if you have something afterwards, you feel free to contact the Planning Department or to me, okay. Okay, all right, thank you very much. All right I think that concludes everything and it is now 6:35 p.m. and I call the meeting adjourned.

There being no further discussion brought forward to the Commission, the meeting was adjourned at 6:35 p.m.

Respectfully submitted by,

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

RECORD OF ATTENDANCE

PRESENT:

Roxanne Catiel
John Delacruz (excused at 6:15 p.m.)
Caron Green, Chair
Sherry Menze
Shelly Preza, Vice-Chair
Gerald Rabaino
Shirley Samonte

EXCUSED:

Mililani Martin
Chelsea Trevino

OTHERS:

Pamela Eaton, Planning Program Administrator, Long Range Division
David Raatz, Administrative Planning Officer, ZAED
Richelle Thomson, Deputy Corporation Counsel (On-Call)