

**LANA`I PLANNING COMMISSION
REGULAR MEETING
MAY 21, 2008**

Approved 06-18-08

A. CALL TO ORDER

The regular meeting of the Lana`i Planning Commission was called to order by Chair Sally Kaye at approximately 6:03 p.m., Wednesday, May 21, 2008, in the Lana`i High and Elementary School Cafeteria, Lana`i City, Hawaii.

Ms. Sally Kaye: Okay the – what date is it? – May 21st meeting of the Lana`i Planning Commission is in order. Let the record show we have quorum with Commissioner Mano, Vice-Chair Ruidas, Commissioner de Jetley, Commissioner Gamulo, and Commissioner Kaye. At this time I'd entertain a motion on approving the minutes for the site visit from April 16th.

B. APPROVAL OF THE MINUTES OF APRIL 16, 2008 SITE INSPECTION AND APRIL 16, 2008 MEETING.

Ms. Alberta de Jetley: I move to approve the minutes of the April 16th Site Inspection with the corrections that were e-mailed to us.

Ms. Kaye: Do I have a second?

Mr. Matthew Mano: Second.

Ms. Kaye: Let the record show that Commissioner de Jetley moved and Commissioner Mano seconded the approval of the minutes for the site visit. Any discussion? Any other corrections? All in favor?

Commission Members: "Aye."

**It was moved by Commissioner Alberta de Jetley, seconded by
Commissioner Matthew Mano, then unanimously**

**VOTED: To approve the April 16, 2008 Site Inspection Minutes with
the corrections as noted by Commissioner Sally Kaye's
email.**

**(Assenting: Commissioners S. Kaye, S. Ruidas, D. Gamulo, M. Mano,
A. de Jetley**

Excused: Commissioner B. Zigmond)

Ms. Kaye: Now, I'd entertain a motion for the regular Planning Commission meeting minutes from April 16th.

Ms. de Jetley: Madame Chair, I move to approve the minutes of our April 16th meeting with the corrections that were submitted to us by email.

Ms. Kaye: Second anyone?

Mr. Dwight Gamulo: Second.

Ms. Kaye: Let the record show that Commissioner de Jetley and Commissioner Gamulo moved and seconded approval of the minutes. Any discussions? Corrections? All in favor?

Commission Members: "Aye."

It was moved by Commissioner Alberta de Jetley, seconded by Commissioner Dwight Gamulo, then unanimously

VOTED: To approve the April 16, 2008 meeting minutes with the corrections as noted by Commissioner Sally Kaye's email.

(Assenting: Commissioners S. Kaye, S. Ruidas, D. Gamulo, M. Mano, A. de Jetley

Excused: Commissioner B. Zigmond)

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

1. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 08-05 containing a draft Bill to authorize Home Occupations in various zoning districts to the Lana`i, Maui, and Molokai Planning Commissions. (J. Alueta)

- a. Public Hearing**
- b. Action**

Ms. Kaye: Okay, next on the agenda is public hearing on Council Resolution No. 08-05 containing a draft Bill to authorize home occupations in various zoning districts. I'll turn it over to Joe of the Planning Department.

Mr. Joseph Alueta: Good evening Commissioners. Again, my name is Joe Alueta. I'm your Administrative Planning Officer. You have some Bills before you today. As you know, ordinances or bills could come down in two different manners. One is initiated by the Department in which you have two of those tonight. And the other methodology is by

Resolution that's being proposed by the County Council. Whenever they come down from the County Council, most of the time, for us, it's kind of a damage control. We have about 120-days to return it back to the County Council.

The Bill that you have which is your first item is a Resolution from them relating to Home Occupations. I consider this Bill – it's a good Bill. It's a simple, quick fix Bill. Currently the County does have a definition of home occupation in its definition section, and that's attached, I believe, as Exhibit #2. What the Council is attempting to do, is just to make it clear as to where exactly a home occupation can be allowed by making it clear. And that is just listing home occupation as an outrightly permitted use in the specific zoning categories. In particular, in the residential apartment districts and wherever they feel necessary throughout the County Code.

Currently, when the home occupation bill was first adopted or when the definition was adopted, the only places that it was specifically listed was in the project districts in the Maui Lani area and in the Wailuku Project District. The Department, because it was as a definition within the home occupation, we had an internal policy memo that did allow for home occupations within the regular residential districts outside of these project districts. This proposed Bill would maybe basically codify it so that you no longer have to operate under just an internal memo that says we allow home occupations under these sections.

Again, the Department is supportive of it. We only have two recommendations and one is that the rural district be included in the home occupation. The reasoning for this is that single-family residents are listed as an out-rightly permitted use within the County and State rural district. Therefore, home occupation would be an accessory use to that home occupation. At the same time, we would recommend that right now the home occupation definition allows for up to 25% of a home floor area to be used as a home occupation. Given the size of the mac-mansions and the size of structures being built today, you would hit that – if a 4,000 square foot home is built, you would have about 1,000 square feet. And that's a relatively large business going on, even if it is a home occupation. We feel that there should be a cap on the size of the area, so we put not to exceed 250 square feet. That is kind of an arbitrary that we came up. Originally it was 240 from our internal memo. We rounded up to 250. The rationale at that time was average room size was approximately 10 by 12 or 120. Two rooms of a home being used from home occupation would about 240, and then we just rounded up to 250 to make it easy.

As far as other Commissions in their discussions. Hana Advisory Committee to the Maui Planning Commission, they recommended approval as it is presented by the Council as well as our Department's recommendations. The Maui Planning Commission went with up to 500 square feet. And then Molokai adopted it as the Department presented with a limit of 250 square feet.

Ms. Kaye: Commissioners any questions for Joe?

Mr. Gamulo: Do you have any idea what the average home occupation square footage is now?

Mr. Alueta: No. I think most people who have offices – the reason it's set up – the definition, the way it's set up, it's kind of like a low hanging fruit. It's something when the Council was debating this – it wasn't a heated debate, but it was a pretty lengthy debate from my recollection of it back in 2001. And they wanted to catch basically the most innocuous and simple things so like architects, people doing e-bay. And so at the time, they just came up with the 25%, and they did not cap it at that time. And so we do not have an idea. Like I say, the internal policy memo that the Department had come up with had used the 240 square feet cap because they felt that two rooms out of the home was sufficient to operate a home business.

Ms. Kaye: I have a question Joe. On your recommendation, the first one, the last line says "business offices and commercial operations are," — you didn't think it needed to be included in the commercial districts, okay?

Mr. Alueta: Yes.

Ms. Kaye: So I looked at the Commercial Business Districts, B3 Districts, and they all preclude living quarters.

Mr. Alueta: That is correct.

Ms. Kaye: So if the intent of this is to have mixed-use, encourage mixed use, then they allow watchman and that sort of thing. If someone lived on premises in a business district, would that not preclude them for having it if you don't put it into these or would it not?

Mr. Alueta: I think that the intent was – the reason that they added it, and I guess, it could be added and there's no harm to adding it in is that you can have existing non-conforming single-family homes within the business districts. If you look at the bed & breakfast ordinance in the business district, it allows for bed & breakfast homes in the business district as an outrightly permitted use, but it has to be within an existing home. So in a lot of times, when you have a transition or expansion such as here, a lot of times, it's a single-family home that eventually gets converted into a business. And the way we look at is if you had a single-family home, in the business district, and you change the occupation use, because it's still allowed as a commercial entity, we don't feel that, and you live there, we wouldn't necessarily have a problem with that. But that again, that's the Department's interpretation and I guess to be clear and to codify it, it could still be listed. It does no harm as far as we're concerned. It's just that it's redundant but keeping it in the way that Council

has proposed it doesn't hurt either.

Ms. Kaye: Okay, any other questions? Okay, any public –? Sorry.

Ms. de Jetley: I had one. Joe, if this does go in, if it does become the law, what about enforcement because I read through all of this and it looks as if the only kind of – if you had a home office that you're using, you're allowed to – you're not really allowed to do business, you're not allowed to have clients transacting money on the premise, but you can have specifically, here, you can have clients or customers coming for educational services. So that means somebody could give voice lessons, or music lessons from the home. But that would not mean that someone could have a beauty salon in their home or do massage therapy in there home. That would not be a home occupation.

Mr. Alueta: That is correct.

Ms. de Jetley: Okay. So how do you enforce all this? Because right now I know on Lana`i we have a lot of businesses taking place on residential properties. We've had kayak rentals, we've had ATV rentals, jeep rentals – all taking part out of private residences. So how would you enforce this?

Mr. Alueta: We do enforce. On those that are pretty blatant like that, if there's a complaint or if the inspector is in the area and knows that it's a violation, then they will send them a notice of warning. And if they don't shut down or relocate, then they will be in violation. And we do it on, primarily, on a complaint basis. We are looking to, in this upcoming budget, to have an enforcement officer come to Lana`i on a regular basis. But, yes, in every law, you have an enforcement issue. And again, this proposed ordinance helps and legalizes 85 to 90% of the home occupations out there. Currently without this, subject to interpretation, any home occupation regardless of whether you have clients come to you, is not permitted. Even if you're just doing internet sales, it would be considered to be a commercial activity and it would not be allowed under the existing. So this Bill attempts to remedy this problem, for at the vast majority of home occupations that have no impacts on their neighbors and neighborhoods.

Ms. Kaye: At this time, I guess we'll ask for any public testimony on this resolution. Hearing none, public testimony is closed. I'm sorry, Mr. McOmber.

M. McOmber: Ron McOmber from Lana`i. I've been here for 37 years or so. We're coming up on community plans stuff here pretty soon. It seems like an awful lot of this stuff is coming up that we're going to have to shot down, have people come and testify for or against it. Again, the enforcement is if nobody complains about it there will be no enforcement. They're not going to send people out, I don't think, just looking for this stuff – just like the vacation rentals. I'm concerned that the way the Company is going right now

and taking back properties that have commercial operations on them, they're forcing people to go do home occupations. They're forcing them in this town to do that. Our hairdresser did that. She's going to have to go and work out of her house because she's basically removed from her commercial property. Part of it is that is this is a one-town owned commercial – everything commercial is owned in this town so you couldn't expand your business if you wanted to do. So you're almost forced to do it. I think it's unfair to the people that are trying to make a living. If I could see them get rid of the auto body shops that's going on. Some of these people have to do it because they're basically forced into doing it. So basically I would like to see more detail on this before I'd make a judgment. And I would really like to see it come before the Lana`i Community Plan. Thank you.

Ms. Kaye: Thank you Ron. Any questions for Ron? Joe, maybe you could clarify the procedure at this point. It's not quite what I understood we're doing tonight. We're just looking at the two suggestions that the Planning Department made?

Mr. Alueta: Yes. Well you're looking at the ordinance that was sent down – that's exhibit #1 of the memo report that I sent down. Again, there is an existing definition of home occupations. Council is attempting to make it clearer where home occupations can be allowed. We feel that it would cover 80 to 90% of the existing home occupations, where people have home offices, the internet, mail orders, and stuff like that. We feel that the rural district should be allowed. Home occupations should be allowed in the rural districts because single-family homes are out-rightly permitted use. We do feel that there should be a cap on the square footage. We feel that if you get to a certain size that, you know, we hope you'd be a good neighbor and you'd move to a commercial area. But we feel that given the size of the homes, people may have a larger than expected home occupation. The size of it could create a problem. Again, this doesn't preclude people from coming in. If they do not meet the criteria for a home occupation, they could either – they may qualify under County Special Use Permit. And if they don't qualify for under that, they could come in for a Conditional Permit. But this would probably hopefully cover the vast majority of the people out there.

Ms. Kaye: Well Mr. McOmber makes a good point that the commercial – there are no choices on Lana`i. If you are running, for example, a hair salon and there's no place to go, this language would preclude you from doing it in house. Correct?

Mr. Alueta: Whether or not you pass this ordinance, it would preclude you from doing it in house.

Ms. Kaye: Under existing language?

Mr. Alueta: Under existing law it would be illegal. This ordinance doesn't help. Again, it's not going help everyone. And it helps the vast majority of those small home occupations.

It doesn't help local, small businesses. Once you enter the world, be a full commercial enterprise, part of the cost of doing business is moving to the correct zoning and opening a shop in the correct zoning category just like every other business. That's what doing a business plan is all about. It's kind of unique in here on Lana`i, but not unique to Maui. We hear the same thing, what about the massage people? What about this? And again, this still is not going to address those people, but it doesn't hurt them. We have existing – the process and procedures, both of them are 1) either a Change in Zoning, 2) a County Special Use Permit or a County Conditional Permit, depending on their zoning.

Ms. Kaye: Thank you Joe. Any other questions Commissioners? At this point I think we would approve the Department's recommendation?

Mr. Alueta: Yes, your recommendations – comments or recommendations to the County Council so –.

Ms. Kaye: I'll entertain a motion. We can defer, we can add conditions, we can add comments, or we can approve as written.

Mr. Gamulo: I make a motion that we approve the proposed amendment.

Mr. Alueta: For clarity, was that just as the Council proposed or as the Council proposed with the Department's recommendations?

Mr. Gamulo: With the Department's recommendations.

Ms. de Jetley: I second.

Ms. Kaye: Okay, any discussion? Commissioner Gamulo has moved and Commissioner de Jetley has seconded that we approve the Council's Resolution and the amendments suggested by the Planning Department. All in favor?

Commission Member: "Aye."

Mr. Alueta: That was five right?

Ms. Kaye: Yeah. No, actually yes. I guess I have to vote, yeah? Yeah.

Mr. Alueta: Thank you.

Ms. Kaye: Before we move on to the next one, there was a clarification. It's not a correction to the minutes. Corporation Counsel can I go back to that and just put something on the record that I meant to do? Okay. When we had our last Planning

Commission meeting, some of us took Castle & Cooke to task for some of their energy policies and I made – I, for example, made quite a bit of not having solar panels on the roofs of houses that the Company is building. And I realized after the fact that that could mean solar electric and I just wanted to clarify that what I was referring to was solar hot water panels.

It was moved by Commissioner Dwight Gamulo, seconded by Commissioner Alberta de Jetley, then unanimously

VOTED: To approve the Council’s proposed amendments with the Department’s recommendations.

So next on the agenda then is Joe again. This is a Bill for an ordinance to modify and add definitions found in Chapter 19.04 of the Maui County Code. Joe?

- 2. MR. JEFFREY S. HUNT, Planning Director transmitting a Bill for an Ordinance repealing Chapter 19.02 of the Maui County Code and adding Chapter 19.02A regarding Interim Zoning Districts. (J. Alueta)**
 - a. Public Hearing**
 - b. Action**

Mr. Alueta: I believe it’s interim.

Ms. Kaye: I’m sorry. I’m sorry. Yeah, I’m sorry. This next one is a Bill for an Ordinance repealing Chapter 19.02 of the Maui County Code, and adding Chapter 19.02A regarding interim zoning districts.

Mr. Alueta: Thank you Madame Chair. The proposed Bill before you deal with kind of a clean up again. If you remember, I came through here with the County Rural District, and at that point in time it didn’t affect you. This is on the same guidelines, same concept – the housing code – which the County is currently using to regulate buildings or single-family buildings and single-family homes within districts that did not have any development standards. And again in the interim district, the County for some reason failed to put in development standards such as front yard, set back, side yard setback, height limitations and so the Department had been regulating those areas that didn’t have those through the Housing Code. The Housing Code is, I guess, again Public Works is anticipating on repealing that. So we want to have in place an existing development standard for those areas and this is the last area that we find and that is the interim district. Again, we were going through and doing some comprehensive changes, primarily in the formatting of the Ordinance. So we have made some modifications to that to try and make it more simpler

to understand and read the most significant changes, I guess, like I said is putting some tables as well as putting some development standards. For the most part, as far as the uses, I attempted to just copy over some of the uses that were there already within the interim district. If you ever read the 19.02 interim district, it's very . . . (inaudible) . . . It's been amended a multitude of times and sometimes there's some overlap but it basically is sort of like its own Title 19 all smooched together into one area. And we are slowly eliminating the interim district as we do comprehensive zoning in certain areas, but not all areas. Obviously a lot of the areas on Lana`i, Maui and Moloka`i have not.

Another thing that we did add as kind of I want to say the 11th hour, we tacked on – and that was in response to some comments we got on Molokai. And that is they wanted – they have lands that are interim where they wanted to do bed & breakfast because single-family homes is allowed within the interim district. Therefore, we added the provision that bed & breakfasts be included subject again to 19.64, and that would cover some areas that had interim where there is an existing single-family home.

That's pretty much it. The Commissions – Maui did approve it. Molokai, they're notes are they didn't want to have the bed & breakfast unless their recommendations regarding B&B and TVR's were incorporated in the new Bill. But if they do incorporate their recommendations as for how B&B's should be regulated in 19.64, then they have no problem with B&B's being added to the interim district. That was their comments. As well as they did make changes to – if you look at page #3, again it gets kind of – where you have certain uses like say hospitals, and then you have public utilities, they wanted to have – and #4 where you have tower structures in support of utilities – where they have maximum building heights, for #3 and #4, they had maximum building heights of 30 feet, and then tower structures maximum of 50 – I'm sorry, 35. And then same thing for #4 – same thing, for tower structure in support of the utility, they came in with 35 and 50. So 35 for the building and 50 for the tower.

Ms. Kaye: Can I ask you a question on that since you're therer now? Because I had that circled. I was going to ask you what does that mean, a tower structure in support of a utility? And did you also say that Maui did not approve this?

Mr. Alueta: They did.

Ms. Kaye: They did.

Mr. Alueta: You have antennas like say cell phone towers that's part of the utility and also recently with the, I'm sure on Lana`i and Moloka`i as well and Maui, you have windmills. And so a lot of times some people want to put in either a vertical or horizontal drive windmills. And so under the building code, there is – some people argue differently with regards to the building code – but some people wanted to set a maximum height for those

tower. At least on Molokai that's what they wanted to do. If you read this the way it is, the tower structure basically there's almost no limit on the height from the tower structure because the tower structure shall be set back from the property line at the distance, at least equal to the tower's overall height. So if you put up a 100 foot tower, it has to be setback at least 100 feet from the property line. So for the most part you have a pretty good size property if you're going to put 100-foot tower. So you couldn't necessarily put up a 100-foot tower on a small residential size lot because you would never be able to meet the setbacks.

However on Molokai, they wanted to make sure that there was – they still wanted to have a maximum height and so they elected to have again 50 feet as their maximum height. That was kind of contentious there, but I guess they don't envision themselves having – or if they do come in with these 200 feet towers they feel they should get a height variance. And that was their view on Molokai.

And again, this is only dealing with the interim district. And for the most part, we're not seeing that in the interim. We're seeing in the County and State agricultural districts where most of these tower structures are being placed. There's a few exceptions. In most times, they'll be in downtown. Like most of the time, you have to be in the urban core, so you're having tower structures that are added to existing tall buildings.

Ms. Kaye: So on Lana`i, what districts, if you could clarify for all of us – on Lana`i, what districts are zoned interim? That if we apply this, this would be in effect for us? Everything but Ag and conservation?

Mr. Alueta: Yeah. Again, if it was Community Plan Ag, you've got a conflict with Ag. I think wherever you had open space, it might be interim also. And then Lana`i is a little different because I'm not sure when your interim district got adopted. I apologize. On Molokai I was able to have a map for them because on Molokai and in some areas on Maui, it's very prevalent. And so here on Lana`i, I wasn't sure whether if there was a lot of interim except for those areas that did not get comprehensively zoned.

Ms. Kaye: Well, how can we determine that? I don't know that –.

Mr. Alueta: You don't have a zoning map, or a property has not been specifically zoned, then –

Ms. Kaye: I have what comes with the Community Plan.

Mr. Alueta: Okay.

Ms. Kaye: And I don't know. We have an awful lot of open space. So if that's also interim.

Mr. Alueta: It's highly likely those are State Ag and fell into the interim district.

Ms. Kaye: So what we decide tonight applies to everything I see as open space on my map?

Mr. Alueta: Potentially, but you've got to understand that it would most likely apply, or I should say would apply these development standards to existing uses within those interim districts, as well as urban interim. Whatever the most restrictive underlying zoning. So, again, on Molokai, I had to explain this, is that you have a lot of land on Molokai that's State rural and County interim. So, that doesn't mean that you'd be able to do the development standards that's in here because you still have a State rural district that limits what you would be able to do. So the most restrictive underlying is the State Land Use designation which is half-acre single-family lots – ½ acre rural lots. In the case of Lana`i, in those open space districts, you're most likely you're in a conservation district in which case the County wouldn't have zoning capability as far as CDUA (Conservation District Use Application.) Or if it's in the Ag districts, right, in the State Agricultural Ordinance, Chapter 205, would come into play, and therefore, a majority of these uses would not be allowed either. Or the development standards for any one – like say for a farm dwelling would be more restrictive than what would be allowed under this County's district. So it's almost as if it would be (inaudible). And so this ordinance primarily applies or has the most Legislative impact on State Urban and County Interim where we never got around through zoning. And those would be – there's some areas in Hana and Paia, and some areas on Molokai. There's a few areas on Molokai.

Ms. Kaye: I have to express a little dismay that we're being asked to look at restrictions on structures and we don't know where it's going to apply. This is the second time we've had something like this with no map. I mean I have this map. Perhaps this land use map, Maui County, would be of some aid to you?

Mr. Alueta: No, I honestly just screwed up. I forgot to get a map – to print up a map that showed what would impact the most on Lana`i. Right now, I'm trying to look at –. If you look at your Exhibit #1, which is your existing Interim District. It already has some development standards. So if you look at say for #1, it talks about the 6,000 square feet. It talks about the minimum frontage of 60 feet. And so a lot that development standards are there except they're just in a sentence form.

Ms. Kaye: I'm specifically referring to the towers because that is an addition.

Mr. Alueta: Currently the methodology in which they get – because the tower does not require so-called building – it's not an occupied building. It's not regulated now. And so what we're trying to do is establish some form of regulation. I'm not trying to write an ordinance that makes it worse. I'm trying to make so that there is some constraint or

clarity. And so right now under #6, Public Utility Use, under the existing ordinances, that's how the power structures are getting established as a permitted use. But its height regulation because it's not a building or an occupied building, there is no limit on it. And that's why some of you may have remembered the Rice Camp incident. That was an interim district, and they put up a 200-foot tower on a 6,000 square foot lot. Actually it was a 4,000 square foot lot in the middle of Haiku. It was very controversial because again it was the interim district and there was no set backs. And it was a public utility. It was Verizon and they were allowed to do it. And so the proposed ordinance that I have attempts to establish some criteria in which to regulate these towers at this time.

Ms. Kaye: Thank you Joe. That clarifies that a lot. Any questions, Commissioners, for Joe? Okay, at this time, if there are any public testimony to be offered?

Mr. McOmber: Ron McOmber. Lana`i resident. The only thing that I can see in this is people using that basement as a third story and then you can build whatever you want into it. But after the permits are all done and everything is taken away, people can convert that into a three-story.

Ms. Kaye: Excuse me Ron, I think you're on the next ordinance.

Mr. McOmber: Aren't you talking about the height one?

Ms. Kaye: We're talking about amendments to establish standards for the interim districts. You want to just hold that thought for the next one?

Mr. McOmber: You were looking at all those buildings weren't you?

Ms. Kaye: That's the next one Ron.

Mr. McOmber: Well, thank you for waking me up. Well you jumped ahead. That's the other one that I was reading. Well I can't tell you anything on that because that's not what I was concentrating on. All right. Sorry.

Ms. Kaye: Thank you Ron. He's going to read the next ordinance and be prepared for that. And Pat?

Mr. Fairfax "Pat" Reilly: Aloha, Pat Reilly. Resident. I thought you asked a very good question relative to Lana`i. And my personal own preference is I don't think that zoning map in that Planning book is the current zoning map, at least for the City. I recall maybe it was over 10-years ago when we did the comprehensive zoning and that was at the last, or maybe after the last Community Plan were incorporated into it, a lot of the interim district in this area was eliminated but the rest of the island, and I would've asked the same

question that Chair Kaye would have asked is to be able to see on Lana`i where the interim zoning remains from the County. So I would just hope that the Planning Department would always have a zoning map of Lana`i available. It seems like it's a reasonable to help the Planning Commission make decisions. As you asked the questions about the towers, and I had read through this before, and I wasn't really looking at it as in Ag, or State Ag or State Conservation. And so when you brought that up that triggered a whole bunch of these because as Mr. Alueta referred to the windmills on Maui – I guess my immediate reaction was for the City and that we got rid of interim zoning and we set a Code and Standards for building and that was appropriate. And for people to do otherwise, as you all know, somebody will need to get a variance to do otherwise.

However, for the rest of the island how this applies particularly when you were talking about #3 or #4, I guess, one of them mentioned utilities but basically it looks like on that one. It was Parks & Recreations and I'm not sure what kind of tower they're putting into parks and recreational areas – item #4. I would have a concern about the height limit.

And I would agree with the recommendations of Moloka`i that when they say maximum building/tower for Lana`i, those ought to be separate. They shouldn't all be lumped together. Because if that stands that you have a maximum building height of 50 feet and right now I don't believe that is what we had in mind. I would say also that you would have – I don't know why they lumped them together – under #4, on page #3. I would go along with that recommendation. Certainly you have to have Code and Standards. I just feel you guys need more support as to how that applies to other interim areas on Lana`i. Thank you.

Ms. Kaye: Thank you Pat. Any questions for Pat Commissioners? Any other public testimony? Ron?

Mr. McOmbler: Ron McOmbler. A member of GPAC. Again, I don't know why all of these things are coming out now. Why we're changing all of this as we're getting ready to go through the Community Plan stuff. So we're going to have a lot of changes to uses on Lana`i. It's happening all around us and we're going to have to address the windmills. We're going to have to address the photo voltaic stuff. And I think it awful early. I don't know why the County is doing this us right now when we're right in the middle of doing the Community Plan stuff. It makes more sense to me to have us sit and talk about this and have a map in front of us that is up to date and it's what we'll be talking about when we do the Community Plan. That's the only thing I have to say without making me look any dumber than I already look like tonight.

Ms. Kaye: Thank you Ron. Any questions for Ron. Okay, public testimony is closed. Joe you want to outline your recommendations for us please?

Mr. Alueta: Again, we are recommending that you recommend to the County Council adoption of the proposed 19.02A amendments, or creation of 19.02 and the new interim zoning and the repeal of the 19.02 existing interim district. And again, this is to establish standards, development standards, such as side yard and height limitations for many these developments primarily for the residential development aspects. It also would establish some maximum height, not so much for tower, at least on Moloka`i there was a recommendation to establish a maximum height for towers. And again, it would establish a new, what I consider a new and simpler format of the interim district as far as readability for a common lay person. And also, it would add a bed & breakfast section. So those are pretty much the key highlights as far as changes. Again, it's primarily formatting and damage control because we're going to lose the Housing Code to establish the development standards for the residential type uses and then again the bed & breakfast.

Ms. Kaye: Okay, any questions for Joe? Okay, we have four choices. We can recommend approval of the proposed bill. We can recommend approval with amendments such as Moloka`i offered. We can recommend denial. Or we can vote to defer action to gather any specific additional information we might like.

Ms. de Jetley: Madame Chair, I move to defer action on the proposed bill in order to give the Planning Department time to come back to us with a map showing all of the properties with interim zoning on Lana`i.

Mr. Mano: I second.

Ms. Kaye: Any discussion? All in favor?

Commission Members: "Aye."

Mr. Alueta: Thank you.

It was moved by Commissioner Alberta de Jetley, seconded by Commissioner Matthew Mano, then unanimously

VOTED: To defer action on the proposed bill and requested the Department to return with a map indicating the interim zoning areas on Lana`i.

(The Lana`i Planning Commission recessed at approximately 6:45 p.m. and reconvened at approximately 6:50 p.m.)

3. MR. JEFFREY S. HUNT, Planning Director transmitting a Bill for an

Ordinance to modify and add definitions found in Chapter 19.04 of the Maui County Code. Definitions to be modified are “basement,” “building,” “court,” “apartment court,” and “height.” Definitions to be added are: “areaway” and “habitable room.” (J. Alueta)

- a. Public Hearing**
- b. Action**

Ms. Kaye: Okay, the next item on our agenda is the Planning Director transmitting a Bill for an Ordinance to modify and add definitions found in Chapter 19.04 of the Maui County Code. Joe.

Mr. Alueta: Thank you Madame Chair. This is to add some definitions and to provide clarity to the existing ordinance or definition sections of Title 19. As some of you know, we’ve been trying to get off the ground or piece meal a revision to the Title 19 to make it easier and simpler to read, and to try to correct some of these outstanding issues that we’ve had for a while. That’s pretty much my job. My full time job is just to go through and try to make these corrections. We failed to get a consultant on board a couple of times. And we failed again in this last go around. No one actually bid on our contract so we’re kind of doing the best we can as we have time in house to make these changes to the ordinance. One of my bet – my personal pet peeves is again are those as I talked about word-map problems that are in some of our sections, and I try to use table and graphs whenever possible. Another thing is definitions – I like pictures. I’m very visual and it makes it easier for everyone, and so my big thing was trying to get some type of graphic incorporated and you’ll see that in the up-coming ordinances later on.

But in this ordinance, again, this is dealing with definitions. The major changes again is some of this areaway. That, again, is coming from the Housing Code. Some of these definitions we’re pulling from the Housing Code that’s going to be eliminated so they’re being moved into Title 19 so that we can use them as part of our reference. Areaway is one of those definition. It’s an existing definition from Housing Code. We’re moving it over. Habitable rooms, same thing, a definition that’s from Housing Code, we’re moving it to add to this section, to Title 19.

New definitions or amendments to definitions that we have is page #8, basement garage. This means a commercial parking area. It meets the definition of a basement with the exception of vehicle access located on one side. This is again efficiency use of space, redevelopment of small of our urban cores, and that is trying to provide parking on the same property within the existing code and eliminates service parking. This is one way that we can try to add below grade parking for those without having the person’s height change. So this is for commercial establishment where they’re going to access through one side.

So it doesn't change how you measure the height as I'll go over later on, but it allows for some commercial buildings if they have the economic means and they're in that area, they can add their on-site parking and have it below grade and not count for the height. The only place I know that has – or two places I know has below grade parking and that is the parking structure at Kaahumanu Center and 505 Front Street has below grade parking that I've ever been in. I'm sure there are others, but those are the only ones that I know of that I've ever been in. So those are the ones. That's the commercial basement garage. Is there any question on that at this time?

Ms. de Jetley: . . .(Inaudible. Did not speak into the microphone) . . .

Mr. Alueta: No. I take that back, David Trask. I'm sorry. No, it's not really because the house on the back side. It's kind of like a half. It's not fully below grade I should say. Height, what we're doing is – that's always a big question. We had an architect on the Maui Planning Commission and she was like happy that we had some pictures because she could never figure out how to measure height on buildings. She recommended that we add one more graphics that we will be incorporating that shows the sloping original grade and that shows a sloping measurement to that. We are going to incorporate that. But again it doesn't change how you measure it. So it just says for heights with building with basements you should measure from the lowest exterior natural or finish grade. Height for the building with a basement garage shall be measured for the lowest exterior natural or finish grade excluding the areaways used for the vehicles. So again and this goes back to what we defined as a basement.

There's definition for the basement and that is on page #3. I've been in a basement and every basement I've been in on the mainland at least or in other countries, I always go into the building and I enter the basement from inside the building. Unless you had one of those emergency escape hatches on the outside, and that was normally called a potato cellar or something. But I've never entered a basement from the side - very rare. I mean it's always been on the inside of the building. And that's how I define a basement. And so for a basement, it means a portion of the building, floor to ceiling which is located below grade on all sides greater than 80% and which accesses from the floor above.

Ms. Kaye: Okay, I'm going to have to ask you a question then because where I grew up that's exactly how you got into the basement. It was either from inside or from outside because it is very hilly. So by defining it this way, are you limiting and is there a purpose to that limitation?

Mr. Alueta: Yes.

Ms. Kaye: Is that to prevent it from becoming a third floor?

Mr. Alueta: Yes.

Ms. Kaye: Okay. Thank you.

Mr. Alueta: That was easy. And essentially if someone wants to go through the expense of digging below grade, they're not going to be penalized for it. So they can still have a useable area down below their house. And because most of the people were concerned with the heights and the whole primary purpose of having a height limitation was to protect view corridors over the existing natural topography, and this allows for it. And it also provides clarity because we've had in the past abuses of this, of the definition of basement, where in a classic example I use is the one in Napili. In Napili, they – again, majority of the size are 80% are covered under the existing definition – what they did was they built a three-story structure with the garage on the bottom at grade and they pushed dirt up the sides. And they pushed it on covering 100% on three sides. Because when you added the three sides, that was 100%, that was 75% covered, but one side was completely open. And so that was a loop hole and this attempts to close that loop hole for residential and apartments. And again, going back to page – to the graphics that illustrates how you measure height, we show you that on page #9 and page #10 that just because you get a basement or build or construct a basement whether it's a commercial basement or a basement for a commercial garage basement or a basement for a house, you're not going to benefit anyway of being able to get your house any taller.

Other major changes beside incorporating graphs, again, we show the definition or show what a basement means. We have a graph. Minor changes on page #4, line #17, I eliminated "chattels." That means personal property, but it primarily refers to slaves. At least in the definition book or Webster Dictionary I'm using, we didn't think that was applicable anymore.

Ms. Kaye: Actually the legal definition of chattels is any personal goods, live or not, and since you put animals in there, I assumed you took chattels out because it was redundant.

Mr. Alueta: Yeah. I didn't put animals. Animals was already there. And then I have courtyard or court meaning open unoccupied space other than a yard on the same lot with a building bound on – it had one – I put two or more sides. I covered basement garage. Habitable room again was the thing that came over. I went over height and clarified the height definition to include the basements. And then I incorporated graphics to that to help to illustrate what we meant by height. And that's all the definition changes.

Ms. Kaye: Thank you Joe. Any questions for Joe, Commissioners?

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

Mr. Alueta: Depending on the category. 30 feet for residential.

Ms. Kaye: Okay, public testimony?

Mr. McOmer: Ron McOmer. I have basically a question. I see in here that they're judging the height of a building by the top of the roof. My understanding when I was building houses that the Code was at the medium break of the roof, not the top of the roof. When did they change that part of the Code? That's the first question I'd like to have the Building Department maybe come back and tell us. That's not what I understood. I understood that the height of the roof is not the top peak of the roof, but it was the medium break of the roof. Meaning if the roof from the plate to the top of the peak was eight-feet high, it would be four-foot off the plate. The plate is that portion of the building that's inside of the house of that wall.

The other thing is they also make mention the natural grade or the finish grade. Two of them can be completely different. They can come back in here and put – they did this in Mililani I think – they came in and put a great big retaining wall and raised the grade up and blocked a whole bunch of people's view and raised their lot houses up. That's got be clarified somehow that could be changed. Just like Alueta said they can build a three-story building and come back and back fill and that's the finish grade when they're done? I'm not sure that's in the spirit of building a two-story building or keeping within the 30-foot range of the height. Other than that, it's a matter of do we want basements in Lana`i? Are we going be – does the County want basements? Maybe this is more for commercial area than it is for houses. But I'm concerned about that discrepancy about that roof height. That's not what I understood it. Maybe they've changed it, but I don't remember having seen it changed.

And the natural grade versus the finish grade, there's a whole lot of difference there. They can bring that finish grade up way above the natural grade. My understanding was that whatever the natural grade of the lot was is how you planned your house. Thank you.

Ms. Kaye: Thank you Ron. Any questions for Ron, Commissioners? Any other public testimony? Public testimony is closed.

Mr. Alueta: If you want Madame Chair I can explain the difference between the two.

Ms. Kaye: Please.

Mr. Alueta: Again it's measured from the natural grade or finish grade whichever is lower. So if you fill two-feet, you measure from, you subtract the two feet or you add the two-feet to the height so that means you can only build a 28-foot tall house. But if you dig, take out two feet, that becomes your finish grade and that's actually lower than your natural grade

because you just removed two-feet so you still get to do 30 feet from the finish grade. So whichever is lower, and the intent is you're never to build above whatever the natural grade was. With regards to the measurement of the height, it's as if you take an imaginary or a (inaudible) from the top or from every point on the house and that can not exceed the 30-foot height. So in the case of a sloping property, that imaginary line of 30 feet you're going to have a box, sort of like a diagonal box going down. I think we illustrated in the -. Again, it shows it on the natural grade and it should have been - the diagram that's going to be added is going to be sort of like a diagonal one showing a sloping natural grade and sloping line coming down. So you would take - if you go to the peak of the roof, you would go straight down through the house to wherever it is on the natural or finish grade and that would be one measurement of height. No matter where you measure on that house whether it be on the drip edge or at the peak, no point of that house can be taller than 30 feet. That's why on a lot of sloping lot, you'll see a person build a step house because no point of that house can be higher than 30-feet. So that's why they'll step the house down the hill side.

Mr. Ruidas: Joe, how deep can you go for a basement?

Mr. Alueta: It's not addressed. There's no limit.

Mr. Ruidas: So you can go to China then?

Mr. Alueta: I think you end up in Africa somewhere or some island - I forget. I think I did that once.

Mr. Ruidas: I was just wondering if there was anything.

Mr. Alueta: No. But, again, it's cost prohibitive and again the access is only going to be from above.

Mr. Ruidas: Thanks.

Ms. Kaye: Okay, any other questions Commissioners?

Ms. de Jetley: Joe, just recently on Maui wasn't there a case in that subdivision, Maui Lani, where they were fighting about finish grade versus natural grade, where existing houses were being blocked. Their views were being blocked by the houses that were much, much bigger and higher than theirs.

Mr. Alueta: That is correct.

Ms. de Jetley: So how would you resolve this? How would that kind of thing not happen

again?

Mr. Alueta: This doesn't impact the existing definition. Without going into too much detail, basically prior to 1991 when this definition was created, you measured height from the finish grade. Basically whatever your finish grade was, was where you measure it. And that's where you had people, as Ron pointed out, to come in and put 10-feet of fill and then build their house on top. When Maui Lani was – the argument I should say – the argument being made by the Mayor, I guess, the former Mayor at the time, was that they were given in their Project District, they were given Step II approval for Maui Lani prior to 1991. During your Step II approval one of the plans you review is the grading plan. So you have a master grading plan that shows the heights. And that's one of the things, and that's his "argument" as to whether or not those individual lots were subject to when the law changed in 1991 when they did come into final, when they did get their building permit which approval do you go by? For most people, the subdivision, regardless of when you get your subdivision, it's at your building permit. They determine your height when you come in to build something on that lot.

In the case of Maui Lani it's a little different because that's a Project District. And there were certain other entitlements that were granted, that's granted prior to the issuance of a building permit. And that's the argument before, which is going to be the case? And I'm not going to comment any further, but that's the argument basically, which one takes precedent? This doesn't help anybody's case or hurt anybody's case.

Ms. de Jetley: The only other comment I had was on the basement was global warming and the huge vast changes in weather patterns. It's only a matter of time before we have another hurricane in Hawaii. And I think a basement should be planned with an outside exit in the event of a hurricane. Because families could use it as a hurricane shelter but they need to be able to leave that shelter through another exit instead of through the building. Because if your building collapses and is on top of your basement, you'd be safe but you wouldn't be able to get out until someone came by to dig you out. You know what I mean? So you need to have kind of provision for an emergency exit going through the outside of the buildings.

Mr. Alueta: There's too many variety of scenarios that I could argue differently with you on it. But there is area called an areaway so you could still have an outside window, like where you have a basement. Just because the basement says it has to be 80% from floor to ceiling, so there would still be a crawl space or window that someone could get out the side. I doesn't preclude it. There's no requirement.

Ms. Kaye: Any other questions? At this time we have four options: recommend approval of the proposed bill, recommend approval with amendments, deny or vote to defer.

Mr. Gamulo: I move that we recommend approval of the proposed Bill – okay – Chapter 19.04 Maui County Code to incorporate graphics, basement and update general definitions of the Maui County Code.

Mr. Ruidas: I second.

Ms. Kaye: All in favor?

Commission Members: “Aye.”

Ms. Kaye: Thank you Joe.

It was moved by Commissioner Dwight Gamulo, seconded by Commissioner Stanley Ruidas, then unanimously

VOTED: To recommend approval of the proposed Bill.

Mr. Alueta: Thank you.

D. DIRECTOR’S REPORT

1. Commission Chair’s request to discuss the following:

The feasibility of changing the zoning of the remaining 65 acres of land donated to the County of Maui by Castle & Cooke for affordable housing. The change would go from its current zoning to the appropriate type of zoning that would make the land ready to be improved.

Ms. Kaye: Next on the agenda is the feasibility of changing the zoning of the remaining 65 acres. I know nothing new on that, and without Colleen here tonight I think probably there’s nothing to report on that item. Anything from other Commissioners?

2. May 7, 2008 Semi-Annual Report submitted by Jon Shimizu, AIA, Vice-President of Development of Castle & Cooke Resorts, LLC regarding the project irrigation demand associated with the Residential and Multi-Family Development at Manele, TMK: 4-9-017:001, 002, 003, 004, 005, and 4-9-002:049, Manele, Island of Lanai. (95/SM1-015) (95/PH2-001)

Ms. Kaye: Second, we have semi-annual report submitted by Castle & Cooke regarding Condition #14 that was imposed as part of the conditions for the five-year extension Manele

Project District. We all got a copy of this in our packet. This not an action item. This is not something we approve or disapprove, but at this time I'd like to open it for any comments from the Commissioners.

No comments? Okay, I do. I have several. Actually, first, I'm going to suggest that we hold any comments. We only got this on Thursday. I find it fairly difficult to understand and I don't – I'm unable at this time to relate some of the figures to anything that I am aware of from the past. We were asked at the bottom if we had any questions that they could answer to submit them, and I suggest we all chew on this until the next meeting. For example, on the second page, there's a reference to 400,000 gallons per day. I find that hard to believe unless it excludes the golf course, and that was not the intent of this condition. I think we were looking at irrigation demands associated with the entire project district. So I'm thinking maybe sending this off for an official comment, a formal comment, from the Board of Water Supply might help to inform us. And I will tell the Commissioners that there is a Water Use and Development Plan meeting on Friday and I can possibly get some clarification then. But if it's acceptable to everyone, I'd like to just put this off and have it as an agenda item for comment. Corporation Counsel? Sure. Ron if you have anything to offer that would be great!

Mr. McOmbler: Ron McOmbler. I'm also a member of the Water Working Group. I sat through those hearings. And I'm going to tell you something folks, right now, at build out they say they're going to need 400,000, they're using over a million right now. So I don't understand how that's going to decrease by 600,000. It's way over a million gallons right now that's being used down there for irrigation, which are coming out of wells #1, 9, and 14, not counting what's going to the golf course at 650,000. So these numbers are absolutely a slap in the face to what you folks asked for.

The other thing, on the first page, it says "develop other non-potable sources," and it's going to be in operational in five-years. You've got to be kidding me. If they don't do this pretty soon, they're going to be in serious trouble. They have two wells that they have applications in for right now with the Commission. We're going to have a meeting on the 30th and I'm going to ask them if those have been approved. They can't go forward without having that approved. And I haven't heard they have been approved yet. They're still in the works. But it's a slap in the face to the Lana`i residents and anybody else that they're using our precious water, and it's going to be in operation within five-years. That means at the end of this extension that you folks just gave them. That means they're not going to do anything. So the reason for you guys to be watching this and how can they be that silly to give you something like this that just basically says we're got five years and we're going to play around with it for five-years. So to me, sitting on the Water Working Group, and been doing it since Jesus was a private, this is astonishing to me. This is an absolute slap in the face to this Committee sitting here. Thank you.

Ms. Kaye: Thank you Ron. Any questions for Ron, Commissioners? Okay, the next item on our agenda is the open Lana`i applications report.

3. Open Lana`i Applications Report.

Ms. Kaye: Joe, before you – I just don't want to forget to do this – please would give us what some of these letters mean. DBA means what?

Mr. Alueta: District Boundary Amendment. So State Land Use District Boundary Amendment.

Ms. Kaye: State Land Use. Thank you. And SUP2?

Mr. Alueta: Special Use Permit, less than 15 acres that only applies to ag and rural districts.

Ms. Kaye: And we had one last month.

Mr. Alueta: Yeah.

Ms. Kaye: And B?

Mr. Alueta: That's a building permit.

Ms. Kaye: And E?

Mr. Alueta: Electrical Permit.

Ms. Kaye: And CO?

Mr. Alueta: Certificate of Occupancy.

Ms. Kaye: And RFC is request for comment?

Mr. Alueta: Yes.

Ms. Kaye: And P?

Mr. Alueta: Plumbing.

Ms. Kaye: Thank you.

Mr. Alueta: Gas is gas.

Ms. Kaye: That one I figured out. Does anybody have questions on the Open Lana`i Project for Joe?

4. Status on the Water workshop.

Ms. Kaye: Okay, next is status of the Mayor's nominees to the Lana`i Planning Commission.

Mr. Alueta: I'm sorry I wasn't given any reports.

Ms. Kaye: Oh, status on water workshop. I'm sorry. I'm skipping ahead here tonight. Thank you Stan. Do you want to do that or do you want me to?

Mr. Alueta: You could do that.

Ms. Kaye: Colleen sent me an email, Commissioners, to me this week, saying that she wasn't going to be here, and that she sent the letter out to everyone that had been put on the list for the Water Workshop and she'd only heard from one person, Gordon Trimble at USGS, who has agreed to come, but he would prefer to come last. He would like to address the Planning Commission after we've heard from the Department of Water Supply and Commission on Water Resources et cetera, et cetera. So she's looking at – they are looking at scheduling this water workshop on a continuing bases, no earlier than July. And there would also be probably an orientation session coming with our three new members once they're seated. And she as we were told sadly is retiring, so next month will be her last meeting. And so the orientation would likely be done by whoever is her replacement is. Does that about cover it Joe?

5. Status of the Mayor's nominees to the Lana`i Planning Commission.

Ms. Kaye: Okay, next is the status of Mayor's nominees, and you have nothing to report on that. Okay.

6. June 18, 2008 Public Hearing on the following proposed Bills:

- a. **Amendments to the Off-Street Parking and Loading Ordinance, Chapter 19.36 of the Maui County Code. (J. Alueta)**
- b. **Creation of a Service Business Residential (SBR) District in Title 19 of the Maui County Code. (J. Alueta)**

Ms. Kaye: And I will finally add that on June 18th there will be two proposed Bills: off-street parking amendments and creating of a service business residential district. That's so far

all that's on our agenda for June 18th that's scheduled.

Mr. Alueta: Correct. Let me just give you a heads up. The 19.36 is basically the same 19.36 that you saw last time. If you remember, for mixed-use district, 19.36, the mixed-use district, that originally started out as a resolution from Riki Hokama. The Department at that time took it upon itself to initiate a comprehensive amendment to 19.36 incorporating part of Mr. Hokama's ordinance. It did get approval from all three Commissions. However, when we went to the Council, Council said "great idea, here's some others, and we're not going to approve yours because of notification requirements, and we're going to adopt Mr. Hokama's Bill." So they adopted Mr. Hokama's Bill and then none of the proposed changes that the Department had got incorporated at all. And so basically, they'd go back, and go back to the Commissions and come back to us and we'd be happy to hear it then. So that's what we're doing.

On the other one is the service business residential. This would be a good candidate for Lana`i in the sense that maybe a zoning category that you may want to incorporate in your next community plan update. Hana initiated this. They have designated some SBR on their last community plan designation, so did – there's some areas in Wailuku under the Wailuku-Kahului Community Plan also has SBR. And basically it's where you have some commercial, more intense commercial than what's allowed in the home occupation while maintaining a residential type or residential which allows for mixed use. The maps are easy. There's only two – one in Hana and one in Wailuku-Kahului. I'll bring the maps, but there's none for Lana`i. It's basically establishing a zoning category to implement the last general planning community plan. There are no properties that have zoning that is SBR. There's only Community Plan designation. This is the correct way you're suppose to do stuff. You're suppose to come up with an idea for a zoning category, create the zoning category in an Ordinance and the development standards, put or have in agreement and then have someone come in and get the zoning. Not the other way around in which we have zoning categories on zoning maps, but no development standards so that's basically what it is.

E. NEXT REGULAR MEETING DATE: JUNE 18, 2008

Ms. Kaye: Thank you. Any additional business for this evening? Yes Alberta?

Ms. de Jetley: We received the registration forms for the conference in the mail. Is the County going to put up the up front money for our registration which \$335.00? So do we just send that in to you?

Ms. Leilani Ramoran: Just like last year, we'll cover your registration for the conference, the mobile workshop, your hotel – but you pay that up front and then we reimburse you. You reserve your hotel like you did last year and then you would submit the receipt, then we'll

get the reimbursement less the lodging allowance.

Ms. de Jetley: Okay, but you'll come up with the up front money for the registration?

Ms. Ramoran: Yeah, we'll pay for that, so just submit your application to me.

Mr. Gamulo: When?

Ms. Ramoran: ASAP.

Ms. Kaye: Leilani, that was on the agenda tonight to discuss I think, but I didn't get any registration. Did everybody get it in the mail? Or were you going to pass it out?

Ms. Ramoran: I have extra. No, it was mailed, but if you didn't get one, I brought extras.

Ms. Kaye: Thank you.

Ms. Ramoran: You're welcome.

Ms. Kaye: Any additional business? If not, the meeting is adjourned.

F. ADJOURNMENT

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 7:25 p.m.

Respectfully transmitted by,

LEILANI A. RAMORAN
Secretary to Boards and Commissions I

RECORD OF ATTENDANCE:

PRESENT:

Sally Kaye, Chair
Stanley Ruidas, Vice-Chair
Dwight Gamulo
Matthew Mano
Alberta de Jetley

EXCUSED:

Beverly Zigmond

OTHERS:

Joseph Alueta, Administrative Planning Officer
James Giroux, Deputy, Corporation Counsel