

**LANA‘I PLANNING COMMISSION  
REGULAR MEETING  
MAY 20, 2020**

**A. CALL TO ORDER**

The regular meeting of the Lanai Planning Commission (Commission) was called to order by Ms. Shelly Preza, Chair, at approximately 5:03 p.m., Wednesday, May 20, 2020, online via BlueJeans Meeting No. 200494589.

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

Ms. Shelly Preza: Great. Sorry. Before we get started, if you are not . . . (inaudible) . . . your audio, it's difficult to hear whoever is talking. Thank you so much. So before I go over housekeeping I just want to make sure that we do indeed have quorum, so I will be calling out the names of the commission members, and if you could just say "here" to let me know, let everyone know that you are present. So Roxanne Catiel?

Ms. Roxanne Catiel: Here.

Ms. Preza: John Delacruz?

Mr. John Delacruz: Here.

Ms. Preza: Sally Kaye?

Ms. Sally Kaye: Here.

Ms. Preza: Sherry Menze?

Ms. Sherry Menze: Here.

Ms. Preza: John Ornellas?

Mr. John Ornellas: Here.

Ms. Preza: And Shirley Samonte?

Ms. Shirley Samonte: Here.

Ms. Preza: Thank you all so much for being here. And please bear with me as we try to navigate virtual meetings. Sorry, Richelle, I see you have something to add?

Ms. Richelle Thomson: Just a housekeeping point. Unfortunately, my understanding is Commissioner Ornellas was not able to, or have his Oath of Office notarized. So my advice would be that he can, you know, obviously stay on the meeting as a member of the public, but please don't count him towards your vote tonight. So I wouldn't advise participating as a member. Thank you.

Ms. Preza: John Ornellas, did you hear that?

Mr. Ornellas: Yeah.

Ms. Preza: Okay. So, he'll have to testify is what you're saying like a member of the public?

Ms. Thomson: If he wishes to participate as a member of the public and offer testimony he could, yeah. But as . . . (inaudible) . . . because of no Oath of Office yet.

Ms. Preza: Okay. Sorry, John, I don't know if you heard that. I think because your Oath of Office hasn't been completed yet...you'll have to participate as a member of the public for this meeting.

Mr. Ornellas: Gotcha.

Ms. Preza: Okay, thanks so much. Thank you Richelle. So just to go over a few rules before we get started so -- because I know that this is a new thing for all of us. So for those of you who are here to watch or to listen, if you would like to testify on any of the agenda items, you can use the chat functions, within the Bluejeans app -- usually it's on the right side -- to directly chat with Leilani. She's starred on . . . (inaudible) . . . Please don't send anything to like the group chat because we're not going to be reading that. If you directly message her, you will be able to testify with your name, and also what agenda item you would like to testify on so she can keep track of that. We call for testify -- or I will or whoever the Chair is will call for testifiers after the agenda item. We will start with those who are tuning in via the Bluejeans video conferencing service. And then if anyone is joining us via phone, then we will ask and if anyone would like to participate and offer testimony. No member of the public should use the chat function to contact individual commission members. And just a reminder to leave yourself muted if not talking at that time, just so that everyone can hear what is being said. Okay. Does anyone have any questions about how we'll, how this will work? Okay, if not then we will move on to Item B on the agenda which is thanking outgoing members Caron Green, Gerald Rabaino, and Mililani Martin. Sorry, did Michele or Richelle, was there anything to add for that one?

**B. RESOLUTIONS THANKING OUTGOING MEMBERS CARON GREEN, GERALD RABAINO and MILILANI MARTIN**

Ms. Michele McLean: No, thank you Chair. If the Commission members have had a chance to review the resolution or if you want them read we can read them on the record. It's up to the Commission.

Ms. Preza: Sure.

Ms. McLean: You would like to have them read?

Ms. Preza: Well Commissioners, would you -- would anyone not like to have them read? Is it just one thing?

Ms. McLean: Well, it's -- the resolutions are, are the same as each other so if we read one then you can get the gist for the others if that's okay.

Ms. Preza: Yeah, sounds good.

Mr. Delacruz: That's fine.

Ms. McLean: Okay. Resolution of the Lanai Planning Commission.

Whereas Ms. Mililani Martin has served the County of Maui since April 2017 as a member of the Lanai Planning Commission, and  
Whereas Ms. Martin has served with distinction and has performed her duties in the highest professional manner with the Lanai Planning Commission, and  
Whereas Ms. Martin's term of office with the Lanai Planning Commission is completed on March 1<sup>st</sup>, 2020,  
Now therefore be it resolved that the Lanai Planning Commission hereby commends Ms. Martin for her dedication and untiring public service to the people of Lanai.  
And furthermore be it resolved that the Lanai Planning Commission expresses their sincere appreciation for Ms. Martin's services and extends their best wishes in her future endeavors.  
And furthermore be it resolved that copies of this resolution be transmitted to the honorable Michael P. Victorino, Mayor of the County of Maui, and the Honorable Alice L. Lee, Council Chair of the Maui County Council.

Ms. Preza: Thank you. Sorry, I was muted. So that was the same for Gerry and Caron, right? Okay, great. Thank you. Commissioners, do you have any questions on that or we can move on in our agenda?

### **C. ELECTION OF CHAIR AND VICE-CHAIR FOR THE 2020-2021 TERM**

Mr. Delacruz: We can move on.

Ms. Preza: Thank you. So the next item is Agenda C which is the election of Chair and Vice-Chair for the 2020-2021 term, and I've asked Richelle if she wouldn't mind conducting the election.

Ms. Thomson: Thank you Chair. So first let's go ahead and I'll call for nominations for the position of Chair for this coming year which will end at the end March 2021. So any nominations for Chair? And you can nominate yourself or someone else.

Ms. Catiel: I nominate Shelly Preza as Chair.

Ms. Thomson: Is there a second?

Mr. Delacruz: I second.

Ms. Menze: I second.

Ms. Thomson: We've got lots of seconds. Are there any other nominations for Chair? Seeing none. All in favor please raise your hands and say aye. Any noes? Okay, congratulations Chair Preza. And did you want to go ahead and take over and do the Vice-Chair?

**It was moved by Ms. Roxanne Catiel, seconded by Mr. John Delacruz, then unanimously**

**VOTED: Ms. Shelly Preza as Chair for the 2020-2021 term.**  
(Assenting: R. Catiel, J. Delacruz, S. Kaye, S. Menze, S. Samonte)  
(Excused: C. Trevino)

Ms. Preza: Sure. Thank you all so much. That's so nice of you. It's been really an honor to serve the community, so thank you all, and I'm looking forward to working with you again.

So we'll continue with the election for Vice-Chair at this time. So are there any nominations for Vice-Chair?

Ms. Catiel: Yes, let's go with -- she's not here -- it's Chelsea.

Ms. Preza: Okay, so we have a nomination for Chelsea. Is there anyone who would like to second?

Mr. Delacruz: Second.

Ms. Menze: Second.

Ms. Samonte: Second.

Ms. Preza: Okay, we have a second. So, is there any further discussion on this or shall we vote?

Ms. Menze: Let's vote.

Ms. Preza: Great. So all those in favor of Chelsea as Vice-Chair please raise your hand and say aye.

**It was moved by Ms. Roxanne Catiel, seconded by Mr. John Delacruz, then unanimously**

**VOTED: Ms. Chelsea Trevino as Vice-Chair for the 2020-2021 term.**  
(Assenting: R. Catiel, J. Delacruz, S. Kaye, S. Menze, S. Samonte)  
(Excused: C. Trevino)

Ms. Preza: Okay, well, it looks like it's unanimous. Yeah, unanimously Chelsea is --. Oh, sorry, any noes, I should ask? Okay, well it's unanimous, so great. So Chelsea is Vice-Chair. I guess she'll find out at the next meeting. Okay, mahalo everyone.

**D. PUBLIC HEARING (Action to be taken after public hearing.)**

**1. AMENDMENTS TO TITLE MC-12, DEPARTMENT OF PLANNING, SUBTITLE 04, LANAI PLANNING COMMISSION, CHAPTER 401, RULES OF PRACTICE AND PROCEDURES**

**MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting proposed amendments to the Lanai Planning Commission's Rules of Practice and Procedure to change tape recordings to audio recordings, and to add petition filing fees as established in the county budget. (J. Takakura)**

The entire text of the proposed rule amendment is available at <https://www.mauicounty.gov/121/Planning-Department> or <https://www.mauicounty.gov/184/Lanai-Planning-Commission>

Ms. Preza: So we'll be moving on to agenda Item D, which is public hearing. I will ask that we ask whoever would like to testify to testify at the item that they are referring to. But, sorry, Michele, are we having presentations or anything regarding these amendments? So should testifiers wait until after those or --?

Ms. McLean: Thank you Chair. It's up to you, but that's usually helpful. We have just a very brief staff description of each item so it would probably be helpful to take testimony after that brief introduction.

Ms. Preza: Okay, great. So we'll, we'll do that if possible. But for those of you who are listening in and would like to testify just a reminder to message directly Leilani if you would like with the agenda item that you would like to testify on, and then we can call you after the introduction of the item.

Okay, great. So we'll move on to Item D.1., which is amendments to Title MC-12, Department of Planning, Subtitle 04, Lanai Planning Commission, Chapter 401, Rules of Practice and Procedures. Ms. Michel McLean, Planning Director, transmitting proposed amendments to the Lanai Planning Commission Rules of Practice and Procedure to change tape recordings to audio recording, and to add petition filing fees as established in the County budget.

Ms. McLean: Thank you Chair. If I could turn this over to our Administrative Planning Officer, Jacky Takakura. You pretty much covered the introduction, but Jacky can touch on this point again. Thank you.

Ms. Preza: Thank you.

Ms. Jacky Takakura: Hello everyone on Lanai from Maui. I'm Jacky Takakura with the Department of Planning Zoning Division. And for the Lanai Planning Commission Rules of Practice and Procedure, it's just two minor changes. One is regarding using tapes to record the meetings, and the other is regarding fees that are in the County's rates and fees.

So for the first proposed revision which is to Section 12-401-16, we would like to remove the requirements that recordings are saved on tapes. Meetings will still be recorded of course, but tapes are very heavy and they're actually an obsolete technology and it's hard to find them. What we do use is digital methods for saving recordings. We're proposing that the audio recordings are preserved in accordance with the law, and remove the requirement that they be preserved on tape.

The second proposed revision which is to Section 401-40, Petition Filing Fees. We're proposing to include the language, a petition to intervene shall be accompanied by a filing fee which is in the budget. And this revision is simply to match the rules with the current procedures, and what's in the County's already budgeted rates and fees, and that are approved by the Mayor and the County Council. Just FYI, for this fiscal year, the cost to file a Petition to Intervene is \$312.50. Like I said, it's something that's already in the County's budget rates and fees. We're just making the Planning Commission Rules of Practice and Procedure consistent with that.

So those are the two proposed revisions. Do you have any questions about these?

Ms. Preza: Thank you for the information. Perhaps before we, the Commissioners, start asking questions we can go to public testimony. Is that okay Michele? Okay, great. So if I could ask Leilani has anyone has signed up to petition -- or not petition, sorry -- to testify at this time?

Ms. Leilani Ramoran-Quemado: No, I didn't receive any direct message.

Ms. Preza: Okay, thank you. So, I will go -- I see that we have two people on via cell phone. Would anyone who is calling via phone like to testify on this agenda item? No? Great, so we will close public testimony for that agenda item. And Commissioners do you have any questions about this?

Ms. Preza: No questions? Great, so would anyone would like to make a motion to accept these changes?

Ms. Kaye: I so move.

Ms. Preza: Okay, is there a second?

Ms. Catiel: Second.

Ms. Preza: Great. We have a second to adopt these amendments. So any further discussion? Okay. So we'll take a vote. All those in favor, please raise your hand and say aye. Any opposed? Okay, there being none, it passes unanimously. Thank you so much for your time.

**It was moved by Ms. Sally Kaye, seconded by Ms. Roxanne Catiel, then unanimously**

**VOTED: to adopt the amendments as presented.**  
(Assenting: R. Catiel, J. Delacruz, S. Kaye, S. Menze, S. Samonte)  
(Excused: C. Trevino)

**2 PROPOSED AMENDMENTS TO TITLE 19, MAUI COUNTY CODE,  
CHAPTER 19.35 RELATING TO ACCESSORY DWELLINGS**

**MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code, Chapter 19.35 relating to Accessory Dwellings and fire code requirements. (J. Takakura)**

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/1127/Legislation---Proposed>

**Section 19.35.090.C is proposed to be amended regarding fire code requirements for fire apparatus access roads to require that lots meet fire code requirements for fire apparatus access roads instead of requiring a minimum road width of 20 feet.**

Ms. Preza: Great. And we can move on to Item 2. Sorry, Michele, would you like to read it or should I read it?

Ms. McLean: Sure.

Ms. Preza: Okay, thank you.

Ms. McLean: Item 2, proposed amendments to Title 19, Maui County Code, Chapter 19.35, relating to Accessory Dwellings. And this is a transmittal from yours truly with proposed amendments to Chapter 19.35, relating to Accessory Dwellings and Fire Code requirements. And once again I will pass this along to Jacky Takakura.

Ms. Takakura: Okay, thank you. So this bill for ordinance is to, is to fix a problem in Chapter 19.35 of the Maui County Code. This Chapter is regarding Accessory Dwelling, and there is a section for required public facilities. But we'd like to revise the part about adequacy of street because the current language limits the Department of Fire and Public Safety's ability to approve building permits for accessory dwellings.

The proposed change is very small. What we are proposing is that for fire apparatus roads we want to remove the minimum street width requirements of 20-feet. And we'd like to refer to the Fire Code which has some exception to allow a permit to be approved. It also makes more sense for the Fire Department to review building permits on their rules and regulations, and not on the Zoning Code which is the Planning Department's responsibilities.

And we also received comments from Public Works. I think you were e-mailed that. They made a request to that the wording regarding the specific street width of 16-feet be removed because it's not necessary. It's addressed elsewhere in their part of the Code, and other zoning districts do not have a requirement like this. So it's inconsistent. So we agree with their proposed amendments and so we have the proposed change based on working with the Department of Fire and Public Safety's Fire Prevention Bureau, and also with the Department of Public Works.

This matter was brought before the Maui Planning Commission last week Tuesday, and they recommended the following revised language. I'm going to just read it to you. They recommended that the lot must have direct access to a street that meets fire code requirements. So that's what we're proposing for Item. D.2. on this agenda item.

Did anybody need to see the memo from Jordan Molina, the Deputy Director? I can share my screen if you need to see it. But I think it was e-mailed to you.

Ms. Preza: I believe it was e-mailed to us. Thank you.

Ms. Takakura: Thank you.

Ms. Preza: Great. So before Commissioners, sorry, I would like to open public testimony for this. So, Leilani, did we receive any request to testify?

Ms. Ramoran-Quemado: Nothing from via chat.

Ms. Preza: Okay, nothing via chat. So would anyone via phone like to testify on this agenda item? Okay, I don't think anyone. If you are calling in via phone, could put your phone on mute unless you would like to testify right now. Okay, thank you very much. We'll close public testimony for that agenda item. And Commissioners, do you have any questions for Jacky, or is there any discussion about this?

Mr. Delacruz: So Jacky, who made your recommendation on the language?

Ms. Takakura: It was the Department of Fire and Public Safety, and the Department of Public Works. I'm sorry, the most recent?

Mr. Delacruz: I know they addressed the 16-foot thing, but who made the recommendation for meets fire code?

Ms. Takakura: The Department of Fire and Public Safety.

Mr. Delacruz: Okay, thank you.

Ms. Preza: Other questions?

Mr. Delacruz: So I move that we accept that wording.

Ms. Preza: Okay, so there's a motion to accept the changes. Would anyone like to second that?

Ms. Catiel: Second.

Ms. Preza: Okay, there's a second. Okay, there's a second to adopt the motion. Is there any -- or the amendments -- is there any other discussion? Okay, there being none, we'll go to a vote. So all those in favor please raise your hand and say aye. Any opposed? No one abstaining, then it passes unanimously. Thank you. Wow, we're just moving along. Great, so we'll move on to item, agenda item D.3. I'll turn it over to Michele.

**It was moved by Mr. John Delacruz, seconded by Ms. Roxanne Catiel, then unanimously**

**VOTED: to adopt the amendments as presented.**  
(Assenting: R. Catiel, J. Delacruz, S. Kaye, S. Menze, S. Samonte)  
(Excused: C. Trevino)

**3. A BILL FOR AN ORDINANCE AMENDING TITLE 19.69, MAUI COUNTY CODE, RELATING TO URBAN RESERVE DISTRICT**

**MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code, Chapter 19.69 relating to Urban Reserve District regarding permitted uses, minimum development standards and height restrictions. (J. Takakura)**

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/1127/Legislation---Proposed>

**SUMMARY:**

- 1. Section 19.69.020.B: Permitted uses.**
  - **Amends language regarding uses and structures that are accessory to a single-family dwelling and language regarding accessory dwellings**
  - **Removes short-term rental homes and adds bed and breakfast rental homes as a permitted use**
  - **Adds buildings or premises used by federal, state, or county governments for public purposes.**
  - **Moved language from 19.69.020.C regarding structures used for public purposes and on land which the community plan designates as open space or park.**
- 2. Section 19.69.020.D.1: Minimum development standards.**
  - **Amends language regarding subdivisions**
- 3. Section 19.69.020D.2: Height regulations.**
  - **Removes language regarding two stories.**

Ms. McLean: Thank you Chair. This is relating to a bill for an ordinance amending Title 19 – excuse me, Chapter 19.69, Maui County Code, relating to the Urban Reserve District. And this is regarding permitted uses, minimum development standards, and height restrictions in the Urban Reserve Zoning District. And, for the third time tonight, we'll turn it over to Jacky.

Ms. Takakura: Okay, thank you. Okay, so Urban Reserve District is part of the Comprehensive Zoning Code, but we don't see it very often. In fact, there is no Urban Reserve Zoning on the Island of Lanai. It's intended to be used for lands that are in the State Urban District, and set aside for future development. This zoning district is purposely restrictive, and it's used when

lands is not ready to be developed in a manner consistent with the community plan designations. But what we have found that is overly restrictive so we would like to make some amendments.

Just a little background information about Urban Reserve District. On the Island of Maui, we have over 40,000 parcels. Of that 84 have -- are zoned Urban Reserve. And it's usually only on part of a parcel. Of those 84 parcels, 61 have less than one acre of Urban Reserve. And the remaining 23 parcels have Urban Reserve zoning ranging 1.07 acres to about 36 acres of the parcel. And the parcels are located in Hana, Up-country Maui, and along the North Shore. And I'm going to share my screen and show you a map. Let me get that for you in just a second. Okay, so I'm going to share screen, and you're going to see a map of --. Okay, so can you see a part of the north shore of the main part of Maui? It's green, and you see some red dots. Thumbs up if you can see that. Those red dots are where the Urban Reserve District is. So on the far side, the far right, is Hana. And then kind of in the middle is up-country. Then more towards the left is, you know, Paia. But that's where these 84 parcels are located so there's not very many of them. Okay, so I'm going to stop sharing the screen unless you have any questions about this. And I can always pull this up again if you want to see it. Thank you.

Mr. Delacruz: So Jacky is there a generalization on who builds on these lands?

Ms. Takakura: I'm going to let Michele answer that one but --. Actually, Michele, do you want to answer that? You could answer that now if --?

Ms. McLean: Well, it's whoever owns the property would be able to build on them. But they're not very large areas of land. And what we're proposing is just to allow an additional dwelling. Just because the housing is so tight to allow a very fundamental use of the property to allow another dwelling to be built is the main part of the proposal.

Ms. Preza: Thank you Michele. Sorry, John, perhaps before we get into our questions and discussions, we could see if anyone would like to testify, of the public, so we can close public testimony. Is that okay? Okay, thank you. So Leilani is there anyone who would like to testify on this agenda item?

Ms. Ramoran-Quemado: No, I didn't receive any direct message.

Ms. Preza: Okay, great. Thank you. Anyone by phone would like to testify? Okay, no one, so public testimony is closed for that agenda item. Thank you. Sorry, I just wanted to get that out of the way. And Commissioners, do you have any questions, or John, if you wanted to continue your question?

Mr. Delacruz: Well one comment is there would be 7,500 square foot requirement if the second dwelling discussion is the same as ohana housing almost any place else. But I found it interesting that you took away the restriction for limiting the structure to two-stories with a 30-foot height, and no restrictions on stories, you could have monster houses like those you

find in Kalihi or even Mililani now. So is there a story behind taking away these second-story restrictions?

Ms. McLean: Yes, that's a great question. That has been an effort that the Department has made over many years to remove story because it's somewhat debatable what constitutes a story when really what the concern is is just from the outside, the overall height. So whether someone has, you know, a single-story with a really high ceiling, or has two-stories, or one-story and a mezzanine, it doesn't really matter as long as the building meets building code. The development standard is really just from the exterior; how tall do you want that building to be.

Mr. Delacruz: Okay.

Ms. Preza: Thank you. Commissioners, any other questions?

Ms. Kaye: Yeah, I have two. I have two Shelly. One, I just wanted to make sure that the provision that's going in that allows bed and breakfast doesn't conflict with 19.35, which seems to prohibit them. That's number one.

And number two...the restricted use...of the lot is, is by definition what's in the Code, it's restricted to those uses? Okay.

Ms. Takakura: I can answer that.

Ms. Preza: You can go ahead Jacky.

Ms. Takakura: . . . (inaudible) . . . a definition of restricted use lot, and those are only for drainage, open space, bike way, pedestrian walkway, greenway, landscaping, roadway, or minor utility facility purposes.

Ms. Kaye: Okay, I'm sorry, I had one more. I wondered if one of you could address the building or premise used by government for public purposes. Where did that come from? What need is that addressing?

Ms. McLean: Thanks for that question. That's also a permitted use that where appropriate the Department is recommending be allowed in a variety of zoning districts. For example, we have a lot of community centers in the agricultural district, and that's not a specified permitted use. And so we wanted to be able to allow public uses in most zoning districts, and this, this being one of them. So just allowing government facilities in other zoning districts.

Ms. Kaye: Okay, so, so it's just kind of a blanket consistency with other measures? It's not like somebody wants to put a government facility on an Urban Reserve parcel?

Ms. McLean: That's correct. We don't -- I don't know of any proposal at the moment to, to use an Urban Reserve lot for any sort of government facility.

Ms. Kaye: Yeah because, I guess, what came to mind was how would that, how would that fly in residential district that had an Urban Reserve parcel?

Ms. McLean: Right. It would be --

Ms. Kaye: Has to be a . . . (inaudible) . . .

Ms. McLean: Well, the residential districts, for example, allow schools and other what we call a quasi-public uses already. And so a school would also be considered a government facility, or a community center which would be a reasonable amenity in a residential area.

Ms. Kaye: Okay, so the 81 parcels then that you're talking about that are on Maui are not privately owned. They are?

Ms. McLean: They are privately owned. Yes.

Ms. Kaye: So a private owner could then have an accessory dwelling that then could be used by the government agency?

Ms. McLean: Conceivably. If a property is privately owned, they could lease it to the government, and the government could build the structure. A private individual, we wouldn't be able to sign off on the building permit if a private individual wanted to build a, I don't know, a school or a community center if it was private because that's not, that wouldn't meet the definition as a, a premise used by the government for a public purpose if it was a private individual who wanted to do this. If it was the government who had a lease on the property who is proposing to build this structure then that could be approved as conforming with the zoning.

Ms. Kaye: Thank you.

Ms. McLean: Thank you. And if I could, your first question was about B&B's and conflicting with 19.35, and that's a great question. So B&B's would be allowed. Because right now Urban Reserve already allows the single-family dwelling. And so -- and it allows short-term rental homes. And what the proposed amendment would do would be to not allow a short-term rental home to occur in that dwelling, but would allow a bed and breakfast to occur in that dwelling.

Ms. Kaye: Thank you.

Ms. McLean: And not in the accessory dwelling as you pointed out.

Ms. Preza: Thank you. Commissioners, other questions or any comments? If not, would anyone like to make a motion? Or is there further discussions, further questions that need to be answered? I'm hoping everyone is taking time to think. So I'll just read through what our options are. So we, the Department is recommending approval of the proposed bill. We can one, recommend approval to the Maui County Council. We can recommend the approval of the proposed bill with amendments to the County Council. Or, we can recommend denial. Or, we can vote to defer action. So those are the four options we can take. Would any commissioners --? Yes, Sherry, I see your hand raised.

Ms. Menze: I'd like to recommend approval for the proposed bill to the Maui County Council.

Ms. Preza: So you're making a motion to recommend approval?

Ms. Menze: Yes.

Ms. Preza: Great. Would anyone like to second that motion?

Ms. Samonte: I second.

Ms. Preza: Shirley seconds. So we have a motion to recommend approval of the proposed bill. Is there any further discussion on this? Okay. So we'll take a vote. For all in favor please raise your hand and say aye. All opposed? Any abstaining? Sorry, John, did you raise your hand and said aye? I couldn't see. Is John frozen?

Mr. Delacruz: Sorry, my mic was off. Aye.

**It was moved by Ms. Sherry Menze, seconded by Ms. Shirley Samonte, then unanimously**

**VOTED: to recommend approval of the proposed bill to the County Council.**  
(Assenting: R. Catiel, J. Delacruz, S. Kaye, S. Menze, S. Samonte)  
(Excused: C. Trevino)

Ms. Preza: Okay, so it seems like the motion to recommend approval passes unanimously. Thank you. Oh man, technology. Thank you all very much.

Ms. Takakura: Thank you.

## **E. DIRECTOR'S REPORT**

- 1. Open Lanai Applications Report as distributed by the Planning Department with the May 20, 2020 agenda.**

Ms. Preza: Thank you Jacky for your time. So that is -- that concludes the public hearing, and what we have left on the agenda is (E) which is the Director's Report. One is open Lanai applications. I'm not sure if there's anything to be said on that. I believe we all got the paper with the open applications. Unless you have anything Michele or --

Ms. McLean: No, just if the Commission has any questions on any of those items. I may not have the answer now, but I can get back to you.

Ms. Preza: Okay.

Ms. Kaye: I have a question. I went to the KIVA net and looked some of these up and could find nothing Malia Molina, Commercial Remodel. I wonder if it was just too new to have been posted?

Ms. McLean: Which one?

Ms. Kaye: Fourth one, fourth one down.

Ms. McLean: Fourth one down.

Ms. Kaye: Squat. Fifth one down. Sorry.

Ms. McLean: Okay, commercial remodel. Let me look up real quick and see if I can find anything on that.

Ms. Preza: Thank you Michele.

Mr. Clayton Yoshida: Sorry the question.

Ms. McLean: Clayton is participating on the meeting. He would have the answer if anybody does.

Mr. Yoshida: Uhm, no. The question was relative to --?

Ms. McLean: On the open projects report Clayton it's an RFC for a commercial remodel.

Mr. Yoshida: Yeah, I'm not sure. We can get back to the --

Ms. Kaye: That's okay. I just was curious. It looked awfully new so I thought it might just not be posted yet.

Mr. Yoshida: Yeah.

## **2. Agenda Items for the June 17, 2020 meeting**

Ms. Preza: Thank you. So if you can get back to us that would be great. I had a question about -- so, as you know, a lot of the Commission members know, and for the new members perhaps you've been following that. We've been trying to work towards revisions on the short-term rental home and B&B sections of Title 19. And I was just wondering if --. The last time I spoke to Jordan, he said they weren't ready for this meeting, and I was just wondering if there was any update about when they would be ready.

Ms. McLean: I do not know. I will check with Jordan, and then we can get back to all of you and let you know when we think that will come forward.

Ms. Preza: Thank you. Sorry, I asked -- sorry it's in relation to -- you know, there's a couple of the short-term rental home permits that are still open. And I know that Riki Hokama had introduced like a moratorium. Is that happening right now? Sorry, we haven't had a chance to chat in a few months.

Ms. McLean: Actually that's probably when we would bring that, bring your bills to you. Council Member Hokama drafted a bill to establish a moratorium, and we will be bringing that bill to you at a future meeting. And at that same meeting, we will endeavor to also have the bill that includes the changes that you wanted to see to B&B's and STRH's so that you will have both of those at the same time. But I don't know when, I don't know when that will happen.

Ms. Preza: Okay. Thank you. I just wanted clarification because I wasn't sure if, you know, STRH permits that are open can still be going forward, but thank you for the clarification.

Ms. McLean: And I got a, I got a message from Jacky that we're looking at June 17<sup>th</sup>, so next month it will happen.

Ms. Preza: Okay, thank you. Commissioners, other questions on open applications? And if there are none, then well, it's kind of leading into the next agenda item which is E.2., agenda items for the next, you know, the June 17<sup>th</sup> meeting. I don't know if Clayton.

Ms. McLean: We'll have those, the resolution for the moratorium and then the bill for the STRH's and the B&B's. And I don't know if Clayton is still on. Is there anything else Clayton for June 17<sup>th</sup>?

Ms. Preza: Clayton, your audio and mic are off in case you're responding and we're not hearing.

Ms. McLean: Or Leilani do you know of any other items?

Ms. Ramoran-Quemado: Yes, so there is the moratorium that was introduced by Riki Hokama. Also, another bill would be the short-term rental home permit in the Maui and Lanai Community Plan; that's a Jacky item also. That's introduced Council --

Ms. McLean: Oh, that's the caps.

Ms. Ramoran-Quemado: Yeah. And then also the Project District Phase II approval for the Manele Amphitheater. That's the Pulama Lanai. Those three items as well as if Jordan's Short-term Home Rental and B&B discussion is also . . . (inaudible) . . . on the agenda.

Ms. Preza: Thank you.

Ms. Ramoran-Quemado: Thank you.

**F. NEXT REGULAR MEETING DATE: June 17, 2020**

**G. ADJOURNMENT**

Ms. Preza: Great. So, our next regular meeting date is June 17<sup>th</sup>, 2020. So I'm guessing it will be via this virtual platform, correct?

Ms. McLean: As far as we know, yes.

Ms. Preza: Okay. At least we had some practice today, so maybe we'll be, you know, . . . (inaudible) . . . next time too. Great. Well, that's all we have. The time is 5:43 p.m., and we're adjourning. Thank you so much, and I hope you're all taking care and staying safe.

There being no further discussion brought forward to the Commission, the meeting was adjourned at 5:43 p.m.

Respectfully submitted by,

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

**RECORD OF ATTENDANCE**

**PRESENT:**

Roxanne Catiel  
John Delacruz  
Sally Kaye  
Sherry Menze  
John Ornellas (as a public participant\*)  
Shelly Preza, Chair  
Shirley Samonte

**EXCUSED:**

Chelsea Trevino, Vice-Chair

**OTHERS:**

Michele McLean, AICP, Planning Director  
Jacky Takakura, Administrative Planning Officer  
Richelle Thomson, Deputy Corporation Counsel

(\* - Oath of Office not completed)