

PLANNING COMMITTEE
Council of the County of Maui

M I N U T E S

Council Chamber

February 2, 2017

CONVENE: 9:04 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Kelly T. King, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Stacy Crivello
Councilmember Don S. Guzman
Councilmember Riki Hokama
Councilmember Mike White (in 9:50 a.m.)

EXCUSED: Councilmember Elle Cochran

STAFF:

Kim Willenbrink, Legislative Analyst
Rayna Yap, Committee Secretary
Michelle Del Rosario, Executive Assistant to Councilmember Kelly King
Susan Foley, Executive Assistant to Councilmember Kelly King

Dawn Lono, Council Aide, Hana Council Office (via voice conference)
Denise Fernandez, Legislative Analyst (via voice conference from Lanai Council Office)
Ella Alcon, Council Aide, Molokai Council Office (via voice conference)

ADMIN.:

Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
William Spence, Planning Director, Department of Planning
Annalise Kehler, Cultural Resources Planner, Department of Planning
Jennifer Maydan, Planner V, Department of Planning
Conklin Wright, Zoning Inspector II, Department of Planning
Annie Alvarado, Planner VI, Department of Planning

OTHERS:

Theo Morrison, Lahaina Restoration Foundation (PC-03)
Greg Jenkins, Fire Captain, Department of Fire and Public Safety (PC-02)
Janet Six, Chair, Cultural Resource Commission (Resource, PC-03)

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Plus (5) other people

PRESS: *Akaku Maui Community Television, Inc.*

CHAIR KING: . . .*(gavel)*. . . It is now 9:04 a.m. and we'll bring this meeting to order. I want to thank the Members who are here for helping us meet quorum. To introduce myself, my name is Kelly King. I'm the Chair of the Planning Committee, and also representing...or from the residency district of South Maui. And I'd like to introduce our Members in attendance at this point. Yuki Lei Sugimura, Vice-Chair of the Committee.

VICE-CHAIR SUGIMURA: Hi.

CHAIR KING: Thank you, Ms. Sugimura. Elle Cochran is excused today. She's still out sick, and we wish her well. Stacy Crivello, from Molokai.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR KING: Thank you. Riki Hokama, Councilmember from Lanai.

COUNCILMEMBER HOKAMA: Good morning.

CHAIR KING: Don Guzman, Councilmember from Kahului.

COUNCILMEMBER GUZMAN: Good morning, Chair.

CHAIR KING: Thank you all for being here. And I want to just ask the public, if you could silence cell phones and any other devices that might make noise. Alright. Well, we have no non-voting Members in the Chambers today. And I do want to introduce our Administration for the Planning Department. Will Spence, the Planning Director.

MR. SPENCE: Good morning, Chair.

CHAIR KING: We have, also as resources, Annalise Kehler, from the, who's the Cultural Resources Planner.

MS. KEHLER: Good morning, Chair.

CHAIR KING: Is Jennifer here? No.

MR. SPENCE: Yeah, I walked up with her so I know she's here somewhere.

CHAIR KING: Okay. Do you have any other Planning Department employees that you'd like to introduce, Mr. Spence?

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MR. SPENCE: We have Conklin Wright, one of our Zoning Inspectors. He's here available for enforcement questions.

CHAIR KING: Okay. Thank you.

MR. SPENCE: Oh yes, and we also have...I'm sorry, Madam Chair, we also have the Chairperson of the Cultural Resources Commission.

CHAIR KING: Alright, and that's Janet Six. Janet, would you like to come over and join us at this table here, as a resource person?

MS. SIX (*from gallery*): Sure.

CHAIR KING: Okay. Our Committee Staff is Kim Willenbrink, who is our Legislative Analyst.

MS. WILLENBRINK: Good morning, Madam Chair.

CHAIR KING: Good morning. And Rayna Yap, who is the Committee Secretary.

MS. YAP: Good morning.

CHAIR KING: Good morning, Rayna. I'd also like to introduce our District Staff who is awaiting public testimony. In the Hana Office, we have Dawn Lono; in the Lanai Office, we have Denise Fernandez; and in the Molokai Office, we have Ella Alcon. I also want to note that my staff is going to be helping with public testimony; so, I want to thank my staff: Susan Foley and Michelle Del Rosario for stepping in and helping. We're going to do a little bit of a change up in public testimony to see if this helps the public have a greater understanding before they give their testimony. And so I'm going to state the Council Rule that allows the Committee Chair to organize testimony. Council Rule 17 states, the Presiding Officer shall accept testimony on all items at the beginning of the meeting, or may determine and announce at the beginning of the meeting that testimony on each item shall be accepted before consideration of the item. And because of Sunshine Law, we need to make sure that testimony is taken before deliberation and decision making, but it can be after the explanation of the item, which I think...which I've heard from the public, will greatly help with testimony and may even answer some questions before testimony. So, Members, I'll be taking public testimony in the following manner: I will begin with testimony after the presentation on the first item and will take testimony from the Chamber and district offices. I've been informed by the Office of Council Services that we will not have further support for testimony from the district offices after testimony on the first item; so, we'll allow testimony from the district offices and anyone who needs to leave the Chamber early on the second item, PC-02. Testimony will be limited to items on the agenda, as always. And anybody who wishes to testify, please sign up at the desk located at the front lobby outside or at the district offices. Testimony is limited to three minutes. And, upon request, up to the minute...up to one minute to conclude. At three minutes, the light will turn yellow; four minutes, the light will blink red. I

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want to thank the Planning Department for their cooperation. We're trying something a little different in response to public concern about relevancy of testimony. And so as is usually the case whenever you change up procedure, there might be a few hiccups, so bear with us. And I also want to thank my staff.

PC-03 SIGNS IN THE LAHAINA HISTORIC DISTRICTS (CC 17-59)

CHAIR KING: So we're going to go into the first item. We have two items on the agenda today: the Signs in the Lahaina Historic Districts, PC-03; and Molokai Community Plan Update, PC-02. So, we're going to start with the Signs in the Lahaina Historic Districts. And I'll call upon the Planning Director.

MR. SPENCE: Thank you, Madam Chair. With me today is our Cultural Planner, Annalise Kehler; and she will introduce the sign guidelines, et cetera, and I'll also make way for Janet Six to discuss the Cultural Resources Commission portion.

MS. KEHLER: Good morning, Chair.

CHAIR KING: Good morning.

MS. KEHLER: So, in 2014, the Cultural Resources Commission formed a Temporary Investigative Group to do an audit of the existing Sign Design Guidelines for Lahaina. And based on...

CHAIR KING: Excuse me, Ms. Kehler, can you speak...can you pull the microphone a little closer to you?

MS. KEHLER: Sure.

CHAIR KING: Thank you.

MS. KEHLER: Based on the research from the Temporary Investigative Group, the Department drafted updates to the guidelines. Once the updates were complete, we met with Lahaina merchants and community members to discuss the updates, and then we took the updates to the Cultural Resources Commission, who provided edits to the document and then adopted it in March of 2015. And so the Code amendments that are before you today will do a couple of things: they will adopt these guidelines as rules that we can both enforce against, and then also that it will be recognized as formal criteria for us to review and approve, sign permits against. Oh, and then the last thing would be to give the Cultural Resources Commission the authority to issue variances from the Sign Design Guidelines.

CHAIR KING: Okay. Thank you for that explanation. I'm going to ask Ms. Six to give her comments.

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MS. SIX: I probably don't need a mic so I'll be careful not to blow your ears off. Worked on this with Annalise, in total support of it. It will streamline the process making it easier and less confusing for people in the Historic District. We've had numbers of people come before our Commission, you know, perplexed; they're trying to follow guidelines that were established in the '60s that were based on whaling and missionaries when, actually, the town has much more of a plantation feel. So, we have gone to great lengths to try to say...keep the feeling of the Historic District; because if anyone's been to Lahaina, we see lots of banners and things that are in violation. So, this will make it easier for merchants to come to us, for us to allow variances, streamlining the process. It'll also make it easier for enforcement, and that's our end goal.

CHAIR KING: Okay. Thank you. I'm going to, at this point, take public testimony before we start into deliberation and questions for Members. So, Ms. Willenbrink?

. . . BEGIN PUBLIC TESTIMONY FOR PC-03 . . .

MS. WILLENBRINK: Thank you, Madam Chair. Hana Office, is there anyone wishing to testify?

MS. LONO: Good morning. This is Dawn Lono, at the Hana Office, and there is no one waiting to testify.

MS. WILLENBRINK: Thank you, Dawn. Lanai Office, is there anyone wishing to testify?

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

MS. WILLENBRINK: Thank you, Denise. Molokai Office, is there anyone wishing to testify?

MS. ALCON: Good morning. This is Ella Alcon on Molokai, and I have one testifier for the next item.

MS. WILLENBRINK: Madam Chair?

CHAIR KING: If they...would they like to testify at this point or wait until the review of the Molokai plan?

MS. ALCON: We'll wait for the review.

CHAIR KING: Alright. Thank you very much, appreciate it.

MS. WILLENBRINK: Madam Chair, we have one person signed up to testify in the Chamber, Theo Morrison; and she will be testifying on PC-03.

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MS. MORRISON: Good morning. My name is Theo Morrison. I'm the Executive Director of Lahaina Restoration Foundation, and I've held that position...I'm going to my tenth year. And, prior to that, I had 15 years at Lahaina Town Action Committee. I've had a lot of experience with signs and CRC and merchants and all that stuff. So, we totally welcome this new change; that it will streamline the process. Signs are always an issue because new merchants are moving in and they have their ideas and don't always jive with the way it should be. And, additionally, Lahaina is such a unique district, it's not cookie-cutter stores so it's really hard to make rules that fit for every single building and every single business. So, having the CRC do the variances, it would just be wonderful; so, we're very much in support.

CHAIR KING: Thank you. Questions, Members? Thank you for being here. I know it's a long drive to come out from Lahaina.

MS. MORRISON: It's alright.

. . . END PUBLIC TESTIMONY FOR PC-03 . . .

CHAIR KING: Alright. So, we'll open it up for discussion from Councilmembers. Any questions of the Department or the CRC for this issue? No questions? Any other comments from the Department? Okay.

UNIDENTIFIED SPEAKER: Chair?

CHAIR KING: Yes? Alright. Mr. Hokama?

COUNCILMEMBER HOKAMA: How many violations does the Department actually deal with on an annualized basis?

MS. KEHLER: Chair? We have our Zoning and Enforcement guy or Inspector, he might be able to better answer your question, if you would like him to come up and speak?

COUNCILMEMBER HOKAMA: No objections from the Members, Chair.

CHAIR KING: Mr. Director?

MR. SPENCE: Yes, Madam Chair, we have with us this morning, Conklin Wright. He's one of our Zoning Inspectors, and he regularly visits the Historic Districts within the Lahaina Town area. So, Councilmember Hokama, would you like to repeat your question for him?

COUNCILMEMBER HOKAMA: So how many violations does the district produce on an annual basis?

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MR. WRIGHT: Over the past five years I've been limited in the amount of time that I've been able to get out to the districts. So, the amount of violations is probably been one to two per year. I've cited with notices of warning, previous to that, depending on the year and the amount of time that I have to get out there, sometimes 30 to 50 notices of warning in a year. We always try and give ample time for people to correct, so it doesn't go to a violation.

COUNCILMEMBER HOKAMA: Okay. So no one has gone to the point where we've collected fines and penalties?

MR. WRIGHT: We have.

COUNCILMEMBER HOKAMA: We have?

MR. WRIGHT: Yes.

COUNCILMEMBER HOKAMA: And how often is that?

MR. WRIGHT: In my eight years, collected fines probably four to five times.

COUNCILMEMBER HOKAMA: And those were for what, blatant violations, like excessive signage space or...

MR. WRIGHT: Sandwich boards, portable signs, things blocking the sidewalk. Yes.

COUNCILMEMBER HOKAMA: Okay. Most of these things would take a building permit to get done?

MR. WRIGHT: No, sir.

COUNCILMEMBER HOKAMA: Most of the things would not require a building permit?

MR. WRIGHT: Correct.

COUNCILMEMBER HOKAMA: Okay.

CHAIR KING: Further questions, Mr. Hokama?

COUNCILMEMBER HOKAMA: Do you have self...do the merchants self-report?

MR. WRIGHT: When...on occasion when they mention to me they don't want it to be on record. I try and inform people and educate them as to what they can and cannot do before I begin actual enforcement.

COUNCILMEMBER HOKAMA: Okay, okay. Thank you. Thank you, Chair.

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CHAIR KING: Thank you. Ms. Sugimura?

VICE-CHAIR SUGIMURA: So I have a question, probably to ask Will, but would this then, will the change then require, if a person was coming with...for a...to set up a sign within the Historic District, would they still need to go before the Urban Design Review Board or just the CRC as a one-stop shop for them?

MS. KEHLER: So in the...for the regular sign ordinance for the rest of the County, the only time that a sign permit would need to go to Urban Design Review Board is for a variance. In this case, we're proposing the same process for obtaining a sign variance in the Historic Districts. But instead of going to the Urban District Board we'll have them come to the Cultural Resources Commission.

VICE-CHAIR SUGIMURA: So that would be the only requirement? You would...

MS. KEHLER: Correct.

VICE-CHAIR SUGIMURA: For the variance that you no longer need to.

MS. KEHLER: Correct.

VICE-CHAIR SUGIMURA: Thank you.

CHAIR KING: Thank you. Any other questions, Committee? Okay. Then the Chair will entertain a motion to recommend passage on first reading of a proposed bill entitled A Bill for an Ordinance Amending Chapters 16.12A and 16.13, Maui County Code, relating to signs in the Lahaina Historic Districts; along with any nonsubstantive revisions; and the filing of County Communications 17-59.

VICE-CHAIR SUGIMURA: So move, Chair.

CHAIR KING: Thank you.

COUNCILMEMBER CRIVELLO: Second, Chair.

CHAIR KING: Moved by Vice-Chair Sugimura, seconded by Councilmember Crivello. Any discussion? No discussion. All those in favor, say "aye?"

COUNCILMEMBERS: Aye.

CHAIR KING: Any opposed? Motion carries with five "ayes"...I'm sorry, what? Two "noes?" Oh, we have two Members who are excused. I think you beat me to that.

MS. YAP: I'm sorry.

CHAIR KING: That's okay.

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**VOTE: AYES: Chair King, Vice-Chair Sugimura,
Councilmembers Crivello, Guzman, and
Hokama.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Cochran and White.

MOTION CARRIED.

ACTION: FIRST READING of bill and FILING of communication.

CHAIR KING: Yeah. And just for the folks in the room. Just bear with me because the information for the meeting just came to me this morning; so, we're going to move through this as smoothly as possible.

PC-02 MOLOKAI COMMUNITY PLAN UPDATE (CC 16-98)

CHAIR KING: That bring us to item number two, which is the Molokai Community Plan Update. And just to make it clear that there will not be any decision making on this item today, but I've asked the Department to come. Thank you to the CRC. Thank you, Janet. To the Molokai Community Plan Update, PC-02, I've asked the Department to give us an update of where we're at. We have new Members on the Council and we also have had some starts and stops in the community plan review process. So, I think, this will be informative, and I'm holding public testimony until after the update has been given in order for the public to hear and comment on where we're at. Because we are not...we don't have support in the room from OCS after the first testimony session, my staff is out there, Susan is out there, taking names of testifiers who wish to testify on this. And we also need to hold discussion on this item until after the presentation and after the public testimony. Thank you. Department?

MR. SPENCE: Thank you, Madam Chair and Committee Members. I have with us this morning Jennifer Maydan. She's one of the Senior Planners in the Long Range Division, and she headed up the effort towards the Molokai Community Plan Update through the CPAC and through the Planning Commission. And I also want to recognize...we have one of our new planners in the audience, Annie Alvarado. She is hired as a Planner VI within the Long Range Division. She brings with her a wealth of information and experience and we look forward to working with her in the future. So with that, Madam Chair, I'll...

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CHAIR KING: Thank you. Just quick, Ms. Alvarado, can you just stand so everyone can see where you're at?

MS. ALVARADO (*from the gallery*): Thank you.

CHAIR KING: Thank you. Thank you for being here. Sorry, continue.

MR. SPENCE: So and I bring that to your attention because you introduced...

CHAIR KING: Right.

MR. SPENCE: You wanted everybody from the Department introduced.

CHAIR KING: Right. No, I think it's great, thank you.

MR. SPENCE: So with that Madam Chair I'll turn it over to Jen Maydan.

CHAIR KING: Thank you.

MS. MAYDAN: Aloha, Chair King. Aloha, Members.

VICE-CHAIR SUGIMURA: Aloha.

MS. MAYDAN (*PowerPoint Presentation*): Mahalo for inviting us here today to begin this conversation and to present on the Molokai Community Plan Update. I just have a relatively brief presentation covering the process and schedule that the Long Range Planning Division underwent to work with the community to update the 2001 Molokai Community Plan. So just starting with a general overview of the time line. The update process began in early 2010 with research including, analyzing the existing 2001 community plan, other plans compliant to Molokai, developing technical studies, as well as agency coordination and community engagement. The process was interrupted in early 2011. Council instructed the Planning Department to stop the work on the Molokai Community Plan and move forward with updating the Lanai Community Plan. We resumed the Molokai Community Plan update process in late 2014. As you are probably aware; Maui County Code 2.80B, outlines the process for updating, reviewing and adopting community plans. Per 2.80B; The Community Plan Advisory Committee or CPAC, receives six months to review and recommend revisions to incorporate into the draft plan. Public involvement is an important component of the CPAC process during their meetings and workshops. The Molokai CPAC reviewed the plan predominately during the summer of 2015, which you may recall was an El Nino year, and we had a number of hurricanes and tropical storms. And so, the Molokai CPAC received about a one-and-a-half-month time extension to the six-month requirement. Also in 2.80B, the Planning Commission, the applicable Planning Commission received six-months to review the plan and provide recommendations where there is also further opportunity for public involvement during this process. The Molokai Planning

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Commission completed their review in just over four months. And also 2.80B, of course, provides up to one year to adopt the plan by ordinance by the County Council. The Planning Department transmitted the draft to the County Council on May 4, 2016. Some multiple drafts are developed through this process working towards a final plan update. These are not discreet drafts, there is not a CPAC draft that stands alone or a Planning Commission draft or a Department draft that stands alone. These are drafts that are evolving, the community plan update, to gain consensus through the process, through all the stakeholders towards a final plan that can be supported by all bodies and stakeholders involved. So just to walkthrough the phases of the update process, starting with our research phase. We had ongoing coordination with County and State agencies and other major planning efforts on Molokai . We met with the Department of Hawaiian Home Lands several times to dovetail our community update work, with their regional plan and island plans, as well as their water policy. We communicated with the County Department of Water Supply regarding the Molokai Water Use and Development Plan update. And we coordinated with Civil Defense on the County's Multi-Hazard Mitigation Plan insuring coordination between the community plan and the hazard plan on hazard mitigation specific to Molokai. There were also numerous technical studies and issue papers developed to provide up-to-date information for the CP update process. The Planning Department began community engagements in early 2010 with conducting over 40 community scoping interviews. We also did an additional over 50 targeted interviews regarding cultural resources and economic development. We had an open house and two full-day workshops in 2010 to gain community input on issues, needs, vision and strategies. We also had three cultural resource mapping workshop in late 2010. Following the interruption to update the Lanai Community Plan we resumed the community engagement in November 2014, with an open house to check back in with the community and present feedback from the other, from the previous events. Also during the CPAC's review process, we also had numerous workshops on various topics, as well as presentations by County department directors and Planning Department staff. Planning Director Spence, Public Works Director Goode, Director Taylor, and Parks Director Buenconsejo, all presented in various CPAC workshops and meetings. Other workshop members included the State Department of Agricultural, Molokai Ranch, Crivello Plantation, Department of Hawaiian Home Lands, the Molokai Fire Chief, and our economic consultant John Knox, as well as Current and Zoning Division planners responsible for shoreline and flood programs. All CPAC meetings were open to the public and the community was invited to participate and provide input. So just a quick overview of the CPAC timeline and process. The 13 CPAC members were appointed in December of 2014, they had 22 meetings from March through October 2015. The CPAC members were dedicated and worked really hard through the process. We had really long meetings, sometimes back-to-back meetings, and they were a very diverse and dedicated and hard working group. All meetings were publicized and open to the public and included the workshops and presentations, as I mentioned, with continuous opportunities for public input and recommendations. The CPAC did two full review rounds on the draft plan with discussions on all chapters, maps and appendices. So over the course of these 22 meetings, 114 hours, as you imagine there was a lot of discussion, but to try to

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highlight some of the key issues that was discussed by the Community Plan Advisory Committee. First, the CPAC discussed the vision statement at numerous meetings and finally decided to retain the existing 2001 vision, out of respect for the that process and the people involved, as well as they added a new forward looking vision. Secondly, current economic challenges were discussed at length at CPAC meetings. There were opposing views from different CPAC members as to the desired economic future of the island. Some viewed economic development as a threat to Molokai lifestyle, while others supported diversifying and strengthening the economy to support more opportunity for the community. Moving on, while the CPAC agreed that sea level rise is a critical threat that will require action to mitigate the impacts to homes, businesses, infrastructure, public facilities, the CPAC could not reach an agreement on how to plan for the impact on the existing development, specifically within Kaunakakai Town. Next, Mixed-Used Residential was introduced to the CPAC as an option with more flexibility to identify a mix of land use in those areas appropriate for future growth. Mixed-Used Residential would allow for Molokai to describe their intent of the growth area as well as a mix of uses. After much discussion, the CPAC voted to designate 64 acres in Maunaloa, as Mixed-Used Residential. This area was designated as Project District in the 2001 community plan. Next, water of course is a critical issue and was a big topic of discussion with the CPAC as well as the public. We reminded the CPAC that it's important to understand the limit of the regulatory authority and the parameters of the community plan when it comes to issues concerning water use and allocation. The CPAC agreed that the community plan should support resolving these ongoing issues and having all of the water purveyors work together to provide water to sustain the people and businesses of Molokai. And finally, the East End Policy Statement, which is an appendix in the 2001 community plan. Some community members wanted to retain it in its entirety in the community plan; however, portions of it are either out of date or duplicative or contradictory to the community plan update. After much discussion, the Community Plan Advisory Committee advised the community to update the East End Policy Statement and bring it back for further consideration during the next stage of the process. So moving on to the Molokai Planning Commission's review, the draft plans was transmitted to the Planning Commission in November of 2015. They had eight meetings between November and March. Like the CPAC, they had discussions on all chapters, maps, and appendices of the draft plan, and they had two meetings that were dedicated to discussing the East End Policy Statement. And as with the CPAC, all of their meetings were open to the public and the community was engaged in discussions and provided recommendations. So just to highlight the key issues and changes recommended by the Molokai Planning Commission. The Planning Commission deleted, the CPAC created vision and recommends only using the 2001 vision. Per the recommendation of the Office of Hawaiian Affairs, the Planning Commission made a number of changes to the cultural resources chapter, to incorporate information regarding Native Hawaiian traditional and customary practices. The Planning Commission agreed with the CPAC on the threat of sea level rise and the need to mitigate potential impacts. The Planning Commission voted to change the community plan designation for a 98-acre parcel, mauka of Ranch Camp in Kaunakakai, from Single-Family, to Project District, to accommodate relocation of

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the town, over time as sea level rise begins to impact existing development and land use. The Planning Commission unanimously voted to change the 64-acre parcel in Maunaloa back to Project District, like in the 2001 plan, rather than designating it Mixed-Use Residential, as the CPAC had done. And the Planning Commission added policies to the water section regarding establishing interim in-stream flow standards and recognizing the public trust purposes of water. And finally, at their last meeting, the Planning Commission added a whole new chapter, Chapter 11; titled Sub-Area Descriptions, which included a revised version of the East End Policy Statement as well as a new document, titled The Maunaloa Policy. So mahalo, Chair and Members, for having us here today and beginning this conversation on the Molokai Community Plan. We really appreciate this. And we're happy to answer any of your questions.

CHAIR KING: Mahalo, Ms. Maydan. Just for clarification, before we take public testimony, can you just state what the vision statement is that was decided on by the Planning Commission? Just to remind Members, that there were, at one point there were two vision statements offered and then the Planning Commission decided to go with the original...I think you said 2001 vision?

MS. MAYDAN: Yes. Chair, did you want me to read the vision?

CHAIR KING: Yes, please.

MS. MAYDAN: Okay. So this is the vision from the existing 2001 plan and this is the vision that is contained in the draft update. Molokai is the last Hawaiian island. We who live here choose not to be strangers in our own land. The value of aloha aina and malama aina, love and care for the land guide our stewardship of Molokai's natural resources which nourish our families both physically and spiritually. We live by our kupunas', elders' historic legacy of pule oo, powerful prayer. We honor our island's Hawaiian cultural heritage no matter what our ethnicity and that culture is practiced in our everyday lives. Our true wealth is measured by the extent by our generosity. We envision strong ohana, families, who steadfastly preserve, protect, and perpetuate these core Hawaiian values. We are a wise and caring community that takes pride in its resourcefulness, self-sufficiency, and resiliency, and is firmly in charge of Molokai's resources and destiny. We envision a Molokai that leaves for its children a visible legacy, an island, momona, abundant with natural and cultural resources, people who kokua, help, and look after one another in a community that strives to build an ever and even better future on the paa, firm foundation, left to us by, whose iwi, bones, guard our lands.

CHAIR KING: Thank you very much. With that I would like to open it up for...open the floor up for public testimony again. Ms. Willenbrink?

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. . . BEGIN PUBLIC TESTIMONY FOR PC-02 . . .

MS. WILLENBRINK: Thank you, Madam Chair. Molokai Office, you do have anyone wishing to testify?

MS. ALCON: The first testifier is Greg Jenkins, testifying on PC-2.

CHAIR KING: Thank you. Mr. Jenkins?

MR. JENKINS: Aloha, Maui County Council, Planning Committee. *...(inaudible)...*

COUNCILMEMBER CRIVELLO: Chair? Can't hear.

MR. JENKINS: My name is Greg Jenkins.

CHAIR KING: Oh, I think we lost...

MR. JENKINS: *...(inaudible)...* this morning regarding this matter. One is I request that the Planning Committee, and eventually the whole Council, facilitate to the best of your ability to process to adopt an updated Molokai Community Plan in the most timely manner possible. As an updated plan, will serve as a critical planning tool for our community. Additionally, I request that when the Council Planning Committee schedules hearings on Molokai, that you hold a minimum of at least three separate public hearings in the communities of East Molokai, Central Molokai, West Molokai in order to address and consider the unique concerns of each community area. And thank you for all your current and upcoming hard work on our community plan. Mahalo.

CHAIR KING: Questions, Councilmembers? Mr. Guzman?

COUNCILMEMBER GUZMAN: Yeah. I may not have heard it correctly but there were two extensions, correct? And...no, just one extension? Okay, and when is that extension expire? What is the date of that? For the CPAC to complete their portion of the Planning Committee...I mean, Planning...

CHAIR KING: Mr. Spence, can you...or, Ms. Maydan, can you respond to that?

MS. MAYDAN: The extension was for the CPAC six-month time limit. So the extension has already passed.

COUNCILMEMBER GUZMAN: Oh.

MS. MAYDAN: Their original deadline, I believe, was September 8th and they got an extension till October 30th.

COUNCILMEMBER GUZMAN: Okay. 'Cause I was referencing to the...

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CHAIR KING: Well, actually, I was asking for any questions for our testifiers.

COUNCILMEMBER GUZMAN: The testimony. Yeah, yeah, yeah, so that was, you know, kinda, 'cause they were trying to say that we wanted to do it efficiently --

CHAIR KING: Right.

COUNCILMEMBER GUZMAN: --expediently. So, I just wanted to know what the timeframe was --

CHAIR KING: Okay.

COUNCILMEMBER GUZMAN: --in response to the testifier. Thank you.

CHAIR KING: Alright, any other questions of our testifier from Molokai? Alright, thank you, Mr. Jenkins. Ms. Willenbrink?

MS. WILLENBRINK: Molokai Office, do you have anyone wishing to testify?

MS. ALCON: There is no one here on Molokai waiting to testify.

MS. WILLENBRINK: In the Chamber, is there anyone else wishing to testify? Madam Chair, it appears that there is no more testifiers.

CHAIR KING: Well, thank you much, Molokai Office, for hanging on with us and bearing with us. We really appreciate it and we will at this time close testimony. If there are no objections from Councilmembers.

COUNCILMEMBERS: No objections.

. . . END PUBLIC TESTIMONY FOR PC-02 . . .

CHAIR KING: And move forward with deliberate...just questions, we are not deliberating, we're not making a decision. So, any questions that Councilmembers have of the Department on the Molokai Community Plan, and I'm going to start with Ms. Crivello. Because I'm sure you have questions and comments and anxious to hear from you, as the Molokai representative.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I appreciate Mr. Jenkins, the early testifier, suggesting that we do our, Council visits. As every district we have our uniqueness and for Molokai when we talk about the manae, or the east district, and the central and the Maunaloa west district. As you can see, by the Chapter 11, it gets sort of quite intense. So, that being said, I think that would be a call on your part, Chair. But I would like to encourage the testifier for doing this. I want to thank you,

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and the Department, for allowing this presentation and as we say we have a...it's a draft, and I would like for us to...one thing I'd like to point out, if I may, Chair, in regard to the draft, in reference to Chapter 11 sub-area. There's a note, that I believe, what the Planning Commission accepted as far as the East End Policy, and the Maunaloa Policy that was included in the sub-area description of Chapter 11, as noted with the presentation. But and for the Department or for us we have a process where we go to CPAC, we go Planning Commission, and then Council, which it recognized. So the note in the draft that says the Planning Commission, where part of it in reference to the sub-area, were not vetted by the community. And I've had this discussion with the Department, it was vetted by the community. I think you would recognize that our community on Molokai do a lot of vetting when it comes to what we consider of value, of importance for our island. So to say it was not vetted by the community perhaps not through the process where the Department recognizes as the involvement from the Department. But I would have to say that this is truly a community process, as much as controversial as it can be we'll vet it through. And we need to continue doing that, I highly recommend from our role as the final decision makers for this community plan. And as a side note, I think something we have to consider, which I probably be working with, it should be a Molokai Island Plan, as well like Lanai Island Plan, you know, 'cause we are separated by water. So we have our own island plan, as such. But I want to thank the Department, they've been very patient and quite accommodating, and so, I appreciate all of the work that they've done on our island. Thank you, Chair.

CHAIR KING: Thank you, Ms. Crivello. I do want to say that I do plan to hold a minimum of three meetings and I appreciate the testimony from Mr. Jenkins describing the areas that we should go to. I do want to encourage as many Members who can make it. I mean I think it's important for us to hear the concerns directly from the community. And I attended a meeting last Monday, with Councilmember Sugimura, as well, of the Alliance for Community Associations, where we did hear a concern about the input of the community being vast and taking up so much time and energy, and then, you know, concerns about coming to the Council and changing on the Council floor. So in order to honor the input of the community I think we're gonna, you know, I'm going to try to encourage and appreciate as many Councilmembers, who can make it, even the non-voting Members, to attend the meetings on Molokai. So thank you for your input, and is there anything else at this point? I mean I know you have more but...

COUNCILMEMBER CRIVELLO: I just...it is my hope that we can through some intense effort get this resolved, at least before we get deep into budget, because we have our other areas that are waiting to work on their plans. And not to say I want to rush it through, because personally, as the Councilmember for Molokai, I will be meeting with some of the authors of the Chapter 11 sub-area descriptions so that we can identify from the community's perspective what may be redundant in the plan or what might be conflicting in trying to have it packaged all together. So I think, if we do some initial ground work, I think, we may be able to accommodate full Council recommendations or approval that may necessitate us to allow the other communities

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to start going with theirs. I don't know how the Department handles in the planning process in the other areas, so I believe West Maui is next?

CHAIR KING: Mr. Spence?

MR. SPENCE: Yes, Madam Chair, Councilmember Crivello, I forget exactly when but there was a resolution adopted on the order of community plans so after Molokai comes West Maui, then South, Central, Makawao, Pukalani, Kula, Paia, Haiku, and then Hana, and then Kahoolawe is last.

COUNCILMEMBER CRIVELLO: So West Maui will be waiting for us to --

CHAIR KING: Right.

COUNCILMEMBER CRIVELLO: --solidify this plan. Thank you.

CHAIR KING: I will be meeting with the Planning Department to put together a schedule. I would appreciate it if, Ms. Crivello, you were, maybe available for those meetings, too, so you could help us put together a schedule for these meetings.

COUNCILMEMBER CRIVELLO: I would be more than happy to, Chair.

CHAIR KING: Thank you.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR KING: Alright. Councilmember Sugimura, my Vice-Chair?

VICE-CHAIR SUGIMURA: Thank you, Chair. So, I'm glad to hear that we are going to be going through the different areas.

CHAIR KING: Excuse me. I'm sorry to interrupt but I wanted to recognize the presence of our Council Chair, Mr. White, Mike White. Sorry, go ahead.

COUNCILMEMBER WHITE: Good morning, Chair.

CHAIR KING: Good-morning.

VICE-CHAIR SUGIMURA: So, I'm glad that we are going to be going to the different districts in Molokai, and as we all know Molokai is unique and has its different characters and characteristics that makes it special. So I'm glad to hear that, I support Stacy Crivello's concerns about that. I wanted to find out...you read the...Jen, you read the mission statement, the vision statement, and it was a 2001, that was adopted by Planning Commission. Is that correct?

MS. MAYDAN: Yes, it is in the existing 2001 plan.

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VICE-CHAIR SUGIMURA: So, I was just curious what the impact of that would be versus what the community had asked for and was....I didn't do a comparison of each.

CHAIR KING: I believe there was a CPAC version that came afterwards and then the Planning Commission chose the earlier version.

MS. MAYDAN: Correct. The CPAC discussed the vision statement at multiple meetings. Starting with their second meeting, which was their first substantive meeting on through I believe their third, fourth, fifth meeting. And maybe it was by the sixth meeting they made a decision, but there was a lot of discussion. The value of the existing 2001 vision statement, but there were also sentiments to give the community at this point in time the opportunity to change it for what they saw they needed going forward, you know, to have newer generations' voice in it. And it was a very passionate discussion both ways with the CPAC finally deciding that they had a version, that was the 2001 edited, but they didn't want to disregard the original 2001. So, they included two vision statements in their draft that they forwarded on to Planning Commission. And Planning Commission at their, I don't remember if it was their second or third meeting, but they decided that it was a bit confusing to have two vision statements and they decided to go with the 2001 version.

VICE-CHAIR SUGIMURA: Thank you for that explanation. As we all know, when we work with organizations the vision statement is critical, right, to set the paces or steps forward. So I'm glad to hear that process because otherwise the CPAC may feel, you know, that they were not heard and I think that's an important element of this whole process. In this book, I wonder on your update, where is the cultural resource mapping?

MS. MAYDAN: So, there was a cultural resource map, I believe it was Map 3.3, that was in the draft as it was transmitted from the CPAC to the Planning Commission. We recommended to the Planning Commission that that map should be deleted. There were concerns with accuracy and protection of cultural resources and we received comments from the State Historic Preservation Division where they strongly recommended not including a map like that in the community plan. And at one of the Planning Commission meetings, SHPD was present, and provided testimony recommending that that map be deleted and the Planning Commission chose to delete that map. So, that map is not included in the draft before you.

VICE-CHAIR SUGIMURA: Thank you. I understand why. Thank you.

CHAIR KING: Anything further --

VICE-CHAIR SUGIMURA: That's it.

CHAIR KING: --Councilmember Sugimura? Okay, thank you. Any other questions or comments from Councilmembers? Mr. Hokama?

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COUNCILMEMBER HOKAMA: I'm just waiting for us to go through the review.

CHAIR KING: Okay. Mr. Guzman?

COUNCILMEMBER GUZMAN: Yeah, I'll hold my questions until after review.

CHAIR KING: Okay. Mr. White, no other questions?

COUNCILMEMBER WHITE: . . .*(inaudible)*. . .

CHAIR KING: Okay.

COUNCILMEMBER CRIVELLO: Chair?

CHAIR KING: Yes, Ms. Crivello?

COUNCILMEMBER CRIVELLO: If I may, and at time of review I can emphasize more, but in regards to Councilmember Sugimura's question, in regards to the why CPAC version of the vision statement and why 2001. I'm going to take off my Council hat and basically talk as a community person that was quite involved in, or very much involved, in the vision statement that was created. We had...it was through our community road map, a strategic plan the community worked on. And a number of meetings the community had then and we came up with this through the authorship of our community and some of us who highlighted what we saw as value. So, throughout the deliberations with CPAC there was heavy discussions as to why this tells us the vision of Molokai and at the same time understanding what CPAC was trying to do and try to change it. So, it's not something that this vision statement, was not that something that was drawn up by one or two authors. It really was a full-on community involvement and at the same time there were like all matters that happens it wasn't saying 100 percent, you know, but I would have to say at least 80 percent that continue to express this. In fact, I have it hanging in my office, temporary/permanent office, right on the wall and it's something we are proud of, you know. And it doesn't mean that holding on to what's our tradition that we do not value some economic inoculation for our island, for our young people. But our young people, we try to teach our youngsters these kinds of values that are given and we want that footprint to be cemented on our island. So, thank you.

CHAIR KING: Thank you, Councilmember Crivello. Councilmember Guzman?

COUNCILMEMBER GUZMAN: Yeah, just a quick comment. I believe that the...I felt that the mission statement was very passionate and very unique in a sense, and you could tell there was a lot of work that went into it. And I'd like to thank Councilmember Crivello for all her hard work. You can see there's a lot of heart placed into the statement. That being said, I had a question for the Administration. There were thoughts during the Lanai, I guess vetting through, that we could change the process, where possibly

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we can look at zoning ordinances as they...possibly we could somehow put it in phases, where we could break it up and send it on over to the Council, with portions of a zoning ordinance, you know, to try to work on it together. But I wasn't sure we could start doing that now, or what have we learned from Lanai that we're doing differently on Molokai in terms of the process. Have we...are we going down that same track or are we doing things differently that would help us be more expeditious about completing?

MR. SPENCE: If...Madam Chair?

CHAIR KING: Mr. Spence?

MR. SPENCE: If I understand the question right, how have we changed the process.

COUNCILMEMBER GUZMAN: Right, right. I know there was talk about like if there was a possibility of looking at our zoning ordinances at the same time being able to amend them when the plan comes to the Council. But we never have enough time to do that and look at both the zoning ordinances as well as the plan itself.

MR. SPENCE: We are starting a process and this is more of a budgetary item, but it does directly relate to the community plans, and the General Plan as a whole. The...I forget which fiscal year, I think FY '16, that Council approved monies to hire a consultant to do a zoning audit --

COUNCILMEMBER GUZMAN: Right, I remember that.

MR. SPENCE: --to audit our Zoning Code, and we just recently hired a contractor to do that, a firm with national experience. And, of course, one of the things that you always look for in that is how does your Zoning Code implement your General Plan. The Maui Island Plan calls for things like mixed uses, sustainability, compact design, you know, those kinds of things. The Lanai, Molokai plans, they have their own provisions with regards to adopting new ordinances or how the ordinances should be changed. And as this audit proceeds forward, those things will be taken into account and ultimately, we will present to the Council a report on this audit and go forward from there whether we should just continue to make small changes to our Zoning Code in order to implement the plans, or whatever, or adopt a new type of code, or whatever the case may be. So, that is underway but, you know, as we went through Lanai and Molokai, at least Molokai, up to this point, you know, we listened loud and clear to the desires for clarity within the zoning codes and those kinds of things. And so it's the two go hand in hand so they're never far apart.

COUNCILMEMBER GUZMAN: So it's my understanding that, I guess, the process would now be, once the plans are completed, the community plans for each district are completed, it would be then audited with, I guess, in working relationship with the firm that's auditing the zoning ordinances to try to tweak and then make recommendations for the Council to review at some point?

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MR. SPENCE: Well there's...again if I understand the question correctly, the audit is just of the Zoning Code --

COUNCILMEMBER GUZMAN: Right.

MR. SPENCE: --but it takes into account all the policies of the community plans, and Maui Island Plan, and the Maui-wide policy plan, Countywide Policy Plan. My preference...so that's one project, then to follow up with comprehensive zoning, that's another thing, that's another discussion that we should have with the Council. Do we just go through and zone the properties, after we've adopted all of these community plans, and said well at some point there are going to be housing here or those kinds of things? That's another discussion. I hope I'm not...

COUNCILMEMBER GUZMAN: No, no, no, I follow you, but --

MR. SPENCE: Okay.

COUNCILMEMBER GUZMAN: --I think it was at some point when we were doing the Lanai Community Plan there was discussion as to how come we're not, you know, making amendments to our zoning ordinances and so it's almost like we have to back track. So, it seems as though by having this audit it's really a good thing. I guess if there is a way to do it simultaneously that would be awesome.

MR. SPENCE: Yeah.

COUNCILMEMBER GUZMAN: You know, and I think that was the discussion. Could it be possible that we do it simultaneously, but, you know, it may not be practical, as we're going through we might have to change the ordinance too, I mean the timeline as well. But I remember that discussion and I wanted to hear more about it, like more ideas how to speed up the process and make it more efficient.

MR. SPENCE: Right. And the community plan update processes we've discussed a number of times is quite honestly is we're hopeful with the way that we go through the update process it won't take as long as, you know, as projected. There's nothing to keep that audit from going along on a parallel track. So the, you know, we will have amendments to Title 19, for the Council, long before we finish the community plan update process and go through all nine plans.

COUNCILMEMBER GUZMAN: Chair, thank you very much --

CHAIR KING: Thank you.

COUNCILMEMBER GUZMAN: --Department.

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CHAIR KING: Thank you. Any other questions or comments? I have a question for the Planning Department. I know that there's been a huge effort to increase community engagement and look for new methods, so I wonder if you could just speak to that. What process we might be doing different going forward than we've been doing in the past.? And I was very impressed when we met a month or so ago and Long Range Planning shared some of the research they've been doing and what they've been finding out that other communities were doing to increase public engagement. So, can you speak to that for a little bit?

MR. SPENCE: Let me just say a couple things first. I know, we heard a lot from Lanai, people were dissatisfied with the process, Members of the Council were dissatisfied with the process. Just observing members of the public who are engaged with government and all things having to do with planning and Public Works, et cetera. They were just not satisfied with the process, and it just took an inordinate amount of time to go through. So, my boss said okay, let's stop planning, let's stop and look at the process, let's do something different. So that started really the wheels turning. You know there was a whole lot of concern in the community that, oh my God, we're stopping everything. I'd like to think of it more as a pause, because we did stop but it wasn't intended to be a long time, or to go through some onerous process to change everything. It just made us stop and take a hard look at what we were doing and how we were doing it and that's what we did. We...it pushed back West Maui a little bit. As the Councilmembers know we've already started the public engagement process there, but so we took a pause and we're looking forward to starting up shortly. What I'd like to do now is have Jen, she did a lot of research, on how we could do things differently and public engagement. And we learned a lot of things as we went through.

COUNCILMEMBER HOKAMA: Madam Chair?

CHAIR KING: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: I understand what you are saying, Mr. Spence. But what we've agendized is this the Molokai Community Plan. We can agendize process and community plans in general but I would rather we get back on track, Chair. It's a very specific agendized item.

MR. SPENCE: Right. And, Madam Chair, I was responding to your question --

CHAIR KING: Right.

MR. SPENCE: --so, you know, it's certainly up to you how you want to conduct the meeting.

CHAIR KING: Right. The question was about the process for the community plan updates and if there are any community engagement processes that are being employed that we weren't doing before that are, you know, designed to help us move forward more efficiently and with a higher level of public engagement. So and if we're...we've...we're...if there are things that the Department has learned through its

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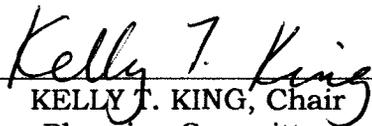
research that may be applicable to the meetings that we did, that the Planning Committee needs to schedule on Molokai, then, you know, I think it's certainly of interest and relevant to this update.

MS. MAYDAN: Thank you, Chair. And yes, out of respect to this being an agenda item for the Molokai Community Plan, I'll just note that we have been asked to come to your, I believe, March 9th meeting to discuss this topic of the community plan update process and improvements. But just to respond to your question regarding community engagements and techniques to enhance the process. One thing in particular that we plan to do, going forward, is to engage the community in multiple ways, to bring the process to the community, to go out to existing community events, to go to community gathering places, to go into the schools, and a stronger attempt to make the process more accessible to the community than we have in the past, as well as using online and digital tools. We plan to have a website dedicated to the West Maui Community Plan update as well as others going forward, to provide clear information, to provide opportunities for involvement via the web, if that is what some community members chose. Doing more charrette and design workshops so the community can have hands-on involvement in planning the future development of their communities, as well as still doing the traditional meetings, public hearings, that people are used to. But just augmenting the process with more options that are convenient for the community so we get a boarder input as well as also using social media.

CHAIR KING: Thank you, Ms. Maydan. And hopefully we can employ some of those, like the social media I think is great when we set up these meetings on Molokai. Thank you. Members, any other comments, questions? Thank you very much for your time, and this concludes our Planning Committee agenda. And I appreciate everybody's attendance. Meeting is now adjourned. . . .(gavel). . .

ADJOURN: 10:13 a.m.

APPROVED BY:


KELLY T. KING, Chair
Planning Committee

pc:min:170202:ld

Transcribed by: Lenora Dinneen

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CERTIFICATE

I, Lenora Dinneen, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 24th day of February, 2017, in Kihei, Hawaii

A handwritten signature in cursive script that reads "Lenora Dinneen". The signature is written in black ink and is positioned above the printed name.

Lenora Dinneen