

PLANNING COMMITTEE

Council of the County of Maui

MINUTES

August 30, 2018

Council Chamber, 8th Floor

CONVENE: 9:00 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Kelly T. King, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Elle Cochran
Councilmember Stacy Crivello
Councilmember Riki Hokama (in 9:38 a.m.)

NON-VOTING MEMBERS:

Councilmember Alika Atay (in 9:30 a.m., out 9:59 a.m.)

EXCUSED: Councilmember Don S. Guzman
Councilmember Mike White

STAFF: Traci Fujita, Legislative Attorney
Rayna Yap, Committee Secretary
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Joe Alueta, Deputy Planning Director, Department of Planning
Jeffery Dack, Current Planning Supervisor and Climate Commissioner Designee, Department of Planning
Kathleen Aoki, Administrative Planning Officer, Department of Planning
Peter Graves, GIS Analyst V, Department of Planning
David Raatz, Administrative Planning Officer, Department of Planning
Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
(In the gallery):
Pam Eaton, Long Range Program Administrator, Department of Planning
Ann Cua, Planner VI, Department of Planning

OTHERS: Lester Yano, President, Wailuku Heights II Homeowners Association (PC-19)
Mike Moran, President, Kihei Community Association (PC-20)
Zandra Amaral Crouse (PC-19, PC-20)

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Tara Owens, Coastal Hazards Specialist, University of Hawaii
Sea Grant

(2) additional attendees

PRESS: *Akaku: Maui Community Television, Inc.*

CHAIR KING: . . . *(gavel)*. . . Good morning. This is the Maui County Council Planning Committee. And for those tuning in to *Akaku*, they are having some technical difficulties so we apologize. You didn't get the screen that says that the Planning Committee meeting is about to start. And you won't get that when we go into a break. So, there's some issues with that, but hopefully you're hearing the meeting and seeing the screen with the Councilmembers and the folks in the Chambers. So, we can go ahead...we're going to go ahead and start the meeting. It's 9:05, and I'm calling the meeting to order. Please, everyone, silence your cell phones and other noise-making devices you may have on you. My name is Kelly King. I'm the Chair of the Planning Committee. And with us today is our Vice-Chair Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Good morning.

CHAIR KING: Good morning. We have Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR KING: Good morning. And Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, good morning, Chair.

CHAIR KING: Aloha, good morning. And we...Riki Hokama will be coming in at 10:00, from 10:00 to noon. Excused are Don Guzman and Mike White. And we have no non-voting Members today in the Chambers. With us in Administration our Deputy Director of the Planning Department, Joe Alueta. Good morning, Joe.

MR. ALUETA: Good morning.

CHAIR KING: We have our Planning Program Administrator, Pam Eaton in the audience. And our Planner VI, Jeffrey Dack, is here with us as support, as well as Kathleen Aoki who's the Administrative Planning Officer, and she'll be coming down for the third item on the agenda. I don't see Ann Cua.

MS. AOKI *(from gallery)*: She's on her way.

CHAIR KING: Okay. And Peter Graves is here, who's our Analyst...GIS Analyst V, and he'll be addressing the third item on the agenda as well. We have our two resource people, Tara Owens, who's our Coastal Processes and Hazards Specialist for...that has been advising the County on climate change issues. And she's with the University of

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Hawaii's Sea Grant College Program. That's the only other...that's the only resource personnel that I have. Our Corporation Counsel representative, Michael Hopper, Deputy Corporate [sic] Counsel. Thank you for being here.

MR. HOPPER: Good morning.

CHAIR KING: And we have our Committee Staff, Traci Fujita and Rayna Yap. Thank you for being here. You guys are great support by the way. I really appreciate your work. And Members, so we have three items on the agenda. We have PC-7, the Interagency Climate Adaptation Committee, Sea Level Rise Vulnerability Assessment and Adaptation Report. And that's basically just housekeeping because we were...we did have a report presentation with less than a quorum in the Chambers. So we have to do a report on that. And we have PC-20 which is the Hawaii Sea Level Rise Vulnerability and Adaption resolution which is...hopefully the Committee can approve that, and we can give our support to the report that Tara will summarize. And the third item is the PC-19, the Digital Zoning Maps. So, on your desk you should have some testimony that we received to the Committee. We're going to go ahead and begin with public testimony. Testimony will be limited to the items on the agenda. And if anyone has not signed up, please sign up with the Staff out in the lobby. Testimony is limited to three minutes. And most people here have testified before, but if you haven't, you know that the timer is on the podium. So when the red light goes off, the three minutes are up. And we're going to go ahead and check in with our neighbors in the outer areas to see if there are any testifiers. And I'll go to Molokai first, Ella Alcon.

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai, and there's no one here waiting to testify.

CHAIR KING: Thank you, Ms. Alcon. And we have Dawn Lono in Hana.

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

CHAIR KING: Thank you, Dawn. And then on Lanai, Denise Fernandez.

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

CHAIR KING: Okay, thank you. And then please either a text or e-mail if someone does show up. So, we'll go ahead and start with our Chambers, and, Traci, if you can call the first testifier.

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. . .BEGIN PUBLIC TESTIMONY. . .

MS. FUJITA: The first testifier is Lester Yano, followed by Mike Moran.

MR. YANO: Good morning, Committee Members. My name is Lester Yano. I am the president of the Wailuku Heights II Homeowners Association. And it is our understanding that, and I'm testifying about the digital zoning maps. It's our understanding that as an offshoot of the digital zoning maps effort that lots that were previously inadvertently zoned from Residential to Agriculture are being corrected as part of this proposal and that they'll be rezoned back to R-3 from Agriculture. And so on behalf of our association, we support the zoning of the lots located in the original Wailuku Heights subdivision back to R-3 zoning. It is our understanding that this zoning to Agriculture in 1999 was inadvertent. And so, you know, we just want to point out that these lots were developed, approved, and built in accordance with R-3 zoning standards. And making these corrections will conform all the lots in the association with the current Wailuku-Kahului Community Plan map. And it is a fair thing to do because then all homeowners in our association will be treated equally. So, that's why we support that rezoning, and thank you for your time.

CHAIR KING: Thank you, Mr. Yano. Any questions, Members? Thank you for being here. I appreciate it, and I do...I just want to acknowledge that we are trying to correct to align our maps with what is already in place and was approved. So, thanks for coming out and restating that.

MR. YANO: Thank you.

CHAIR KING: All right. Next testifier?

MS. FUJITA: The next testifier is Mike Moran, followed by Zandra Amaral Crouse.

CHAIR KING: Aloha, Mike. Can you just wait just a second? Traci, I just got a text from somebody that says *Akaku* is on the fritz. Can you check and make sure? If you can wait just...I'm going to take a two-second break --

MR. MORAN: Sure.

CHAIR KING: --or five-second break to check on that. . . .*(gavel)*. . .

RECESS: 9:07 a.m.

RECONVENE: 9:08 a.m.

CHAIR KING: . . .*(gavel)*. . . Okay, we're back in session. The meeting is being streamed according to *Akaku*, just the graphics are down. So, sorry about that, but thank you, Mr. Moran, for being here.

MR. MORAN: Thank you, Chair. I want to make sure I get my face time on *Akaku*.

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CHAIR KING: That's right.

MR. MORAN: Aloha, Chair King and Committee Members. Mike Moran, for the Kihei Community Association, testifying in support of PC-20 to adopt this resolution. Last week South Maui had a halo surrounding it as we were spared while our neighbors in Lahaina were devastated by Satan-like horrors of fire. As they were prepared for a potential hurricane as an abominable example of what may occur even if they have worked to be primed. So, while there are no guarantees, it is certainly prudent to take action to counter forces of harm and danger when we can, such as being informed and prepared for the oncoming sea level rise. And we express our thanks to you, our Councilmember King, for introducing this resolution on this vital matter. And while the concern is worldwide, we believe we have to approach it locally. For South Maui, we already see the erosion of parts of South Kihei Road on the northern end. For North Kihei Road at its elevation and location, how long before it is continually flooded and impassable? We trust you and all the Members have seen the report. We are already very late in the process and while there are no guarantees, we need to take prudent action when and how we can. So, please say yes for this resolution. Mahalo.

CHAIR KING: Thank you very much for your testimony. Members, any questions? Thanks for being here.

MR. MORAN: Thank you.

MS. FUJITA: The next testifier is Zandra Amaral Crouse.

MS. AMARAL CROUSE: Aloha kakahiaka, Co-Chair Yuki Lei Sugimura, Committee Chair. Thank you. My name is Zandra Amaral Crouse. I am testifying on PC-7(3) and PC-20. I apologize for what I wrote down. That's an error. Having been raised at the mouth of Iao River where the river flows into the ocean, the first acre we raised cattle ocean side, then the pigs, and then our house where my mother's house still stands today. I have lived through and experienced erosion through the river. And I remember the Legislators back then worked with my parents and all the neighbors, which was very few, to mitigate erosion along the river. But upon reviewing the study that's attached to this agenda today, I'd like to read into the record the executive summary. Shorelines are one of our planet's most dynamic physical features and Hawaii's are no exception. Communities along our shores have flourished for centuries in harmony with the ebb and flow of the tides, punctuated by the occasional devastating hurricane or tsunami event. However, rapid warming of atmosphere and oceans caused by two centuries of unabated carbon emissions is causing increasing rates of sea level rise, unprecedented in human history, that threatens natural environments and development on low-lying coasts. Sea level rise is an inevitable outcome of global warming that will continue through many centuries even if human-generated global green gas (GHG) emissions were stopped today. However, much of what happens with future sea level rise will depend on our ability, and inability, to implement aggressive global carbon emissions reduction programs envisioned through the 2016 Paris Climate Accord. While the earth's climate experiences natural change and variability

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over geologic time, the changes, excuse me, that have occurred over the last century due to human input of GASGs [sic] into the atmosphere are unprecedented. Sea level is rising at increasing rates due to global warming at the atmosphere and oceans and melting of the glaciers and ice sheets. Rising sea levels and projections of stronger and more frequent El Niño events and tropical cyclones in waters surrounding Hawaii all indicate a growing vulnerability to coastal flooding and erosion. Mahalo.

CHAIR KING: Any questions or comments? All right, thank you for your testimony.

MS. AMARAL CROUSE: Thank you.

MS. FUJITA: There are no further testifiers signed up to testify today.

CHAIR KING: Okay, anybody wishing to...anybody in the Chambers wishing to testify, please come down. Otherwise, we'll...is everybody...I'm going to go ahead and close testimony if there's no other testimony. Any objections?

COUNCILMEMBERS: No objections.

. . .END OF PUBLIC TESTIMONY. . .

ITEM PC-7(3): INTERAGENCY CLIMATE ADAPTATION COMMITTEE, SEA LEVEL RISE VULNERABILITY ASSESSMENT AND ADAPTATION REPORT

CHAIR KING: Okay. All right, Members, proceeding with business, the first item on the agenda, PC-7(3) is the Interagency Climate Adaptation Committee, Sea Level Rise Vulnerability Assessment and Adaptation Report that was given on May 31, 2018. The purpose of this agenda item is to tie up loose ends from that meeting and comply with the Sunshine Law, Section 92-2.5(d), Hawaii Revised Statutes. We did not have a quorum present at the start of the May 31, 2018 meeting. Section 92-2.5(d), Hawaii Revised Statutes, allows Members to receive a presentation relating to the, to any subject, but this specifically was a Sea Level Rise Vulnerability Assessment and Adaptation Report, provided that several requirements were met. One of the requirements is that before deliberation or decision-making at the subsequent meeting, the Committee must provide copies of the testimony and presentation received at the May 31, 2018 meeting and receive a report by Members who were present at the meeting about the testimony and presentation received. Although there's no anticipated deliberation or decision-making for this item at this time, Corporate [sic] Counsel has advised the Committee to fulfill the requirements of Section 92-2.5(d), Hawaii Revised Statutes, out of abundance of caution. So at our May 31, 2018 meeting, the Committee received one written testimony on this item, the copy of which has been noticed on today's agenda. The minutes of the May 31st meeting have also been posted on today's agenda. The presentation received from Tara Owens, Coastal Hazards Specialist, University of Hawaii Sea Grant Program and Department of Planning, relating to the Hawaii Sea Level Rise Vulnerability and Adaptation Report, Hawaii Climate Change Mitigation and Adaptation Commission

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(2017) Report was posted on today's agenda. That's the item you see that has 305 pages. The Committee was given an overview of the report including the potential impacts to the County of Maui and the recommendations outlined in the report. Sea Level Rise Guidance by the City and County of Honolulu Climate Change Commission was distributed at the meeting to inform Members how to...how another jurisdiction...inform Members how another jurisdiction is addressing the report. Okay, let me just finish this. Members, so that is the brief report on the testimony and presentation received at the May 31, 2018 meeting. And I've just been informed that *Akaku* is down again. So, we'll take a brief...do we know how...okay, we'll take a...don't go anywhere. We're just going to take a 30-second break. . . .(gavel). . .

RECESS: 9:19 a.m.

RECONVENE: 9:23 a.m.

CHAIR KING: . . .(gavel). . . Okay, we're going to come back to order. It looks like the public has been getting it. We had some problems in the building. But we're going to go ahead and finish our previous...Members, do you have any questions, or is there any discussion on this item, this housekeeping item, PC-7? Otherwise, I will defer this item if there are no objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: DG, RH, MW)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR KING: Okay, item deferred.

ITEM PC-20: HAWAII SEA LEVEL RISE VULNERABILITY AND ADAPTATION
(CC 18-273)

CHAIR KING: And let's move on to our next item, Members. This is the proposed resolution for the climate change adaptation...the Sea Level Rise Vulnerability and Adaptation Report. And I'm actually going to...to start it off, I'm going to read the proposed resolution in its entirety for those who are listening. The resolution is titled Supporting the Recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report. WHEREAS, rapid warming of the atmosphere and oceans, caused by centuries of unabated greenhouse gas emissions, is causing increased rates of sea level rise, unprecedented in human history, that threaten natural environments, important cultural sites, and development on low-lying coasts; and WHEREAS, the State of Hawaii, the only state in the United States comprised entirely of islands, is especially vulnerable to impacts of sea level rise, with approximately 750 miles of coastline and extensive development in low-lying areas; and WHEREAS, the Hawaii Sea Level Rise Vulnerability and Adaptation Report, referred to as "Report," attached hereto as Exhibit "1," was initially mandated by Act 83, Session Laws of Hawaii 2014 (Hawaii Climate Change Adaptation Initiative) and expanded by Act 32, Session Laws of Hawaii 2017 (Hawaii Climate Change Mitigation and Adaptation Initiative); and

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WHEREAS, the Report, approved by the Hawaii Climate Change Mitigation and Adaptation Commission in December 2017, provides the first statewide assessment of Hawaii's vulnerability to sea level rise, including recommendations to reduce our exposure and sensitivity to sea level rise and increase our capacity to adapt; and WHEREAS, the Report conducted modeling, using the best available scientific data and methods, to determine the potential future exposure of each island to passive flooding and, whereas...and where data was available, annual high-wave flooding and coastal erosion as a result of sea level rise; and WHEREAS, the Report's Sea Level Rise Exposure Area is based on 3.2 feet of Sea Level Rise (3.2 SLR-XA), and so they refer to the Sea Level Rise areas as SLR-XA, and depicts areas that are at risk of chronic flooding in the middle to latter half of this century; and WHEREAS, the Report recommends that community planning efforts consider the 3.2 SLR-XA now for planning processes and decisions; and WHEREAS, 3.2 feet of sea level rise on Maui, approximately 3,130 acres of land and nearly 300 structures would be chronically flooded, and more than 11 miles of major coastal roads would become impassible, jeopardizing critical access to and from many communities; and WHEREAS, with 3.2 feet of sea level rise on Molokai, approximately 2,600 acres of land and over 400 structures would be chronically flooded, and approximately two miles of coastal roads would become impassible, jeopardizing critical access to many communities; and WHEREAS, 3.2 feet of sea level rise on Lanai, approximately 380 acres of land and about one dozen structures would be chronically flooded; and WHEREAS, the Report included the following nine recommendations, along with 49 actions, designed to provide guidance for State and County agencies, communities, and other stakeholders for improving our capacity to adapt to sea level rise and to support a multi-sectoral and holistic response to adaptation, building on existing efforts and considering challenges and new opportunities. The recommendations are as follows: 1) Support sustainable and resilient land use and community development; 2) Prioritize smart urban redevelopment outside the SLR-XA and limit exposure within the SLR-XA; 3) Incentivize improved flood risk management; 4) Enable legacy beaches to persist with sea level rise; 5) Preserve Native Hawaiian culture and communities with sea level rise; 6) Protect near shore water quality from sea level rise impacts; 7) Develop innovative and sustainable financing and incentives to support adaptation to sea level rise; 8) Support research, assessment, and monitoring to support adaptation to sea level rise; and 9) Promote collaboration and accountability for adapting to sea level rise; now, therefore, BE IT RESOLVED by the Council of the County of Maui: 1) that the Council supports the nine recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report; and 2) that the Council urges the Department of Planning to incorporate the Report's analysis, findings, and recommendations into the General Plan and Community Plans; and 3) that it urges all County departments and agencies to use the information and implement the recommendations in the Report and the 3.2 SLR-XA in their plans, programs, and capital improvement decisions, to mitigate impacts of sea level rise, particularly those related to infrastructure and critical facilities; and 4) that certified copies of this resolution be transmitted to the Mayor, Managing Director, Planning Director, University of Hawai'i Sea Grant College Program, and the Hawaii Climate Change Mitigation and Adaptation Commission. So this was approved by Corp. Counsel. And also I want to mention, Committee Members, this was developed in coordination with the Planning Department and with

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Ms. Owens. And so we've all looked at the final draft of this, and this is what's before you now. So, I would like to...we have with us, Tara Owens, who's, as I said, the Coastal Processes and Hazards Specialist, the University of Hawaii Sea Grant College Program, and John [sic] Alueta, Pam Eaton, and Jeffrey Dack from Department of Planning. So, I'd like to allow the Planning Department first to opening comments, and then turn it over to Ms. Owens for just a brief overview of what we're talking about. So, Mr. Alueta, do you have opening comments, or would you like to ask Ms. Eaton?

MR. ALUETA: No, we don't have any.

CHAIR KING: Pardon? Oh, oh, sorry. Ms. Crivello, we need you. I'd like to welcome Councilmember Alika Atay who is a non-voting Member, but thank you for joining us.

COUNCILMEMBER ATAY: Good morning.

CHAIR KING: So, Members, if you have an issue, you need to leave, let me know because we do still have a bare quorum. Thank you, Mr. Hopper, for reminding me of that. Mr. Alueta?

MR. ALUETA: Thank you, Madam Chair. No, we do not have any opening comments at this time. We'll leave it to the capable staff, Tara and the rest.

CHAIR KING: Okay.

MR. ALUETA: Thank you.

CHAIR KING: Ms. Owens? The floor is yours.

MS. OWENS (*PowerPoint Presentation*): Good morning, Councilmembers. Good morning, Chair, thanks for having me back. Since the subject of the resolution is the report and specifically one output of that report, the Sea Level Rise Exposure Area, you know, we love our acronyms in the government and in science. So, the Sea Level Rise Exposure Area, as you heard, is lovingly referred to as the SLR-XA. I'll do a real quick overview of what the SLR-XA is so that everybody understands the information we're working with that the resolution applies to. So, one of the brilliant things about this report is that a whole set of really high resolution mapping information was made available to us statewide. And so the sea level rise exposure area is actually a combination or a composite of several different sea level rise impacts. One of those is passive flooding. So, I have some imagery here. This is actually not from our island, but on Oahu, where the 3.2 feet of sea level rise exposure area is shown in blue. And what this passive flooding means is over time as sea level rises, we're going to have groundwater rising and bubbling up through the surface in very low-lying areas. And we may have some areas where there's marine flooding from the ocean. So, this is just taking the water surface and raising it up with sea level rise. That doesn't factor in waves. It doesn't factor in erosion. So, that's one component. This is what that might look like. This is very common actually in Honolulu where there are parts of the

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urban core of Honolulu are regularly flooded, believe it or not, by freshwater as the sea rises and pushes up the groundwater. We also have modeled annual high-wave flooding. So, of course in Hawaii, in addition to just the water level rising up in and of itself, there are significant impacts when we get our seasonal waves on top of that. So, UH attempted to model what are our typical annual high-wave events, you know, like during a typical north swell or a south swell depending on the season. What those average wave heights are and added them on top of the raise in water level with 3.2 feet of sea level rise. And so you can see places where when we have wave events, and this is at Ukumehame, where you're really going to have extra inundation associated with those high water levels and waves. People are probably getting familiar to this view by now. The picture there that demonstrates this impact is the waves flowing over the highway to the west side during our seasonal high tide events. And sometimes when we get swells on top of that, the roads are affected. And then finally, coastal erosion. The last time I presented here, we went over many examples around the island where we're experiencing...where we have hot spots, erosion hot spots. So, sea level rise is sort of the natural forcing...causing a lot of this long-term coastal erosion along with other factors. And so UH has modeled the effect of sea level rise on coastal erosion. So, you can see the green, yellow, and red lines there. These are modeling future, potential future positions of the shoreline with one foot, two feet, and 3.2 feet of sea level rise. Of course, there are many examples of coastal erosion around the islands. So, I'll just wrap up real quick. I'll let you know that all of the data has now been...available in this viewer. So, you can go online and Google Hawaii sea level rise viewer and you'll come to this webpage. This was a partnership among a bunch of groups of folks. So, that this new exposure information, the SLR-XA, is available easily to everyone. So, you can zoom in to any particular location. So, we're going go here to Maui. Let's say, we'll go to Lahaina. There are different base maps. We'll turn on the satellite data here so you can kind of get yourself oriented. And then over here on the right side where my pointer is pointing, you can turn on the sea level rise exposure area for one foot of sea level rise, for two feet of sea level rise, and 3.2 feet of sea level rise. The report is recommending statewide that we begin planning for sea level rise using the 3.2-foot sea level rise exposure area now. So, normally we're looking at that 3.2 feet sea level rise exposure area. So, I turned it on there in blue so you can see the projections. This is again, this is a combination of passive flooding, high-wave flooding, and coastal erosion for Lahaina area. So the resolution here refers repeatedly to this 3.2 feet SLR-XA and makes recommendations for how we should be considering that in the planning process. Thank you very much.

CHAIR KING: Okay, thank you, Ms. Owens. And again the language from the...of the resolution, most of it came directly out of this report. So, but it was originally drafted with the help of the Planning Department and Ms. Owens. So, Members, are there any questions for Ms. Owens or the Planning Department about the resolution or about the Sea Level Rise Adaptation Report? Any questions or comments? Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And sorry I missed the first meeting, but I was looking through the minutes of that meeting. That's a scary picture right there because...and that's a lot of planning and a lot of investment in people's land and

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property and things that will be affected. But I'm just wondering, Chair, if was there ever any discussion in reference to what the, you know, responsibility of this body, a Councilmember, in regulatory things, policies, with planning, just trying to plan ahead as in Kahana, for starters. You know, planning a retreat plan of sorts with our infrastructure, all of the underground things that we have running through our roads. And then seeing that one map of Ukumehame itself. Everyone's talking about moving that main artery road inland. That totally tells us...gives us the picture where that road needs to go like now. And so just...or is that just another day, another time to really get into more of those details from this type of report and mapping?

CHAIR KING: Well, as far as getting the details, that would be, you know, the purview of the Planning Department to utilize this report. And so what we're doing today is hopefully approving a resolution that asks them to do that, to take into consideration. For instance, yesterday we had in the Housing and Human Concerns Committee, we had a report, you know, for affordable housing. But, you know, admittedly they didn't use an overlay of this report. So, this report would be utilized in those types of planning from hereon, hopefully if we approve this. And this...and the resolution was actually suggested by the Planning Department because they want that institutionalized, you know, they want that support from the Council.

COUNCILMEMBER COCHRAN: Oh, okay. No, very good. I...yeah, very much and wholeheartedly support.

CHAIR KING: Yeah. And Mr. Hokama is here, just joined us. Thank you for being here, Councilmember. Any other questions? Mr. Atay, you have...any of the voting Members? Go ahead, Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Chair. I know that I'm not a voting Member so I would...

CHAIR KING: Your opinion is just as valuable.

COUNCILMEMBER ATAY: Okay, that's...with interest, I wanted to come in here although I do have another meeting coming up. In the resolution or the proposed, what I don't see or what I'd like to see recommended is consideration of our fish hatcheries which is the muliwais. And if we know that there'll be sea level rise, then we must also consider, you know, everything will be moving further in, to also protect the muliwais. Muliwais is where our fish hatchery will stay alive and get increased as far as the fish population out in the ocean. So, we need to prepare and consider any kind of developmental areas, or where we're going to get areas further in, what's going to happen with the muliwai and, you know, kind of like protect that too.

CHAIR KING: Okay, thank you, Mr. Atay. And they're...under the nine recommendations, number five is to preserve Native Hawaiian culture and communities with sea level rise. So I think that will be taken...those are part of the considerations for that to make sure that we do have that protection. There are nine recommendations in this

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resolution. And so they address things like water quality, and they also address sustainability and resiliency.

COUNCILMEMBER ATAY: Yeah, I saw that and I just wanted to make sure that the concept --

CHAIR KING: That's on our mind.

COUNCILMEMBER ATAY: --of understanding the importance of the muliwai to our fish population is also kept in mind.

CHAIR KING: Okay, thank you. Are there any comments from the Department or Ms. Owens on that, protecting the fishponds and the muliwai?

MS. OWENS: That's an interesting point. And I'm not sure that very specific impact has been brought up and discussed extensively. There are, you know, we've made an attempt here to show some of the flood exposure impacts. But of course there are many other important factors. I would say looking at the muliwai, I'd want to have that conversation of what the impacts will be. These are the areas where the streams meet the ocean, and so potentially they're changing their locations, and maybe even size and functionality. So, it would probably be important to have a discussion about what those impacts specifically might be and then how to address them specifically as well, with the biologists and the fisheries folks who are experts in that area.

COUNCILMEMBER ATAY: Well, that's...excuse...Chair?

CHAIR KING: Yeah, go...

COUNCILMEMBER ATAY: That's why I bring this up because if we use hindsight, you know, what was Waikiki, and what is there no longer. You don't see abundance of fish, yeah?

MS. OWENS: Yes.

COUNCILMEMBER ATAY: So, and you look at the projections of the studies, it shows your number one example you showed is what areas going to get covered is where the muliwais were, you know. So, now is the time to use hindsight in our future planning. If you're telling us use a 3.2 scale and plan forward, I would say that we also need to always consider our future sustainability of where we're going to get our fish if there's no hatchery?

CHAIR KING: Okay, that's a great point. And I think moving forward if we can support this report and make that part of the discussion. Thank you for bringing that up, Mr. Atay, extremely important especially when we look at our future food source as you mentioned. Any other Members have...Ms. Sugimura, you have your light on. Did you have a question or comment? Okay, all right. Ms. Cochran?

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COUNCILMEMBER COCHRAN: Just real quickly. Looking at some of these maps that are scrolling up there, the portions that are kind of pooling more inland, is that where past perhaps loko i`as were? You know, just the historical wetland areas, and so now as you say are now coming up from...just due to sea level rise itself because, you know, Mokuhinia, all that, it gets saturated. You can see that it does come up when the high tide down by breakwall comes up, right. It affects all the way inland that way.

MS. OWENS: Yes, obviously many of the places that you see that are going to have the greatest impacts are very low-lying lands which either means they were wetland areas, or potentially they were stream mouths, you know. And so those places obviously are going to be in fact impacted more as the process continues. Of course we can look at locally specific examples all around the island. But that's probably true in a lot of cases.

COUNCILMEMBER COCHRAN: Yeah, okay.

MS. OWENS: One interesting thing is if you play around with the data, and I think it goes to this question you just asked specifically, remember that this zone...and I should say this is a model, right. So, it's not a projection of exactly where the water will be in the future. It's a model of potential, you know, potentially inundated areas. You can look at the individual components and how they affect the exposure at any particular area. For example, if you want to just look at how high waves might affect the area, a particular area, and how it contributes to that composite layer we have, you can do that. Or you can turn on the erosion layers separately. So, what you see in this case, in this part of the island around Launiupoko area, is that the erosion is probably the more significant factor here. It's the most landward part of the exposure. There are other areas, for example, here, an isolated area where you can see the wave, the high-wave run-up is going to have the greatest impact. And those are probably related to some of the geologic and geographic features you were just describing there, both of you. So, it's interesting to look at that and try to understand what the locally specific issues are and impacts will be.

COUNCILMEMBER COCHRAN: Thank you. And, Chair, which will help with our community planning too.

CHAIR KING: Right, exactly. Thank you, Ms. Cochran. Mr. Atay, you have another comment or question?

COUNCILMEMBER ATAY: Yeah, thank you, Chair. I just kind of was thinking a case in point. I think last year we did a site visit down in Kihei. I forgot what the name of the project was.

CHAIR KING: The wetlands?

COUNCILMEMBER ATAY: But when we did walk on that, it was a dry day. But when you walked on the land, you saw salt crystals that were at the top crust which would be an

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indication that on the high tide, the ocean came up on that land. So, you know, with your modeling you can see the potential areas of where, and I think this comes hand with zoning and land use, of where we shouldn't be building, you know.

CHAIR KING: Right, exactly. Thank you, Mr. Atay. Ms. Owens, do you have that particular spot? It was right...it was real near where St. Theresa's Church...

MS. OWENS: Okay.

CHAIR KING: Right off of South Kihei Road.

MS. OWENS: There we go, yes.

CHAIR KING: It was near Lipoa.

MS. OWENS: Right here is the St. Theresa's groin offshore. And these are some of those low-lying lands. So, more than likely if I turn on passive flooding, yes, you see a lot of inundation. So, this means a lot of this...the effect here is water coming up through the ground as groundwater rises with sea level rise.

COUNCILMEMBER ATAY: Yeah, that's two blocks in.

MS. OWENS: Yes.

CHAIR KING: That's pretty frightening. But a lot of us who live in Kihei are assuming at some point down the road, two or three decades, South Kihei Road will become our...North-South Collector Road will become our South Kihei Road at some point. So, Members, any other comments or questions? Most of us here have...are representatives of coastal areas so we're having some of this potential in our districts. If not, Members...oh, Mr. Hokama?

COUNCILMEMBER HOKAMA: Chair, the one thing that I took away from this is how this study looks at Molokai-Lanai. I like it when it says Lanai still needs to be more assessed in a greater...I mean one of the takeaways I look at is that a more detailed analysis needs to be done. It's not that hard. We basically have no shoreline communities, okay. But what we do, as I think...what I pick up from my colleague, Mr. Atay, is Lanai's role as part of our tri-isle channels regarding a nursery of fishes, okay. Maybe...well, you know, and then, you know, we've talked about impact on Lahaina. Well, come to the north shore of Lanai and look at the trash we get from the current from Maui, okay. Yeah, I know Maui fisheries on this side that we showed on the south shore of Maui is going down. So, where are they overharvesting now? The north shore of Lanai. Okay, where you think all this nabeta coming from? Lanai. Okay, where is all the waha? Lanai. Okay, 'cause I hear it from the Lanai fishermen. Okay, and I can appreciate, you know, even Molokai's native gatherers have concerns about overharvesting. So, for me, part of this high level rise needs to be more of a greater...wider perspective in certain subject matters, Chair, because we get impacted too. We may not have the population base, but we're part of a natural ecosystem

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within the channel of the tri-isle that is a sanctuary for our marine species. And it's a bread basket for all the islands, three islands of our County, not just for Maui. So, I would ask that...I would rather have more focus on the next ____ about our County, you know. I will trust in our colleagues of Big Island, Oahu, and Kauai to take care their own kuleana. Thank you, Chair.

CHAIR KING: Thank you, Mr. Hokama. Would you like to comment, Ms. Owens?

MS. OWENS: Well, there have been two comments now about the potential impacts to fisheries and the muliwai. I don't know if that's something that could be included in specific detail in this resolution. I would leave that obviously up to the Councilmembers. I do want to clarify the reason there is a comment in the report about more work needs to be done on Lanai and Molokai is that the full suite of modeling was not completed for those islands. So, we said that there were three pieces, the passive flooding, the high-wave flooding, and the erosion. For Lanai and Molokai, all that the university was able to model was passive flooding. And that is because there is a lack of data related to historical erosion patterns on those islands. Those studies just have never been completed. And I know for Molokai it came up in the context of the community plan. I believe one of the action recommendations is to do an erosion study for Molokai which would then lead to the capacity to do this additional modeling for Molokai as well. Fortunately, as you point out on Lanai, there's much less coastal development that is in the exposure area no matter what, which is a very fortunate thing. And if that remains to be the case, then maybe some of these other issues, the cultural issues and the fisheries issue are preeminent there and are important.

CHAIR KING: Okay, Mr. Hokama?

COUNCILMEMBER HOKAMA: Yeah, 'cause if you look at our north shore, in my short 65 years being there, the north shore has grown into the ocean, okay. Because of siltation and, of course, our Native Hawaiian communities that left the north shore area to go into the mauka and the city area, so the punawais and whatnot were not maintained. The shoreline that I knew is actually 100 yards further inland than where it is today because of that siltation. And that has been the major cause of impact to our north shore reefs. Yeah, drainage issues after heavy rainfalls and storms. And so --

MS. OWENS: Additionally...

COUNCILMEMBER HOKAMA: --I would say that the University can go and talk to the old families who have been there. We've been there a long time, over 100 years, okay. We know where the old water lines was growing up. So our whole north shore is not what it is or was. You know we made great adjustments. So, certain parts is losing land. Certain parts are gaining land, right. There is no Kalapana Black Beach, but now they have a new black sand beach that was just created by this latest eruption. Okay, but that's Mother Nature and Pele doing their work. So, for me, again, I just would ask that we further put extra effort in making sure that Molokai and Lanai has the right

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analysis so we can make the better decisions for our...all our sister islands. Thank you, Chair.

CHAIR KING: Mr. Hokama, did you...were you interested in instituting that into the resolution? Or directing our Planning Department?

COUNCILMEMBER HOKAMA: I would ask that that be part of the detail of the committee report explaining the Committee's discussion and sentiment about various portions of the report, Chair.

CHAIR KING: Okay.

COUNCILMEMBER HOKAMA: I mean I can see it fitting within somewhere within the nine that you've listed. I think it's broad enough that it can fit. But I would like at least in the committee report that, at least for myself, my concern was the two sister islands, Molokai and Lanai.

CHAIR KING: Okay.

COUNCILMEMBER HOKAMA: And if appropriate, we still have Charter responsibility of Kahoolawe. So, if appropriate, we should give our other sister island its due attention and support. Thank you.

CHAIR KING: Okay, thank you, Mr. Hokama. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. So, to segue off Mr. Hokama, when you talk about data with erosion, I think there are some studies for our island if you look at the west side. You know, it's historically erosion deeply. I think we've brought that to many...into many of our plans about the impact of the erosion into our ocean sides. Also, and this is just coming from your basic fundamentals I think, I believe watershed projects play a big role in...everything is mauka to makai, makai, mauka, right. I mean that's just basic on our how we malama our ahupuaas. And so the encouragement to me to always keep our mauka side fully forested and protection of our native plants and what-have-you. And the support for watershed prevents lot of the...cause with the climate change, you get flooding, you get rain, you get erosion. And everything comes down makai. So, I think there's some studies that show that because prior to us having our watershed, on a portion of our island on the east side, like just mud constantly. But the protection of our resources on mauka side has prevented that with this kind of watershed project 'cause it's both ways, right. You protect the...have the water system prepared for generations to come. Also, when it comes to hatcheries within our loko ia, we do have a couple loko ia projects that involves hatcheries, yeah. And I think our community plan talks about subsistence constantly throughout our Molokai Community Plan. And this includes all of this and we talk about the muliwai and what-have-you. Again, take care mauka, we get our streams back. You know many of our streams are not flowing how it used to be or what have you so that they're going to connect to the kai and the wai, yeah, how it will connect and then bring it all together. So I think there are studies out there if that's

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what we need to look at. But, you know, just having the conversation with the people of the land I think is...supersedes all data where, you know, inclusively in the data reports because many of them work it, so they know what needs to be protected. I think how...and I guess I believe that's the purpose of this resolution is how we're going to mitigate the climate changes that's affecting us. We have no control of nature but how we're going to come together to make things better. So, I always think that our ancestors, you know, they had it right. They just go down to the basic on how you're going to take care from one side to the other side. They know which is the dry areas and which is, you know, and that's how they moved around. That's what we need to consider too. So, but thank you.

CHAIR KING: Thank you, Ms. Crivello. Ms. Owens, you want to address the, you know, if whether the watershed information was incorporated?

MS. OWENS: Well, what...I wanted to thank you for making the comment that the community plan does do, for Molokai, does do a discussion of these issues with the loko ia and subsistence fisheries. Because I think the significance here is we have all this new and important information that we hoped to provide to our communities. And then those kinds of discussions, whatever is most important to the communities, then are...will be triggered by having this information. And the community plans seems like a very appropriate place for that to happen. And we would like to support those community plan efforts as much as possible to help have these discussions. So, thank you for that. I think that applies to all the conversations too about watershed management. There are lots of questions, lots of concerns, and it's obviously going to take all of us to figure out what specific solutions we take in any given community. So, thank you very much for those comments. I think that was right on target.

CHAIR KING: Thank you, Ms. Owens. I was actually going to ask Mr. Atay, but maybe, Ms. Cochran, if you feel that, because you also mentioned the fishponds and as Ms. Crivello did too, if we feel like that's an additional demarcation we want to put into this resolution. And the clause that has the nine recommendations, those are the recommendations in the report, so I wouldn't change those because the report's done and it's been accepted. So, I don't think we can go in and say anything about those recommendations. But we can add a recommendation, something to the effect of whereas, the Maui County Council also finds that particular attention must be paid to the effects of sea level rise on fishponds and the muliwai. And if we wanted to actually prescribe that, we could put that in. But I'll leave it up to the Committee to see if anyone wants to make that amendment. Otherwise, we do have that written into the record, in the minutes. And it is something I believe that the Planning Department has heard loud and clear, and Ms. Owens is now fully engaged in. So, is there any motion to that effect, or do we want to just leave it as...the resolution as is?

COUNCILMEMBER COCHRAN: Chair?

CHAIR KING: Ms. Cochran?

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COUNCILMEMBER COCHRAN: Yeah, thank you. But I think that one point, what'd you say number five or six, that...my iPad's down right now and --

CHAIR KING: It's number five.

COUNCILMEMBER COCHRAN: --and have an issue...okay. And it addresses like cultural, you know, practices, traditional, and so I feel that does encapsulate it. But if, you know, on a general, more broader version...but yeah, that's getting a lot more specific, of course --

CHAIR KING: Right.

COUNCILMEMBER COCHRAN: --to say in black and white specifically this and then the rest of the language will encompass, you know...

CHAIR KING: And I believe we have a resolution supporting the fishponds that we passed. If we feel like there needs to be something specific put into ordinance to do a specific study of that, we might want to consider that as a separate item because the recommendations in this report didn't get that specific. So, at this point, Members, I will entertain a motion to recommend adoption of the proposed resolution entitled, Supporting the Recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report; incorporating any nonsubstantive revisions; and the filing of County Communication 18-273.

COUNCILMEMBER CRIVELLO: So moved.

VICE-CHAIR SUGIMURA: Second.

CHAIR KING: Moved by Ms. Crivello, second by Mr. Hokama. Okay, any discussion? Oh, well, I saw Mr. Hokama's hand go up. So, I don't know if his hand beat your...was seconded by Ms. Sugimura.

COUNCILMEMBER HOKAMA: Yeah, thank you.

CHAIR KING: Okay, all those in favor, say "aye."

COUNCILMEMBERS: Aye.

CHAIR KING: All those opposed? None opposed. Motion carries with five "ayes," two excused. That's the entire Committee.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Guzman and White.

MOTION CARRIED.

ACTION: ADOPTION of resolution and FILING of communication.

CHAIR KING: And so, Members, without objections, we will move on to the next item. So, that was to file...to approve and file, okay, the communication.

ITEM PC-19: DIGITAL ZONING MAPS (CC 18-201)

CHAIR KING: Okay, so moving on to Item PC-19, Digital Zoning Maps. And thank you very much for being here, Ms. Owens, Mr. Dack.

COUNCILMEMBER COCHRAN: Chair? Can we get just a mid-morning break right now?

CHAIR KING: Okay, I usually take it at 10:30, but we can take it now. We'll take a ten-minute break. . . .(gavel). . .

RECESS: 10:04 a.m.

RECONVENE: 10:13 a.m.

CHAIR KING: . . .(gavel). . . Okay, I forgot to mention before the break too that we don't have, for the listeners, that we don't have a screen on there. So, there's nothing that says, you know, we'll be back in a few minutes. So, it's 10:15. We're reconvening.

COUNCILMEMBER COCHRAN: . . .(inaudible). . .

CHAIR KING: Yeah, write it down and put it up. But I know *Akaku* is trying as hard as they can. They do a pretty good job for us. So, Members, let's move on to our last item on the agenda today, Digital Zoning Maps, PC-19. And we have with...the description of the item...let me go ahead and read it from the agenda. The Committee is in receipt of the County Communication 18-201. from the Planning Director transmitting, A) A proposed bill entitled, A Bill for an Ordinance Adopting a Digital Zoning Map as the

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Official Zoning Map for the Island of Maui. The purpose of the proposed bill is to adopt a digital zoning map, consistent with previously enacted zoning ordinances for the island of Maui. B) A proposed bill entitled, A Bill for an Ordinance Amending Title 19, Maui County Code, Relating to Zoning Districts and Maps. The purpose of the proposed bill is to update the list of County zoning districts in the Maui County Code, establish updated County polices on determining boundaries for zoning districts, and comprehensively update the digital zoning map for the island of Maui. And C) A copy of the relevant meeting minutes of the Lanai, Molokai, and Maui Planning Commissions. So we have the correspondence dated August 16, 2018--is that somebody's phone--from the Deputy Planning Director transmitting a presentation on the Digital Zoning Maps. And we're going to turn the floor over to Department of Planning. We have here Joe Alueta, Deputy Director, Kathleen Aoki, Ann Cua, and Peter Graves, who have been working on the project entitled, or nicknamed Dead Sea Scrolls. And I'd like to ask you begin your presentation. Department?

MR. ALUETA (*PowerPoint Presentation*): Thank you, Madam Chair. Good morning. Some of...many of you and I think all of you, prior to me retiring, well, I was able to squeeze all you in as far as the presentation for this project. We have been working on this since 2001. Or I should say 2005 is when the Planning Department got it back. And I'll quickly go over the history. It is called the Dead Sea Scroll Replacement Team. It is made up...when it started out, I took the lead on it and pulled members from various divisions of the Planning Department. So, it was an interdepartment team that had expertise or had dealing with zoning maps at that time. We have an example of land zoning map number five which is your Kihei map which as you can see, stretches all the way to Waikapu, I think. It's a very interesting map. It's been around since the '60s. That is our actual official zoning map along with any changes that has occurred since then. And so you can see that it's been around for quite a long time. There's lots of tapes, and it does look like a Dead Sea Scroll to us. So, we're hoping today we'll be able to replace that. So again history I said, it started basically in 2001 when the County GIS staff was first tackling it. It was a very comprehensive project at that time. And I want to say it was almost too much. And so by the time it was transferred back into...2005 to the Planning Department when we took it over, we scaled back what its goals were to deal primarily and almost exclusively with County zoning because that is what we regulate. Again as I indicated, staff was basically made up of different divisions that had expertise within zoning or dealing with zoning over the past years. Many of the members again were all 20-plus years in service with the County of Maui. Thirteen years later it took us to go through, present day we're at. We have pretty much covered all...we've done all of Maui. And that's the island...we decided to take Maui first. And we will follow up again with Lanai and Molokai shortly after. Again primarily trying to correct alignments, updating the parcel zoning district standards, eliminating non-existent zoning. So again hot topic as far as zoning table, you see items on there that don't exist or don't have district standards. So, we're trying to clean...a lot of cleanup of that. Correcting oversights as well as some mistakes done maybe during comprehensive zoning. In the...I guess in 2017 the County did issue a press release regarding the project. We established a new website. We went out to the public. Public meetings, four public meetings out in

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again Kihei, Wailuku, Lahaina, as well as Pukalani. In March and April of this year we completed that. I'm sorry, that should be 2017, yes. 'Cause we then went to Planning Commission after that. At the same time we did about 900 parcels...900 postcards mailed to landowners that were impacted by the adjustments to their parcels. And again, most people didn't know that their zoning had changed, or there was a different interpretation of their zoning. So, basically I want to say that almost everybody was like what they thought their zoning was is what we're changing it to or correcting it. We have accompanying ordinances. It was presented to the commissions back in 2017. Again we got full support from all the commissions for this as well as, you know, in our briefings with you, you guys all seemed very enthusiastic about it. I hope you're still excited about it. Again we decided to take Maui island first, and then we will follow up again, Molokai and Lanai. I guess as always the community plan is your, you know, the base as far as any changes or anything that we did, had to be consistent with that community plan. Later on, you know, we're going to have to come back to you, 'cause this is just the first step, where the harder decisions, where there's either a conflict in the zoning in the community plan. And that's more of a policy decision. These were decisions that we felt comfortable making as staff, rather than...and so the harder ones where there's a conflict, we don't zone contradictory to community plans on that aspect. Again primary goal, replace the paper map, start with the digital base. Make the digital map available to the public 'cause we get thousands of inquiries a year for that. Confirm every zoning for every existing parcels. Due to the scale of the work involved, we realized we needed to focus on one island at a time. And then to create a single zoning map that encompasses the entire island. And we're going to show you some slides on that. So, what is zoning? Okay, it determines what may be used and where structures may be placed on a zoning, it promotes an orderly path to development, and primarily separates incompatible uses, okay. Zoning is your bread and butter. It's what the first thing that every realtor, every homeowner should know what my zoning is because that determines what you can...ultimately can and cannot do on your parcel. How do we get zoning? Okay, obviously the first thing was comprehensive zoning. There's comprehensive zoning maps which is what you see before you here. You have individual changes which often will come before you for a change to a particular parcel. And then comprehensive land use ordinances. Those were primarily your Rural Bill, if you remember that, as well as the Agricultural Bill. So, as we say, no zoning in 740,000 B.C. to 1957, okay. Interim zoning for island of Maui came out in 1958, and that's the entire island. Then you started to get your land zoning maps. You have...this is number five and that's that big one. Sorry, I don't have a pointer, but that's that long one that accompanies all the way along...oops...one of these work...doesn't even work on the...oh, doesn't work on the screen. Anyway, that's the one that stretches from basically the Ahihi-Kinau Reserve, or way out in Makena, all the way across, all the way to Waikapu. As you can see from the zoning maps, they don't cover the entire island. Okay, so then you have, the other way, is again individual zoning. So people who come in for their individual parcels and that's how again...so and then finally comprehensive Rural Bill and that...again the interesting fact of the Rural Bill was, you know, less than 15 acres had...was State land use, Rural...community plan Rural less than 15 acres and not in Hana, okay. And then you had the Ag Bill which was pretty simple. Whatever was community plan Ag was zoned Ag, was zoned County Ag.

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So, but again no actual zoning map. It was just an ordinance, and they relied on a community plan map. And as you had the testifier today, will show what can happen sometimes when you use a community plan map or a large-scale map like that to do zoning, you may...we have some things to correct, and we'll show you that. Current zoning, this is our digital representation of what we want to get today. Challenges, again, obviously it's taken us 13 years now I guess so to get to this point. This is one of the enticements to get me back out of retirement to come and finish this. So, I was pretty happy to have this scheduled today. Age, lack of detail on the original map. As you can see from this map, it's basically a USGS quad, or similar to that. And that's, you know, and that's the best technology they had, okay. So, you can't fault them for that. They tried what they could, but there wasn't any parcel-by-parcel. Poor quality maps, worn out. Again as you can see from our map here. And this is pretty typical of all of our different zoning maps because again they were initially adopted in the '60s. And that is the official zoning map along with every different changes. So, over the years, you know, things get worn out, tape, tears, handwritten notes. We used to have a policy if a consultant came in to confirm their zoning, they had to tape on the back or tape up the holes that were on the zoning map to help them...have them help us preserve. Grant Chun was probably one of the most helpful in keeping this map together 'cause he would always come in and tape the back of it. It was pretty helpful for us. There's no single set of zoning maps for the island. Like I said, it's a patchwork. Interim ordinance, original zoning map, individual changes, and then different comprehensive zoning maps. So, this is kind of a quilt work. And that's kind of how we had to go through it. We basically had to start from scratch from the beginning, right. Start from your base layer which was Interim zoning. Then slowly build every layer by layer by layer. And as we went through this, you know, we started from the beginning and went through all the different ordinances. Some parcels would get changed, and then the same parcel...same property would get changed to a different...I mean it's very interesting. And so if any of you have done Photoshop, the layering, that's pretty much what we had to do to accomplish that. Project benefits, again, confirming zoning accurately and efficiency. We're doing all the grunt work, the hard work up. Get it up on the digital. It makes it easy for anybody who needs to use the information. Greater public access is a key goal here, and accurate information. Reduction in...we currently process zoning confirmation forms in the thousands every year. And you can see in our budget reports of how many we've done. It's staggering 'cause again every time you do a development, you need to confirm that zoning. Improved coordination between government agencies. Once word got out, it was so funny is once word got out that we were doing this, every department wanted it because Water Department needs it for projections. Not only do they need a community plan of where growth is going, but they want to know what's the existing zoning. Taxation wants it because they need to know how does it match up. What's the maximum uses they can use, not just what is...because they tax based on use. What are you using the property for, and what's the highest and best use. Zoning is a key component to that. Every infrastructure, whether it be water, sewer, or drainage, you're going to need the zoning to understand what are the impacts, and what are the potential development there so you can do your projections forward in helping...in all of your CIP. This will be a key base or component of the MAPPS project. I'm sure you've all had presentation over it, the Automated Planning and Permitting System. I

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was on the scoping team that travelled around to see what was the stuff out there and, you know, when we picked our vendor out there, it is going to revolutionize again the County in its efficiency in getting...processing of and getting accurate information out there for the public. I think that's a key component. And this is again, this is just going to be one more piece in the puzzle for that project. We're going to present some examples. I love the little frog added, thank you. Oh, that was you, okay, thank you. I used to say...I used to always end, if you guys remember my presentation, I always ended with the ostrich with his head in the sand. Even though they don't do that in real life, but I feel like the County has over the years ignored this problem and just hoped that someone else would deal with it. And I don't know why. And a lot of it had to do with I think internal fears of having to come before the Council, you know. And I'm like, no, we...these are the people that need to make...they need the best information. We need to work with you and get this done for the people of Maui. I think that's the thing, and so we're not afraid of coming before you when we have problems. And when we have problems, you know, we want to be able to get an efficient answer and resolution to them. And so again we're...I'm just putting that out. And so hopefully, you know, after 40 years we'll finally get a digital map. So again, scale. This is Kihei, very difficult to determine individual zoning. We're using the RPT parcel layer as our base now. Again, that doesn't change your lot, per se. It just a base that everybody can work from 'cause they maintain a _____. So you can see it's difficult to see. You can go on, next one. And then you can see legacy zoning. Drainage ways that were on the zoning map, proposed road was on the legend of the zoning. There's no zoning category. So, again we're trying to eliminate those from it. They're going right through what we consider existing subdivisions or residential areas. Next slide. Here's the aerial of...so North Kihei Road. Sorry, I can't do a pointer, but you can see the Piilani Highway cutting through. This is in North Kihei, Kihei Villages in your top left corner, right below line. And then you know...I don't know if it's still Tesoro, but the gas station that's on the corner that everybody hits. This is the zoning map. The road wasn't built. This is where they thought the road was going to be built, okay. And you can see the different layers. You can see as we pointed out where the road is. So, they basically moved where they built the road upward. They never eliminated that zoning of proposed road, you know, as well as...so they never undid it. And what they did was, someone just arbitrarily decided that, well, they meant to zone all the way up, and they just colored in the map, and said, oh, all this land, all the way to Piilani Highway is now zoned Residential or Apartment. And we built and given development permits for that. So, someone just made that determination. And we feel that that's inaccurate. And that you need to come in and we need to correct that map, 'cause that was the intention, to zone all the way up to the highway. So, again you still have portions of the road going through this subdivision, okay. And so we're changing that back to Residential because we all thought it was Residential, and they've all been developed as a residential subdivision. And so this is what the corrected map will look like, okay. Again as testified today, Wailuku Heights. Again it was zoned back in the I believe '80s...'77. So, follows the existing...I mean it's what it is today, where all the parcels are, okay, 1977. When you did the comprehensive agricultural zoning, right, the map that was...the community plan that was in effect at that time was a 1987 map, which is this map that we have up today, okay. The Wailuku...the new Wailuku...or the '90s Wailuku-Kahului

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Community Plan was not adopted yet. So when the enactment of the Ag Bill occurred, this is the community plan map that was in force. So, therefore, it automatically zoned all of these parcels that had been previously been zoned in the '70s to Residential. So obviously we want to correct that and bring all of these people back into their original zoning. There's another...and this doesn't...and this is what the community plan is so again when they adopted the new community plan map in 2002, right, it accurately depicted where Wailuku Heights was, okay, because they just took a little more care in the mapping. I think we had a little more GIS and computers to work with that rather than just using a USGS quad. And so again bringing that all back, this is what the adjustments will look like. Oh, Pukalani. Pukalani is a fun one too as Peter will attest to. This is your zoning map. This is how they decided to zone Pukalani, and that's fine. But when you overlay that, okay, this is all the R-2, and then this is the parcels. And so they don't necessarily line up, okay. And you can see where once the shifting of...I mean where it was subdivided out, the survey data, because remember there's...how these zoning maps were established, you know, sometimes we say they're cartoons. But they were doing the best they could with the data they had. And then we're...all we're trying to do is shift the alignments to match up with the existing parcels, and that's basically what's it's going to look like when we're done. And that's our...for realignment for Pukalani area. And this will be our corrected digital zoning map. It'll...again you'll have a comprehensive digital-based zoning map for the entire island of Maui going forward. Then we can start having really good discussions on changes that we want to do later on. I mean this is just the first step in the process, but at least we'll all be talking from the same accurate map, per se, you know. Thank you very much. And we're going to also...I have Dave Raatz here. He's going to go through the actual ordinance so, and our staff is here again to take any questions.

CHAIR KING: Okay, thank you, Mr. Alueta. And sorry, I forgot to introduce you earlier, David. David Raatz has also been working on this project. And so you have an additional presentation, Mr. Raatz?

MR. RAATZ: Yes, thank you, Chair King. Just briefly, and for the record, I'm David Raatz, Administrative Planning Officer with the Department of Planning. I had the privilege of taking this proposal to the three Planning Commissions last fall. I'll basically show the Committee what we showed the Planning Commissions. First, a little bit of background as Joe talked about, this proposal is intended to increase zoning maps accuracy, clarity and ease of use. The legislation also provides a roster of zoning districts in the County and updates our standards for determining boundaries. Next slide, please. So, here's where we currently stand with regard to zoning maps. The Maui County Charter grants the Planning Director the authority to prepare, administer, and enforce zoning ordinances, zoning maps and regulations. Pursuant to that authority, the Council in Chapter 19.06 of the County Code has stated that paper zoning maps shall be kept on file as the official maps. And Chapter 19.06 also establishes policies for determining boundaries of zoning districts. So, the Department's position and the reason we put this proposal forward again as Joe alluded to, we want to recognize a digital map as the official zoning map for the Maui County Code. We want to update the standards for determining the boundaries of

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zoning districts to better effectuate the Council's intent when it's passed zoning ordinances. And again we want to comprehensively list all the zoning districts that currently are in Chapter...excuse me, Title 19 of the County Code. We think this would fulfill several General Plan policies including to make government services more transparent, effective, efficient, and responsive to the needs of residents; to facilitate the community's ability to obtain relevant documentation; to use advanced technology to improve efficiency; and to expand government online services. So, this is the cover letter that we submitted to the Council, and the two bills have simple purposes. It's very important policy position, but it's straightforward. The first bill would adopt the digital zoning map for the island of Maui. The second bill would establish updated County policy in determining the boundaries for zoning districts and comprehensively update the digital zoning map for the island of Maui. So, the first bill, I'd point to the purpose clause. The purpose of the ordinance is to adopt a digital zoning map as the official zoning map for the island of Maui. The map shall provide the geographical, or excuse me, a graphical portrayal of zoning designations established by ordinance. And I do want to emphasize, this again is intended to effectuate the Council's Legislative intent in enacting zoning ordinances in the past. So, though the digital map will now be the official map, it won't supersede things like zoning conditions that the Council has imposed. Those will be embedded and still part of the layer of zoning for the island of Maui. And you see in subsection B of 19.06.020, we have a link that takes you to the digital zoning map. And that will be, if this is enacted, something that will be accessible by anyone in the public to look at zoning designations throughout the island of Maui. Next slide, please. And then we can go on to the next bill. The second bill kind of has some housekeeping elements to it where we reorganized the list of the zoning districts in Title 19 to show the Council, the Planning Department, developers, other members of the public exactly what the available zoning designations are in the County of Maui. And we list them generally in the order that they're reflected in the County Code. So, it's kind of like a table of contents, and these are going to be the designations you'll see moving forward in the digital zoning maps. Again we're trying to eliminate the use of zoning designations that don't actually exist in Title 19. That's one of the problems that the DSSRT project is trying to eradicate. Next slide, please. And again we got the new, reorganized list, comprehensive list of zoning districts in Maui County. Oh, and I'm sorry, we do have one typo in the bill that the Committee Staff has pointed out. We thank them for that. Under Industrial districts, subsection H, we have M-1, M-2, and it should be M-3. For some reason it has U-3. So, we'd appreciate a friendly amendment to that effect. And this interpretation of district boundaries, the Council's intent in most cases in adopting zoning ordinances is to have zoning boundaries match up with the property's lot lines. And we want to have that established in the County Code that we have the authority when putting together this map that we can establish that precision that doesn't currently exist in some of the paper zoning maps because of the crayon-like or cartoon-like features we saw earlier. And just a couple of touch-up changes to Title 19 where we're changing chapter headings to be consistent with how the terms are actually used elsewhere in the County Code. And that's the legislation. Thank you very much.

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CHAIR KING: Thank you very much, Mr. Raatz. So, we have two ordinances that are being proposed by Department. I just want to make sure there's just the two. You don't have anything...

MR. RAATZ: That's correct, Chair.

CHAIR KING: Okay, any other comments by the Department on this issue? Otherwise, we'd probably open up for...

MR. HOPPER: Chair, can I add...

CHAIR KING: Yes, Mr. Hopper, please?

MR. HOPPER: Just a quick comment. Wanted to reference that in 19.06.020B, there is an adoption of a digital zoning map. So, the maps actually...yeah, there's a link and it's incorporated by reference. And so that map, it would be adopted by the Council here. And that would make a lot of those adjustments and changes that were discussed by the Department. So, I wanted to note that for the Council and the public that that map is available at the link and...

CHAIR KING: Okay. You're talking about the link in B, in Paragraph B?

MR. HOPPER: Yes.

CHAIR KING: Okay.

MR. HOPPER: And that's adopting the map and incorporating it by reference into the Code. So, I think that's important to note that just for the Councilmembers' reference, that by adopting the ordinance the map itself will also be adopted as a County zoning map and incorporated by reference into the ordinance.

CHAIR KING: Okay, but no legal issues with that?

MR. HOPPER: No, the Council should be aware of what's being adopted and just be aware of that. 'Cause it's not...it is to some extent reflecting existing zoning. But in other cases, as pointed out by the Department, it is actually changing zoning designations for areas. So, the Council should be aware of that, that that is changing zoning designations, and with those changes are, those are reflected in the maps. So, I think that's an important thing for the Council and the public to know. I think that was consistently explained through the process so that shouldn't necessarily be a surprise. But that is something that's being done by the adoption of the map here.

CHAIR KING: Okay. So, I guess this is a question for Mr. Alueta. So, we got some examples but can we pretty much...can we assume that all the changes are consistently being made to bring us in line with what we have today, what we have...what's been adopted, and what's been already been designated?

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MR. ALUETA: Yes.

CHAIR KING: Okay. And then the other question I have, I know this is going to be available to the public so I think that'll be really helpful for people wanting to know what their zoning is and making proposals. So, the only other...no, not the only other question, but the other question I have, and I think it may come up, is you know a lot of us...I understand how important this is to the MAPPS Program but a lot of us expected that to be...have been done last year and it seems to keep on going. So, do we have a new...I mean are...is that operational? Because I keep hearing about how great it'll be when it gets operational. Can you speak to that?

MR. ALUETA: I can't really speak to the new timeframe at this juncture. I do know that this is just another key component of it regardless of whether or not how the timeframe of MAPPS occurs, the DSSRT project, or the digital zoning map, is needed so I think, and necessary for the County of Maui.

CHAIR KING: Okay, well maybe we have to put that on the agenda separately. So, Committee, questions, comments?

VICE-CHAIR SUGIMURA: I do, Chair.

CHAIR KING: Ms. Sugimura?

VICE-CHAIR SUGIMURA: So, fantastic and welcome back, Joe. I remember when I first started, or even before I was sworn in, I think you did a presentation of this. And I appreciate that and this is a lot of work. I'm curious in...with RPT we did see Esri, you know, which is a whole other mapping system. I just wondered how all of this kind of fits in, or does it?

MR. ALUETA: It's the same system as Esri.

VICE-CHAIR SUGIMURA: Oh good.

MR. ALUETA: I mean is a product...is the company with a product for GIS. And that's what we use, do our mapping from. I don't want to throw too many things at your confusion in any way, but there's a...as you know, there's a partial layer, okay. And that partial layer is a reflection or a fabric of lots or...of land ownership. And so that's what we're doing. That's why we say what we're reflecting goes to the parcel line of what the Taxation Department does. Below that, right, is really your legal description or, you know, your survey description of it. And that's your lot, and your developable lot. That matches...that doesn't always match up one for one. So, if you took a survey, and then you took the TMK parcel data, they don't always match up. The reason, and if you try to stitch together all of the surveyed lots of all of the different parcels, right, there would be overlaps. There would be all kinds...they don't match up. And so you'd have this really funky map. And so that's why for Real Property Tax, they use what they call a parcel layer, and that basically reflects it. So, the zoning is going to...we're using the parcel layer because you can create one seamless map with

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that. The underlining zoning goes really to the lot. It's just a graphic representation. For us we're just using the parcel layer as the graphic representation for the zoning of a parcel.

CHAIR KING: Mr. Alueta, could you just, for the folks watching and because we tend to use acronyms, I assume everybody knows what Esri is. Just spell it out the first time when you're talking about it.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

MR. ALUETA: Oh, I'm sorry. I don't even know what their...

VICE-CHAIR SUGIMURA: They're known by Esri.

MR. ALUETA: Mr. Graves is indicating that Esri is called Environmental Research [*sic*] Systems Institute. It's the...yeah, just the software company that provides for what we call geographic information system. You know, whenever you use a computer, that's to use for mapping and displaying of geographic information. And so, but...yeah.

VICE-CHAIR SUGIMURA: Thank you.

CHAIR KING: Okay, thank you.

VICE-CHAIR SUGIMURA: I have another question and I'll...

CHAIR KING: Sure, one follow-up.

VICE-CHAIR SUGIMURA: So, the next question is then by approving the first resolution, basically what we're saying is that we are then approving the implementation of the website, the map that's being highlighted in this as being the official sort of next to the paper map, but on the official map, right? That's what we're saying. And then the properties that had conflicts as you described, and I am really interested in, I know we went past that in learning what was Pukalani's, you know, challenges, but basically then by approving this resolution, we're saying that we are agreeing to that being the official digital map --

MR. ALUETA: Correct. This will basically --

VICE-CHAIR SUGIMURA: --for the island of Maui.

MR. ALUETA: --this is going to be the new zoning map. And again, from a graphic standpoint, it supersedes all the original zoning that had occurred prior, with the exception of any conditions, specific conditions, to a parcel and stuff like that.

VICE-CHAIR SUGIMURA: Okay, thank you.

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CHAIR KING: Okay, thank you. And just to reiterate I think what was said earlier that this doesn't require...there's no conflict with any community plans, existing community plans. So, this won't require any community plan amendments. Correct?

MR. ALUETA: No, no, this is all consistent with the existing community plan. And like I said, this is the first step because where there is conflicts between zoning and community plan and we felt that...and we could not take action or make a recommendation to you, right, we wanted...we excluded that from any proposed changes. So, there are still things out there that need to be resolved. But we wanted to get this done. And then we can come back and makes the conversation a little easier, and we can get the Council to make a determination on these areas that we felt were too difficult for the Department to do on its own.

CHAIR KING: Okay, thank you. I appreciate that. And I understand what we're trying to do is create a baseline so that we're all speaking from the same starting point. I think Ms. Cochran, then Mr. Hokama.

COUNCILMEMBER COCHRAN: Yeah, thank you, Department. And so how does this hard-to-read maps and what-have-you been, if at all, affected RPT and their assessing? Has there been any mismatches? Has there been any misinterpretations? I mean I don't want to implicate us in anything, Mr. Hopper, but is there any reference, you know, I think it's really important, right? That's...I don't think they walked every single parcel in our County.

MR. ALUETA: Okay, so thank you for the question.

CHAIR KING: Mr. Alueta?

MR. ALUETA: There's two different things going on. There has been a lot of misidentification of zoning with regards to our zoning maps and giving out information. And that has in the past cost this County some lawsuits. In the past I made those presentations. I mean...and there's a few of them. This is to help resolve and to keep that, or trying to cut down, on that happening again. So, we're all coming from the same zoning map. Real Property Tax uses a different methodology of when they tax you, it's by use. So, they have those PITT codes. Those PITT codes don't necessarily match up with zoning. So, what you're taxed at, and it does for the most part, but it may not at all times 'cause they're taxing you based on your use. They have a different methodology. It's consistent with zoning for the most part. But it's not necessarily what your ultimate zoning is. I can only...I can speak for myself. Like say, I currently have Rural land, half acre Rural-zoned land. I'm taxed at Ag. So my PITT code is an Ag rate because I'm a farmer. It's a permitted use in the Rural District, but I farm the majority of my property. So, that's where again you get tax rate. You can have a property that's zoned Single-Family. You may have initiated or granted them a conditional permit, right, or an STR permit. So, they're now Commercial. So they'll be taxed at the appropriate rate that what they're using the property for. So that PITT code that RPT uses doesn't match necessarily with the zoning map. It's going to be based on what

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you're being used at. At least that's my understanding of how RPT and how they've explained it us.

COUNCILMEMBER COCHRAN: Okay, thank you. So, Chair, I have a follow-up on that. So, there's projects, originally Ag, but we gave them all kinds of entitlements, rezone, CIZs, you name it. RPT did not have that in their information. So, years down the road they realized, oh, we're supposed to be taxing them a whole lot more than just plain old Ag. Yet, the project hasn't happened but they got all these zoning...all different, you know, upgrades, entitlements, and stuff. So, that occurred on a couple examples.

MR. ALUETA: And this project will --

COUNCILMEMBER COCHRAN: And so...

MR. ALUETA: --help that.

COUNCILMEMBER COCHRAN: Right. So, I mean that's where...yeah, thankfully. But we've been...as I've been here eight years, we've changed zonings all over the place. You would think that those...cause that was a recent incident that I'm talking about. This isn't from the '60s and '70s, right. This is very recent. So how is it that there's this somehow miscommunication, map or no map? It should be what's done on this floor and decided on, needs to just roll out there, boom, straight to all the entities that be. They need to be taxing things accordingly, instantly.

MS. ALUETA: And that could happen once the DSSRT map, once this map is adopted because again this is...if someone wanted to find out what the zoning was for a particular parcel, they would have to come either to our Department and go through all the different change in zonings. I don't know if RPT has ever done that. I do not know what their process is, or whether they're on, you know, when Council has a mailing list of when the ordinance gets adopted. For our Department, again Dave Raatz updates. He constantly scans the Council's website for updated ordinances because they're not transmitted to us. So, it's up to us to go and find it. Again and as I talked about your...as I talked about the, you know, this map and this digital zoning map, even when it was in the draft form, other intergovernmental agencies was hungry for the information, just like the realtors. But they all wanted that same information. And again RPT was one of those departments because they needed to get that information. As you said, what are their entitlements? What is their zoning? Because we're going to then base our taxation, if we don't, on the highest and best information that they have. So, the adoption of this digital zoning map is a long time coming. It's much needed and will resolve your concern because now all they gotta do is click on one link, go to that parcel that they're interested in. They can see what the up-to-date zoning is because again we're going to be able to update the information. Once Council passes it, we'll be able to go in and update the zoning map, and it'll be live to the general public as well as all of the various governmental agencies.

COUNCILMEMBER COCHRAN: And secondly, Chair, if you don't mind?

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CHAIR KING: Okay, Ms. Cochran?

COUNCILMEMBER COCHRAN: And that was an \$800,000 oversight, by the way. Zoning conditions that run with land, is any of that going to be implemented where people can click? Or at least whoever needs to be tracking these things be able to, you know, a click of a button, track it, find out what should be happening or not happening?

MR. ALUETA: We're hoping, again, that this...as this digital zoning map is integrated into the MAPPS system, we'll be able to do that. So, when somebody clicks on a parcel, you'll be able to see what permits are active. Currently, KIVA has that somewhat capability, and we're using that. And so I'll double check to see once this map is adopted how we can maybe potentially integrate data we have from MAPP...I mean from our DSSRT project into KIVA. But ultimately, it will rely on MAPPS. It's more than just linking to our little parcels that we've established.

COUNCILMEMBER COCHRAN: Okay.

CHAIR KING: Okay, thank you, Ms. Cochran. So, Mr. Alueta, so you said that when you link up, the active permits will show up? You'll be able to see what active permits are...go with the land?

MR. ALUETA: In MAPPS, that's the anticipation during the MAPPS project.

CHAIR KING: Oh, that's...okay, for the MAPPS program. And then when you're talking about the RPT codes, that's not going to exist necessarily in this map. That's going to be something we're going to have to go to RPT, the Real Property Division for? Are they creating their own map of uses?

MR. ALUETA: In MAPPS, yeah. Yeah, I think the goal is the merging of some of that PITT data into the MAPPS project.

CHAIR KING: Okay, okay. So, this is the first step for the MAPPS project. And I had another question, but I'm going to turn it over to Mr. Hokama 'cause you might actually be asking it too.

COUNCILMEMBER HOKAMA: Thank you, Chairman. No, I like the questions from the Committee so far. And Ms. Cochran touched on about how this could assist us in compliance of conditions of zoning. So, I hope you can have an overlay because I'm tired of waiting for affordable units required by ordinance, and we still don't have those in the thousands that should have been constructed for our residents. So, I'm looking at that. Will this program, and I hope it does, you know, I'm a proponent because I had to deal with potential litigation of those Post-its on those bloody maps in the past. So I'm a big supporter of where you want to go, Mr. Alueta. I think it's a good project. You got good people with Mr. Raatz and Ms. Aoki there. So, I'm very hopeful that the results will be as we were discussing this morning. So, my key is about how this can assist us in compliance. But one of the things you said in the

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presentation to us was that zoning helps separate incompatible uses. Is our project able then, because we get a lot of permits requests, and we approve a lot of permits that to me it becomes incompatible [sic] use in the zoning district. Are we going to be able to have those permits placed on the map too, that now allows a non-permitted zoning use to be done in the district? That's why you get one permit, right, it's not a permitted use.

CHAIR KING: Mr. Alueta?

MR. ALUETA: From our...from the presentations and the ultimate goal of the MAPPS project, again that'll be another layer, I mean in the permitting. And again ultimately all of those permits, many of those permits that have potential conflicts come before this Council. And so one of the...I mean if I was a Councilmember, I would ask for key data. What are the permits surrounding this project? I mean besides the land zoning map, you'll be able to have that now when you pull up because you'll be able to go to that link. When a project comes up, you'll be able to see all of the surrounding properties. You'll be able to...because the parcel layer will be on this digital zoning map. You'll be able to see the zoning surrounding that particular project, okay. And you can determine for yourself whether the permit or the entitlement they're seeking will or will not be compatible with the surrounding property. And ultimately that is your call. We will do obviously our analysis based on the community plans, based on standard law. But again we can only provide you...we're just a resource to you, okay. To the commissions and to you, to provide you that data. The ultimate decision again is...lies with this body.

COUNCILMEMBER HOKAMA: No, I understand. We need the tools. That's what you're going to help provide, the tools. Modern tools to make it accurate. So, we appreciate it. And efficient, I like that term used in your presentation. To be, what, efficient efficiently, I think was what you told the Lanai Planning Commission. On the map, though, I want to get back to the map. You told us that certain things will be rezoned, but it'll be rezoned according to past or existing ordinances? So, there is no need to have a narrative in our documents that can then go back to the attached map? It's just going to be assumed people understand the map? Or are we going to have a narrative? Because I prefer a narrative that this parcel, or this area, is by this action goes from here to here. I don't want to assume people can just look at a map and say I get it.

MR. ALUETA: One, the ordinance...the change that we're making are consistent with the community plan. Two, the changes are being consistent what people already believe to be their zoning, and that we've either...and we've issued building or SMA permits consistent with what the zoning we thought was at the time.

COUNCILMEMBER HOKAMA: Are they receiving then the accordingly correct real property tax rates?

MR. ALUETA: They have...again they've always thought they were zoned something and they were always taxed at whatever they thought the real property tax was developed. So

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in the...like in the example of Kihei, right, where everyone assumed that all the zoning up to Kihei to the Piilani Bypass...Piilani Road...Highway. We had issued zoning interpretations that they were zoned R-3. They had been granted SMA permits that granted them development. And during that permit process, we had made a confirmation that the property was zoned R-3. They did a subdivision to single-family. And they were being taxed as...I'm assuming they would be taxed at single-family if there was a single-family house on there. So, from that aspect all we're doing is reflecting what's already there. And so...but again from our aspect when we did this research...

COUNCILMEMBER HOKAMA: No, that's just my concern, yeah, Mr. Alueta, that those that access the program after we start implementing, may not just get it by clicking the map.

MR. ALUETA: Yeah.

COUNCILMEMBER HOKAMA: So I would prefer that before we get more issues of not understanding, we have some kind of narrative to explain, and that the map just validates the narrative. That's something I would ask you to consider.

CHAIR KING: Mr. Hokama, are you...I think that's a good point. Are you kind of referring to all the narrative we're getting right now about the explanation of where we're going with this?

COUNCILMEMBER HOKAMA: Well, you know if --

CHAIR KING: To be in there for the public.

COUNCILMEMBER HOKAMA: --I was living up Wailuku Heights, and I'm one of those that are in that adjusted areas, you know, depends how much attention I want to pay as the property owner.

CHAIR KING: Right.

COUNCILMEMBER HOKAMA: I may not even be aware of what Council and Department doing, and then next thing, you know, they say oh, you got rezoned. And I go, what do you mean I got rezoned? To look at the map and I'm going, but what did they do? I never ask for a rezoning. Why did they rezone me?

MR. ALUETA: We...

COUNCILMEMBER HOKAMA: No, no, I'm just stating that's the reality out there.

CHAIR KING: Let him...just...yeah, let him finish. So, yeah, that's what we're talking about is all the explanation you're giving us, the public may not get by just clicking on that map.

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MR. ALUETA: So, again we did do over 900 mail-outs to let people know. And when we received the calls, they were like, oh, you're...but I thought I was already zoned that. And we go, yes, we just have a technical mapping correction to make and you are going to...we are correcting it to be the R-3 that you thought you were.

COUNCILMEMBER HOKAMA: Do you need to adjust anything at Land Court or Bureau of Conveyances with those that we have recorded for various projects and whatnot also? Like project DSSRT, we set up a whole new parameter, right, with TMKs, surveying, points, and whatnot. So, would that need to be adjusted at those bureau and court areas too because we filed the map? We file a map with the zoning ordinance.

MR. ALUETA: Correct.

COUNCILMEMBER HOKAMA: So, if that map is...could be incorrect with...since it's not going to match up with the digital map.

MR. ALUETA: No, and that's why we say that this map is a digital representation of the zoning. The zoning is really going to a lot, you know, when you do the survey lot. But this map reflects that on the lot. So, the lot will be...the legal description is still what the zoning will be going to. Again as we explained, like if you tried to take all of those surveyed parcels, right, and you tried to stitch them all together, they would not match up. And that is why RPT creates what they call a real property tax layer. And that map is what...and that parcel map is what we are using to put our overlay or to establish our zoning map. And so basically...so if you have a...if RPT...I don't know if I can graphically...if RPT says this is a square, right. We say it's R-3. But survey says the lot is slightly off this way, the zoning goes...it's to the lot, your legal description.

COUNCILMEMBER HOKAMA: The legal survey description.

MR. ALUETA: We just go back down to it, okay. So, all we're...and again it's a graphic representation.

COUNCILMEMBER HOKAMA: No, I understand because even on Lanai the State road from Kaunalapau which is Manele Road, the survey on numbers and where the road is, is two different places, okay. So, I understand it. I mean again technology has made it more efficient and more accurate. You look at some of the old 1800 County records, was the third tree from this big point as a geographical reference for certain lots and properties as part of the old description, you know, what we had in our records. So, I can appreciate how we've moved forward.

MR. ALUETA: Yeah, and that's why again you have to...we have to reflect that this is just the reflection going down. We still...we are not superseding that legal land...of the lot, okay.

COUNCILMEMBER HOKAMA: Okay, your second bill which the Chair has agendized as B, that is for, in your perspective, the first step of moving toward that whole comprehensive review? Or this is totally independent of that comprehensive Title 19

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review? The second bill is just another preliminary steps of that comprehensive review, Mr. Alueta?

MR. ALUETA: The bill that is basically 19.06, that's an existing ordinance, okay. And what we're doing is updating it to reflect that paper maps are not going to be...it's going to be the digital map. And so that's the primary purpose. We're also updating all of the different land uses designations and standards that we've created. So, again, remember the Rural Bill. You introduced the Rural --

COUNCILMEMBER HOKAMA: I introduced the Rural Bill.

MR. ALUETA: --where you expanded to an RU-2, 5, and 10.

COUNCILMEMBER HOKAMA: Correct.

MR. ALUETA: That also is reflected. That was never changed in the previous...I don't think it got changed. So, I think...so you know when you create new district standards, you can't just create the...in the later part of Title 19, you got to go back to Title 19.06 and update it. And so this again reflects that updates of all of those zoning classifications.

COUNCILMEMBER HOKAMA: So, I guess we can look at this as one of the preliminary steps prior to that whole comprehensive review then.

MR. ALUETA: Yeah.

COUNCILMEMBER HOKAMA: I mean makes sense to me, Department. Makes sense to me what you guys doing. So, I thank you very much. You know, Lanai it ain't that hard. We have basically one parcel that's 90 percent of the island, okay.

MR. ALUETA: Fortunately, I will say that for Lanai it's a little easier because a lot of the zoning maps and comprehensive zoning that was done on Lanai were done using a computer. And it wasn't just a USGS...colored USGS quad. So, hopefully we'll go a little quicker with Lanai.

COUNCILMEMBER HOKAMA: Yeah. Thank you very much, Department.

MR. ALUETA: Thank you.

COUNCILMEMBER HOKAMA: Chairman, thank you very much.

CHAIR KING: Thank you for your comments, Mr. Hokama. Just a couple of follow-ups. On the second bill, under D, do we still have any...it refers to railroad lines. And you've changed it to say, where the boundary of a zoning district follows a railroad line. Do we have that still in our County?

COUNCILMEMBER HOKAMA: Yeah, Lahaina get the track yeah.

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CHAIR KING: We're talking about the little railroad that was in Lahaina?

COUNCILMEMBER HOKAMA: We had the track from the mill to the harbor.

MR. ALUETA: When you have...if I may, Madam Chair?

CHAIR KING: Yeah, Mr. Alueta?

MR. ALUETA: When you have legal descriptions, sometimes they will reference a railroad line. The Kahului Beach Road has a railroad line, back in the day. And so some of the zoning descriptions may have gone to that. Again as Ms. Cochran knows, Lahaina also has railroad lines that go through certain areas, and so...and also Lower Main. So, it all depends on their deeds. For the most part again, they line up with parcels now. I mean with...description has changed, and so we hope that would make it simpler. But if there's a legal description, we want to...we're not superseding any of that.

CHAIR KING: Okay. No, I was just curious because I thought that railroad went out of business. But the other...you made a comment earlier that ordinances are not transmitted to us so you have to go track them down. When you were saying not transmitted to us, were you talking about us who are working on this program? Or, I mean who are you talking about, and how can we correct that?

MR. ALUETA: When ordinances come out of Council and they're approved and signed, they're not necessarily transmitted out to all departments. We have been working on that, trying to get that from...internally. But the process that we use is that we just keep track of it on our own. We just keep track of the website and we download it when we need it.

CHAIR KING: Okay. Well, yeah, I just was...that seems...that kind of bothered me when you said that. If we can do anything to help with that, please let me know. At least, you know, committee by committee. So, or from the Council when we do the final approval. Okay, any other questions or comments? Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. So, yeah, I was looking at 19.06.030. You touched on the railroad lines, Chair. And I was looking at...wait...okay, now I lost my spot, sorry. That was D.

CHAIR KING: That was D.

COUNCILMEMBER COCHRAN: So, then E. E is where the boundary of the zoning district follows a stream, watercourse, or other body of water, excluding the Pacific Ocean, a boundary line shall be in the center line, such as like where I live. But we have dry streambeds. So, I'm wondering if that ought to say that because not every stream has water. They're not technically a watercourse and have not been for generations. So, I don't want that to hinder...I mean is that just a semantic thing? But I would like it to

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make sure it doesn't prevent something that's a dry streambed or rocky something to not be enveloped in this item E.

CHAIR KING: Department?

MR. RAATZ: Thank you, Chair, if I may. I would say it's fair to characterize the changes in this subsection as semantics. We are just really trying to tighten up some of the wording. And this does relate only to bodies of water. So, if it's a dry stream, I don't think it would qualify as a body of water. So, this subsection wouldn't apply. And we're just changing things like instead of saying "shall be construed," we just say "shall." You know, simple wording changes like that. We're not intending to change the substance at all in this subsection.

COUNCILMEMBER COCHRAN: No, I think...sorry, Chair. What I mean is because as Mr. Hokama said, my apana descriptions and things in kuleana land mentions streambed and things. So, my boundary and zoning goes to that. But if you're saying it goes to the water body, and I have no water body anymore, you know, I mean that's all. I mean again, if it's not going to hinder my outline of...and I'm not just speaking on behalf. I know there's others that I'm speaking for. But I'm taking my own personal example as you did, Mr. Alueta, and reading this item E and wondering how it would affect, or if not affect the, you know, land area that I literally sit on, and others.

MR. ALUETA: And this primarily deals with when you have these large comprehensive zonings or the original...primarily where the original zoning map was done where it does large swaths of land encompassing many parcels. And so again going back to, like say, my parcel description, right, may be to the edge of stream, or the edge of...or center line of the gulch, per se. But the zoning, for the most part, may go all the way across and include the stream, okay. So it's only where if there is, same thing, if there's a zoning that says it goes to the center line of the stream or gulch, we would just follow the center line, whether or not there's water or not.

COUNCILMEMBER COCHRAN: Okay.

MR. ALUETA: If it's describing a certain stream. So, whether Waihee River is running or not, if it says the center line is where the zoning goes to, we would then assume that it's the center line of that stream. I don't think it would change anything for us.

MR. HOPPER: And then I'd also note that wouldn't change a deed description as far as the ownership of the property. This is only for the zoning. So, as far as the deed, if the deed uses boundaries for the description, this ordinance would only affect the zoning that the County adopts. So, it wouldn't affect the, you know, the amount of property owned and the title of the property, but it would affect the zoning of the property potentially.

COUNCILMEMBER COCHRAN: Okay. And then a follow-up on the same item then. The last sentence, the boundary line shall be along the high-water mark. From the first

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item of this meeting, high-water marks are getting higher. So, how is...how's this going to be interpreted as we progress through this three-foot rise and, you know, or from as Mr. Hokama, I've seen losses of beaches myself in West Maui. So, that map definitely does not look like what our land looks like today. And just curious how this is portrayed --

CHAIR KING: Can you respond to that?

COUNCILMEMBER COCHRAN: --on...yeah.

CHAIR KING: As far as the...because this excludes the Pacific Ocean so we're talking about the...

COUNCILMEMBER COCHRAN: Okay, that would be streams --

CHAIR KING: Streams and watercourses.

COUNCILMEMBER COCHRAN: --and inland-type watercourses.

CHAIR KING: Right.

COUNCILMEMBER COCHRAN: Okay, all right, so it wouldn't be ocean at all.

CHAIR KING: No.

COUNCILMEMBER COCHRAN: But at high...high water, okay, all right.

MR. HOPPER: The second portion does talk about the Pacific Ocean. But again this deals with zoning. So, it's basically going to say the zoning boundaries is going to be the high-water mark. And then that's what the current language is right now in the Code. That's not being changed. If there's a better idea to deal with it as far as with the, you know, sea level rise, then, you know, we can consider it certainly. But I think right now it's going to say that the zoning district is going to...the boundary of the zoning is going to be...the high-water mark is going to be the boundary, rather than some other boundary of the zoning. And again it wouldn't affect the, you know, the title to the property or a legal description of the real property. It would only be the actual...it would only be the zoning designation.

MR. ALUETA: Also once you are makai of the high-water mark, the Department's authority, or the County's authority is basically...is non-existent. We basically have to turn in to Department of Land and Natural Resources. Conservation, they take care of the uses makai of the high-water mark.

COUNCILMEMBER COCHRAN: Okay, and so then...

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CHAIR KING: And hopefully we'll be going through...when we go through Title 19, now that we've adopted the recommendations of the Sea Level Rise Adaptation Report that that will be configuring into as we make adjustments to Title 19.

COUNCILMEMBER COCHRAN: And, sorry, Mr. Hokama I think wanted...but next item F then, the zoning designation of any area underwater shall be the same as the immediately adjoining zoning designation. Having had discussion on loko i`as and people saying, you know, the pond, out in the water is private, or State, or something, how...is this changing any of that at all, this wording? 'Cause this is a new insert. You've deleted original language to insert this. So, I'm just trying...so the outer lying, for example, a fishpond boundary and area will now be matching the land zoning?

CHAIR KING: Mr. Alueta?

MR. ALUETA: Yeah, it doesn't change anything as far as ownership. Again, this is just...

COUNCILMEMBER COCHRAN: No, not...yeah, not ownership but just the zoning itself. The Conservation, or so...okay, it's not going to change.

MR. ALUETA: No.

COUNCILMEMBER COCHRAN: That's all...okay.

MR. ALUETA: It stays the same, whatever...I mean the current practice has not...we're not changing anything from the current practice and ordinances.

COUNCILMEMBER COCHRAN: Okay, I just...

MR. ALUETA: Okay, thank you. Just conferring...

CHAIR KING: Mr. Raatz?

MR. RAATZ: Yeah, I'm sorry, Chair. Just one point of clarification as we're looking at this subsection. This all is subject to an introduction that says, unless otherwise specified by ordinance. So, if this body has established something that's more specific, then these boundary interpretations aren't going to come into effect at all.

COUNCILMEMBER COCHRAN: Okay.

CHAIR KING: That's in the first paragraph above A, paragraph A.

COUNCILMEMBER COCHRAN: Okay.

CHAIR KING: All these standards shall apply unless otherwise accepted...or specified by ordinance.

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MR. ALUETA: If I may, Madam Chair? Just to be clear, because you're adopting this zoning map, digital zoning map, for the entire island of Maui, much of this language will not come into play because you have established where the zoning is now. This language is used primarily where we had to make a zoning call. Until we adopt in some areas on Molokai and Lanai, it will. But where...and because we're now going to follow what the digital zoning map is, we'll be able to more accurately determine it. And so this will not come into play I don't think very often here on Maui.

MR. HOPPER: And just to clarify, I think one maybe friendly amendment to make would be to include...I see in the old language it says, which are underwater and are not shown as included within any district shall match the adjoining district. You may want to include the language, and are not shown as included within any district, because if you do establish a zoning, and maybe this is to what Mr. Raatz had pointed out earlier that, you know, unless this is otherwise specified by Council. The wording now can maybe be construed that if you had an area underwater that was zoned something, but this would seem to say, well, zoning has to be the same as the adjacent district regardless of what it's actually zoned. So, I don't think that was the intent. So, maybe adding the wording...have it read, the zoning designation for any area underwater and not shown as included within any zoning district, and then, shall be the same as the immediately adjoining zoning designation. So, something along that line. Just to clarify that if there is actual zoning for the underwater area, that it's what the zoning is actually supposed to be. I think the idea here is that if there's a parcel that's not zoned or not referenced in the district, that it's the same as the adjacent district. Again I don't know if this would ever come up or ever be significant because it's an area underwater, and I'm not sure what land uses someone would --

COUNCILMEMBER COCHRAN: Fishponds.

MR. HOPPER: --you know, would...I mean if it was going to be...well, if we're going to say that, then I'm not sure if the...what fishponds would be zoned, or what the appropriate zoning would be for a fishpond. So, I'd recommend that.

CHAIR KING: Okay, Department, do you want to respond to that recommendation?

MR. ALUETA: I have no objections to those amendments that Mr. Hopper discussed.

CHAIR KING: Okay, can we put that in --

MR. ALUETA: If it makes it clear.

CHAIR KING: --a friendly amendment to the proposal unless there's any objections for the Committee? Okay, did you get that, Traci?

MS. FUJITA: Yeah.

CHAIR KING: Okay. Thank you, Mr. Hopper. Anything else, Ms. Cochran? Or can we...one...two...

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COUNCILMEMBER COCHRAN: No.

CHAIR KING: Okay, Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chair. My assumption is, you know, since Maui is pretty much done, we're going to be voting. You're going to hit our two other sister...well, you got three islands for take care. So, what's next on the plan? Molokai? Molokai? Or can you do Lanai and Molokai?

MR. ALUETA: We're planning on doing Lanai. Again the...as I indicated, what do you call, Lanai has a little more digital zoning already established. They have a more modern comprehensive zoning map on top of that. And so I feel that we can get to that a little quicker. And now...and again once we get through this, you'll have a little more familiarity and hopefully more confidence in what we're doing and be able to move forward quicker.

COUNCILMEMBER HOKAMA: On the maps, again, you were able to hear the earlier discussion of the Committee's other items. So, in hearing, you know, Members of the Committee speak especially about the sensitivity to the shoreline area, how often does the State recertify shoreline? Every three years? Every five years? Can you give us some indication of how often they recertify the shoreline?

MR. ALUETA: I don't know the answer to that. I do know that if you come in for certification, like as a property owner, I believe it's only valid for one or two years. It's not very long. Again and because of the dynamics that you saw in the previous presentation, that's probably for the good reason that, you know, dynamics of that shoreline changes.

CHAIR KING: I'd be happy to send a inquiry to DLNR.

COUNCILMEMBER HOKAMA: Yeah because, Chair, you know --

CHAIR KING: I think that's an interesting question.

COUNCILMEMBER HOKAMA: --I think for those that have these sensitive area properties, the key is going to be the shifting and movement of the shoreline. So if we have a historical history of how the shoreline certification has changed, it may help Department and us to make some more informed decisions 'cause if there's a pattern, Department will be able to pick it up. We can pick it up because we have the records of years of succeeding changes of the shoreline certification numbers. And I prefer since you're going to have digitized now, maps, that to make those adjustments shouldn't be as difficult from the hand maps. And I think that would be to our overall advantage to have those shoreline numbers adjusted as soon as possible with the new certifications.

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MR. ALUETA: Thank you. I think that's a good idea. And again that kind of moves into how we do the SMA. Anytime a shoreline parcel comes in for a permit, we do require...if required if it's going to be within any of these...within what we call a certain amount of setback area, we do require a shoreline certification. So, we pretty much get those on a regular basis for important shoreline parcels, I should say. But I do not know whether...if the State has a proactive certification process for lands that are either not theirs, or even for theirs. So, that would be a good question to follow up on. Thank you.

CHAIR KING: Thank you.

COUNCILMEMBER HOKAMA: Again, Chair, my only point is that from the previous item, yeah --

CHAIR KING: Yeah.

COUNCILMEMBER HOKAMA: --the State and the County is going to start have to pay up and start planning mitigation efforts, whether we're going to relocate waterlines, change traffic road patterns in advance of the impacts. The sooner we know we can start planning smarter and start banking money appropriately to pay for what we need to do in the future. So, that's --

CHAIR KING: No, I appreciate that and I think that's...

COUNCILMEMBER HOKAMA: --for me from a financial perspective, Chair.

CHAIR KING: I think that's a really good question. I think also part of that question should be if they will be utilizing the Sea Level Rise Adaptation Report in that recertification. So, we know that they're already reacting to that. We don't have to ask them to do that on top of it. So, we'll send that out and get the answers to the Committee.

COUNCILMEMBER HOKAMA: Thank you.

CHAIR KING: Thank you.

COUNCILMEMBER COCHRAN: Chair?

CHAIR KING: Ms. Sugimura, then Mr. Cochran.

COUNCILMEMBER COCHRAN: Oh, yeah.

COUNCILMEMBER HOKAMA: I'm done.

VICE-CHAIR SUGIMURA: Are you done? So just...we're in the midst of approving the Molokai Community Plan, and the one item that we have left is 6.1, the land use. I just want to make sure that your second resolution...or the ordinance, these changes then is consistent with what we're looking at from the Molokai Community Plan, the

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6.1 as well as I think it was mentioned that it was also in Lanai, which was passed. And I think the Department wanted to add consistency through all the community plans which is...I think what you're doing here is you're also setting the framework for that too. Is that correct?

MR. ALUETA: Thank you. Yes, we are...I guess the Department's recommended a table on the land use table for the community plans. It does have a section where it would have potential zoning categories. And I believe it is consistent with that. We'll double check that proposal to make sure that it does have some of the updated stuff and I...

CHAIR KING: Well, Mr. Alueta, just let me remind you that your earlier statement that there are...this is not going to require any changes to the existing plans. So, this should be consistent with the way the plan is currently.

MR. ALUETA: Yeah, the community plans will not be changed.

CHAIR KING: Right, okay.

VICE-CHAIR SUGIMURA: So, Chair?

CHAIR KING: Do you have any other questions?

VICE-CHAIR SUGIMURA: Yeah, that was my question.

CHAIR KING: Okay. Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, thank you. So, in the ordinance, .020 under Maps, item B, the website for your digital zoning map update is in here. Do you not foresee that changing? And because it's in an ordinance it'd have to go all the way through this body to update it?

CHAIR KING: Department? Or Mr. Hopper?

MR. HOPPER: I mean that link is being incorporated by reference. And I mean if the County uses that map and should continue to use the map that's adopted, changes should be made through the Council process. So, I think if the Department has issues with...it's going to change the location of the map online, I think it should deal with changing the ordinance. I mean...but I don't think they are any plans to actually change that...to change the map. One of the issues we discussed...

COUNCILMEMBER COCHRAN: No, the URL, the link itself. It's just...will it be that forever?

CHAIR KING: So, is the link...it's the link that the changes would go into so that anytime you click on it, it would be current and updated?

MR. HOPPER: It would reflect the changes. And again anytime there is a change, that's discussed a little later on. The process for the change is going to still be, and we

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discussed a few things when this...after this came through Planning Commission. One thing was that the ordinance did not incorporate a map by reference. There wasn't actually a map to actually look at, incorporated into the...here by reference. And so the Department developed that map and added a reference so you could actually have a map incorporated by reference which was important because the Council adopting the map now is making some changes to current zoning designations. The other issue is what happens when there's an amendment to, you know, the current zoning maps. Basically that process isn't going to change. There's a whole process in 19.5.10 of how you get a Change in Zoning or how maps are changed. The reference made to that section is whenever an amended zoning map is adopted and the ordinance is filed with the County Clerk, the digital zoning map shall be amended to reflect the amended zoning map. So the map will change depending on Council action. But I don't think the link, and the Department can speak to that, I don't think the link is anticipated to change. And if it does, that should be changed in the ordinance. I think it's important to have whatever map is being used as the actual map to be incorporated by reference into the ordinance. I think that's very important. And so you need to have a reference to that and not an obscure reference to some document out there that is hard to identify.

COUNCILMEMBER COCHRAN: Okay, so, Chair, just to follow up then, yeah, I think the concern was the actual website link here in an ordinance, versus just saying this information will be publicly given via Planning Department, you know, and just leave it at that. Because then it can just change as it goes. But I get what you're saying. This is where changes and the maps will be and be updated in. So, I mean as long you folks are comfortable that that link itself is never going to change, then fine. But that was just the question, you know, that if it should change then should it really ought to be in an ordinance?

MR. HOPPER: I think the issue is to protect the Council's ability to review and approve of any changes. I think an earlier version kind of said the Planning Department shall maintain a digital zoning map. And that was it. And so that would allow the Department to kind of make changes to that map without coming to the Council. And I think that that was an issue. To deal with that was to say, we're going to incorporate a map by reference into here. Whether it's to...one way would be to attach, you know, a map as an exhibit, and say here's the map. But that seemed a little impractical because once you reduce the map to something that would fit in an ordinance, it's kind of difficult to read. So, I think the link was the idea to show the map. If there's other ideas, not necessarily, and I don't know if the Department is necessarily as tech-savvy as someone may be to have the idea. I think the Department is very tech-savvy. But myself and thinking of a legal way to have a map incorporated by reference, we thought that this would be the best way to do it. If the Department does anticipate changing the location of the map on its website, on this link, then...and that's going to be an issue. I didn't realize that would be an issue, and I didn't think it would. But if that's going to be an issue with future changes, and there's another way to do this, then we can certainly discuss that. But I think this was maybe the easiest way to incorporate a map by reference that everybody could actually read when it came to you.

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COUNCILMEMBER COCHRAN: Okay. No, that's good. If somebody can...

CHAIR KING: Okay, thank you. So, Mr. Alueta, is that link live right now so that people can link on it and can see those map? It is?

MR. ALUETA: Yes, it is.

CHAIR KING: Okay, because I...yeah, just...I figured because you had meetings about this project throughout the communities that they've been able to comment all along and then go on that link. And anybody who wanted to give testimony on it could actually see.

MR. ALUETA: Yeah, once this is adopted, right, then that link and that map on there will be the official zoning map.

CHAIR KING: Right. But it is there right now.

MR. ALUETA: It is there now.

CHAIR KING: As a draft.

MR. ALUETA: Correct. Yeah, still a draft until we adopt it.

CHAIR KING: Okay, thank you. And Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you.

MR. ALUETA: Oh, and we are not changing the link. And if we ever have to change the link for some other reason, we will have to come back and amend this ordinance.

CHAIR KING: Right, the ordinance when you amend it.

MR. ALUETA: And that's pretty administerial. We'll come back for that.

CHAIR KING: Okay. Okay, thank you.

COUNCILMEMBER CRIVELLO: Thank you. I'll have to leave, Chair. But I just want to comment on Molokai. We are now working on our community plan, and we're going to decide. I think we have one item to finalize. And you're right, we have an existing plan. We also...if you're going to digitize Molokai, should be easy. We're all Interim zoning. And that's the problem that we have on our island. So, I can appreciate, until we finish with our community plan and how our designations are more or less decided in our community plan. And then come back in with how we're going to start zoning our island on that part. So, thank you, Chair.

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August 30, 2018

CHAIR KING: Okay, thank you. And, Ms. Crivello, can you hang on for the ordinance, or do you have to leave right this minute?

COUNCILMEMBER CRIVELLO: . . .*(inaudible)*. . .

CHAIR KING: Okay, thank you for...

COUNCILMEMBER CRIVELLO: . . .*(inaudible)*. . .

CHAIR KING: Yeah, I would like to entertain a motion if there are no further discussion. Further discussion? Okay, I'll entertain a motion to recommend passage of the bills entitled, A Bill for An Ordinance Adopting a Digital Zoning Map as the Official Zoning Map for the Island of Maui, and A Bill for an Ordinance Amending Title 19, Maui County Code, Relating to Zoning Districts and Maps on first reading; incorporating any revisions made by the Committee today and any nonsubstantive revisions; and the filing of County Communication 18-201.

VICE-CHAIR SUGIMURA: So moved.

CHAIR KING: Moved by...is there a second? Moved by Member Sugimura, seconded by Member Hokama. Any discussion? All those in favor say "aye."

VICE-CHAIR SUGIMURA: We have amendments.

CHAIR KING: Oh.

VICE-CHAIR SUGIMURA: I had amendments. We have amendments that...

CHAIR KING: Right, and incorporating any amendments made today so that was in the...

VICE-CHAIR SUGIMURA: Oh, it was already...

CHAIR KING: That was in the motion, yeah.

MR. HOPPER: And to clarify that was the M-3 and then the other language about the high-water mark.

CHAIR KING: Right. So, we have that. The Staff has that.

VICE-CHAIR SUGIMURA: All right.

CHAIR KING: Okay, all those in favor say "aye."

COUNCILMEMBERS: Aye.

CHAIR KING: Any opposed? No. Okay, the motion carries with five votes, two excused.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

...EXC.: Councilmembers Guzman and White.

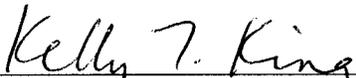
MOTION CARRIED.

ACTION: FIRST READING of bill to adopt digital zoning map, and FIRST READING of revised bill to amend Title 19; and FILING of communication.

CHAIR KING: And we...I think we've finished all our business today. So, thank you, Members, and thank you, Department. And everybody have a nice afternoon. . . .(gavel) . . .

ADJOURN: 11:39 a.m.

APPROVED:



KELLY T. KING, Chair
Planning Committee

pc:min:180830:rlk

Transcribed by: Reinetta L. Kutz

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CERTIFICATE

I, Reinette L. Kutz, 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 this 24th day of September 2018, in Wailuku, Hawaii.


Reinette L. Kutz