

# Department of Planning County of Maui

## ANNUAL REPORT

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Jordan Hart, Deputy Director



Fiscal Year 2020

Reporting Period July 1, 2019 to June 30, 2020

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## **SECTION 1**

### **EXECUTIVE SUMMARY**

#### **Mission**

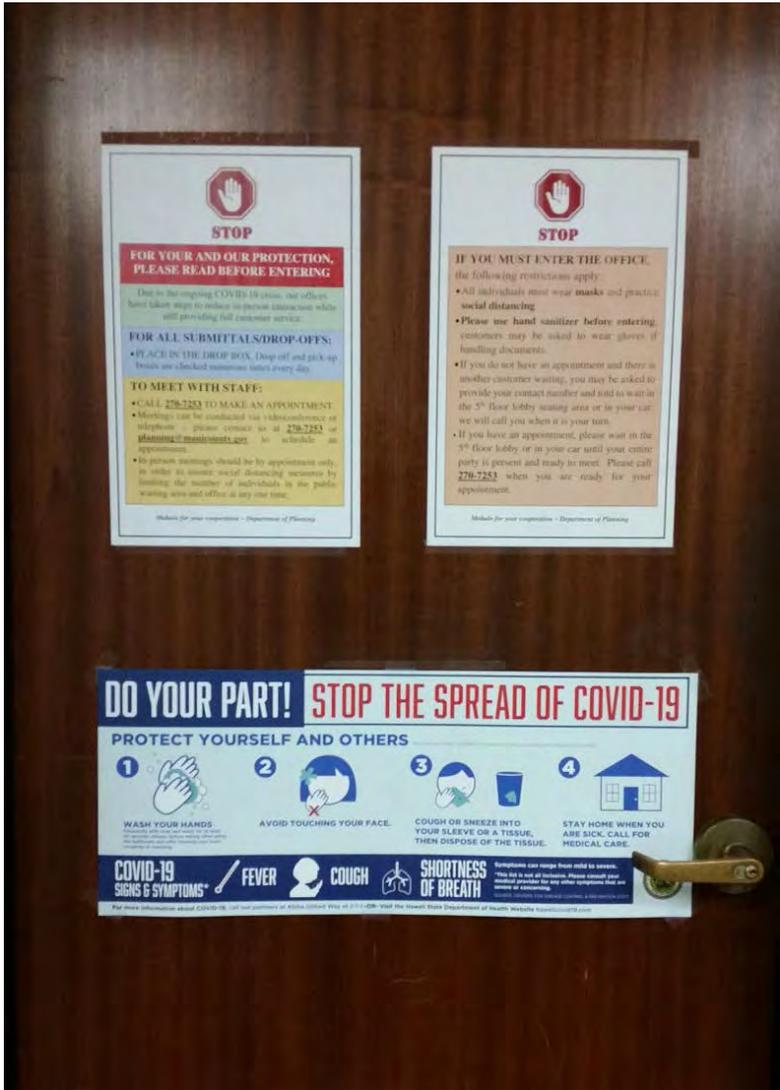
The mission of the Department of Planning is to manage growth in a sustainable manner that balances our economy, culture and the environment. As in prior years, the Department identified four strategies to accomplish its mission in FY20:

- Provide quality service to the public by offering accurate and timely information in a friendly and professional manner in the performance of the Department's duties.
- Administer and enforce zoning and other land use regulations to ensure that all applicable laws and rules are being followed. Enforcement is generally complaint-based so that the Department can effectively respond to concerns raised by the public.
- Review and process applications for a wide variety of developments, from small bed-and-breakfast operations to large commercial or industrial projects. Applications are carefully considered with respect to their surrounding uses, potential impacts, and consistency with long-range plans.
- Prepare and implement long-range plans, such as the Countywide Policy Plan, Maui Island Plan and regional community plans. The development of these plans is an open public process with extensive community participation and involvement, as these plans will guide and direct development and growth for many years.

These goals are largely continual efforts that will extend into FY21 and beyond.

#### **Highlights of Accomplishments**

- The Department again hosted the annual Hawaii Congress of Planning Officials conference, which brings together planners, consultants, other experts and those interested in land use planning and regulation from throughout the state. Attendees said this was the best HCPO yet.
- Enforcement of illegal vacation rentals continued to be a top priority pre-COVID, and the Department found great success because of several factors: primarily the retaining of a consultant to assist with monitoring and screening online advertisements, and the completion of the regulatory process to impose the new \$20,000 initial fines.



•It is impossible to discuss FY20 accomplishments without mentioning the COVID-19 pandemic and its impacts to the entire community, though Maui County felt its effects only in the last few months of the fiscal year. While the County continues to address the health and economic impacts of the pandemic, other day-to-day operations have proceeded.

One of the Planning Department's major accomplishments during these unprecedented times has been to keep its employees and the public safe while maintaining productivity. Staff are on a work-from-home rotation so that there are fewer employees in the office on any given day. This also allows employees with children that require supervision to be at home

while day care and school remain fully or partially closed, and high-risk employees with health conditions to remain safe at home. All offices have posted signs on the doors to direct the public on how to safely interact with staff, including the requirement to wear masks; hand sanitizer is provided outside and inside each office; drop-off and pick-up boxes that were placed outside each office when the offices were temporarily closed are still in place for those who still wish to avoid in-person interaction; and plexiglass barriers have been installed at all front desks and public work stations.

After canceling meetings in March and April, all boards and commissions resumed meetings via videoconferencing. Additionally, division meetings, senior staff meetings monthly departmental meetings, and meetings with applicants and the public have been conducted via videoconferencing. While these do not have some of benefits of interpersonal communication, they nonetheless allow business to continue and keep employees and the public safe. Interestingly, in-person monthly departmental meetings were usually attended by approximately 40 – 50 staff; videoconferenced meetings have much greater attendance with at least 60 staff,

## **SECTION 2**

### **DEPARTMENT HIGHLIGHTS**

#### **Overview**

##### Charter Provision

The Department of Planning is organized in accordance with Section 8-8.1 of the Charter of the County of Maui which states, “There shall be a department of planning consisting of a Maui planning commission, a Molokai planning commission and a Lanai planning commission, a planning director, a board of variances and appeals, and the necessary staff.”

##### Powers, Duties and Functions

Section 8-8.3 of the Charter states that the planning director shall:

1. Be the administrative head of the department of planning.
2. Serve as the chief planning officer of the county and as the technical advisor to the mayor, council and planning commissions on all planning and related matters.
3. Recommend revisions of the general plan at least every ten years to guide the development of the county.
4. Prepare, administer, and enforce long-range planning programs.
5. Prepare, administer, and enforce a cultural resource management program.
6. Prepare, administer, and enforce zoning ordinances, zoning maps and regulations and any amendments or modifications thereto.
7. Review the lists of proposed capital improvements projects contemplated by the county and recommend the order of their priority to the mayor.
8. Perform such other duties and functions as shall be required by law or as shall be assigned by the mayor.

The Department prepares, administers and strives to implement long-range plans, such as the Maui Island Plan and the nine regional community plans; administers and enforces the comprehensive zoning ordinance and other land use regulations; processes applications for a broad variety of discretionary permits; and provides staff support to seven permanent boards and commissions: Maui Planning Commission, Molokai Planning Commission, Lanai Planning Commission, Urban Design Review Board, Cultural Resources Commission, Board of Variances and Appeals, and the Hana Advisory Committee to the Maui Planning Commission.

#### **Accomplishments**

During FY20, the Department had several key accomplishments.

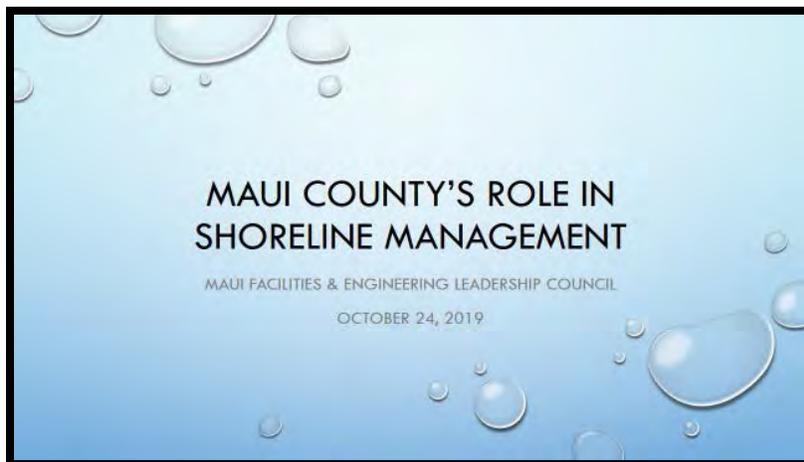
- The “grace period” bill was adopted to allow a grace period to temporarily extend STRH and B&B permits while processing renewal applications, provided that the renewal was submitted prior to permit expiration.

- The “enforcement” bill was enacted to prohibit or suspend the processing of an application for a property that is the subject of a pending enforcement action by the Department.
- Funding was secured from the State Legislature (\$500,000) and the County (\$100,000) to create a Transit Oriented Development Master Plan for the Kaahumanu Avenue corridor from the civic hub in Wailuku to the new transit hub in Kahului, and even as far as the Maui Mall. The “Kaahumanu Community Corridor” project should be complete in FY21.
- Funding was also secured from the State Legislature (\$125,000) and the County (\$125,000) to being the process to map Important Agricultural Lands in Maui County and to develop incentives.



As in prior recent years, staff continued to participate in a variety of government and public forums at the county and state levels. The Department is represented on: the statewide Interagency Climate Adaptation Committee, which created the statewide Sea Level Rise Vulnerability Assessment and Adaptation Report; the Ocean Resources Management Plan Policy Group, responsible for creating and updating the plan; and the Hawaii Interagency Council for Transit Oriented Development (or “Transit Ready Development” on the neighbor islands), seeking to facilitate collaboration on smart growth initiatives (and which resulted in the funding for the Kaahumanu Avenue Community Corridor project).

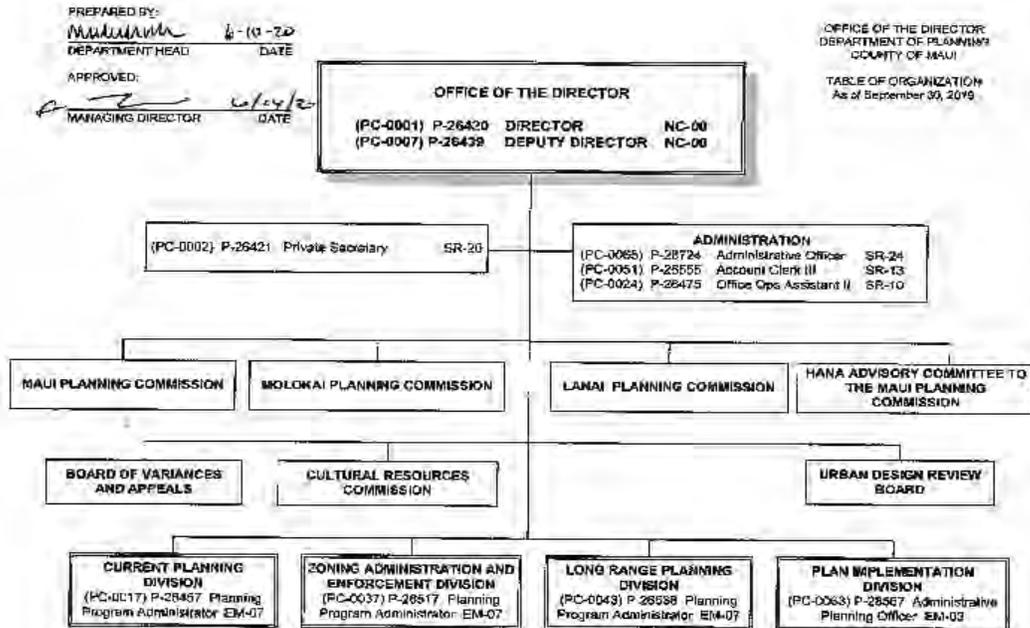
Also continuing from prior years, the Department continued its participation in the State Department of Transportation’s Sustainable Transportation Forum, to discuss transportation planning with a variety of stakeholders, and the Department continues to be represented on the Maui Metropolitan Planning Organizations’ Policy Board and Technical Advisory Committee. The Department attended and made presentations to a



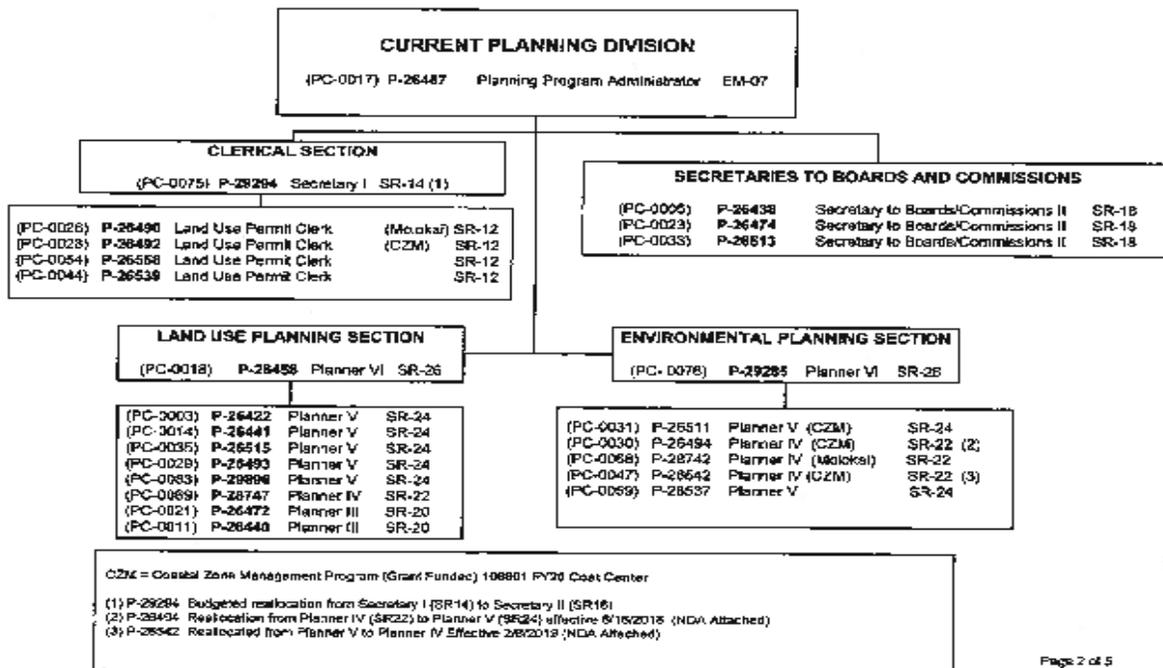
wide variety of organizations and events, including numerous community associations, the Construction Industry of Maui, the Realtors Association of Maui, various realtor groups, and the Maui Facilities and Engineering Leadership Council on topics that they requested to discuss.

# Organization Charts

## Department



## Current Division



# Zoning Administration and Enforcement Division

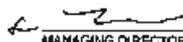
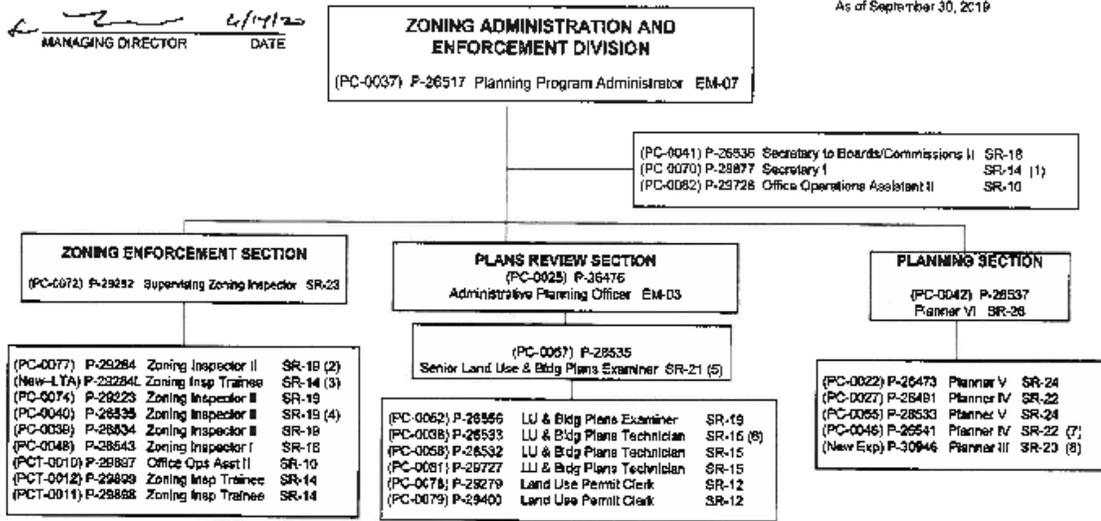
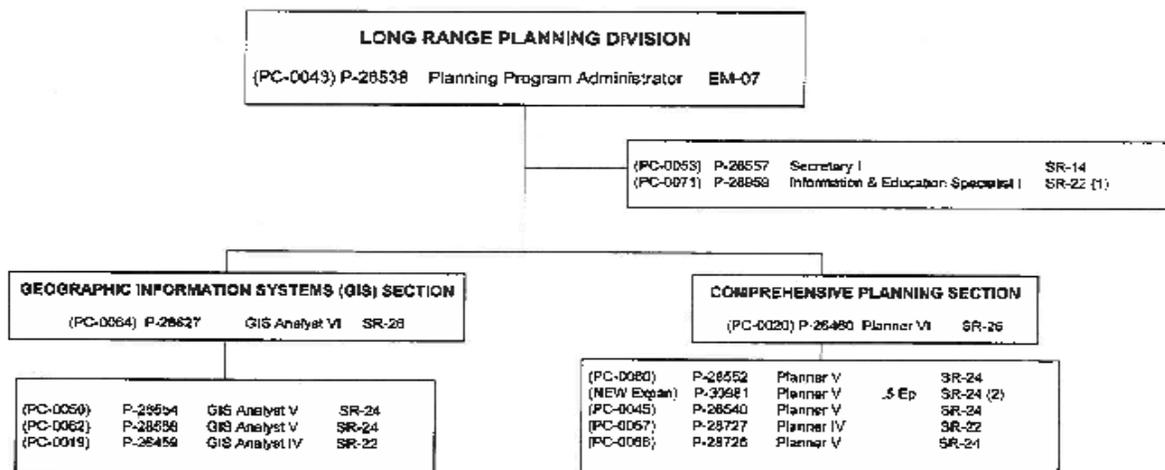
APPROVED:  6/19/20  
 MANAGING DIRECTOR DATE

TABLE OF ORGANIZATION  
 As of September 30, 2019



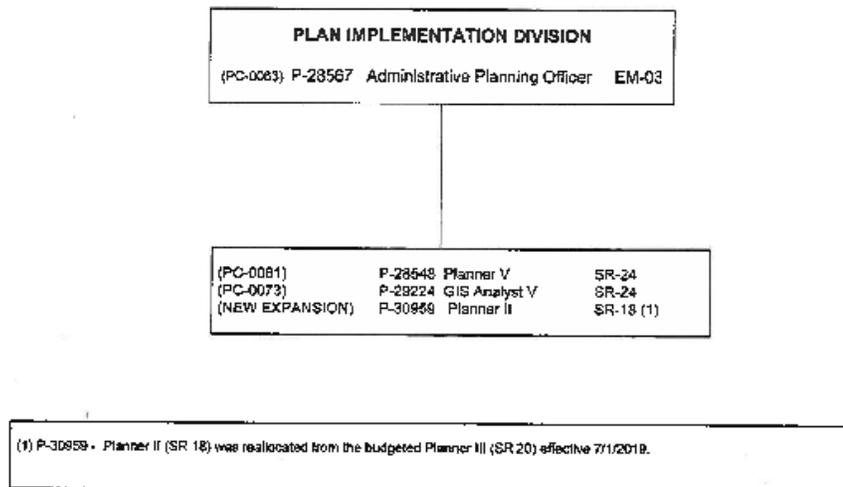
- (1) (PC-0070) P-29877 Budgeted reallocation from Secretary I (SR14) to Secretary II (SR16);
- (2) (PC-0077) P-29284 Zoning Inspector II SR-19 is pending reallocation review and approval by DPS to the budgeted position of Supervising Zoning Inspector SR23.
- (3) (New) P-29284L Budgeted LTA Appointee for employee on Long Term Leave (NDA Attached)
- (4) (PC-0040) P-28835 Budgeted reallocation from Zoning Inspector I (SR18) to Zoning Inspector II (SR19) Effective May 1, 2019 (NDA Attached).
- (5) (PC-0057) P-28535 is a working supervisor directly supervising (PC-0038) P-28533, (PC-0062) P-28536, (PC-0088) P-28832, (PC-0061) P-29727, (PC-0078) P-28279 and (PC-0079) P-29400 open positions.
- (6) (PC-0038) P-28533 Budgeted reallocation from Land Use & Building Plans Examiner (SR19) to Land Use & Building Plans Technician (SR15) Effective 8/1/2019 (NDA Attached)
- (7) (PC-0046) P-26541 Budgeted reallocation from Planner IV (SR22) to Planner III (SR20) effective 11/22/2019 (NDA Attached)
- (8) (New Expansion Position) P-30946 Budgeted examiner position per FY 2020 budget Planner III (SR-20)

# Long Range Division



- (1) P-28959 - Reallocation from Info/Publicity Tech to Information & Education Specialist effective August 15, 2019. (NDA Attached)
- (2) P-30981 - Planner V (SR 24) was reallocated from the budgeted Planner IV (SR 22) effective 7/1/2019.

## Plan Implementation Division



### **Department Budget**

The Department's approved FY20 general fund budget was a modest increase over the approved FY19 budget. The FY20 budget totaled \$7,097,590 representing an 8.5% increase of over FY19. This includes a 2.1% increase in Salaries and Wages to allow for three new planner positions to be added, and a 22.5% increase in Operations for additional professional services.

As in prior years, the majority of the FY20 budget – \$4,574,766 or 65% – supported salaries and wages for the Department's 69.5 general funded employees. Operations – which includes office supplies and equipment; office rent; travel expenses for staff to attend meetings on the neighbor islands; professional services contracts; and a grant for the University of Hawaii Sea Grant Extension Agent on Maui – totaled \$2,426,824 or 34%. Vehicles and leased office equipment totaled \$96,000 or approximately 1%.

As of June 30, 2020, the Department spent approximately 76% of its approved FY20 budget. However, this does not include FY20 funds that have been encumbered and will be spent beyond this timeframe, such as contracts for the South Maui Community Plan update, a proposal for streamlining the shoreline permit process, the update of the Historic Preservation Plan, the mapping of Important Agricultural Lands, the preparation of a Transit Oriented Development Master Plan, revisions to the permit fee study, and update of the traffic impact fee study. It is estimated that less than \$250,000 or approximately 3.5% will be available for carryover savings.

<b>General Fund Budget Item</b>	<b>FY19 Approved Budget</b>	<b>FY20 Approved Budget</b>	<b>FY20 Actual Expense</b>	<b>FY20 % spent</b>	<b>FY20 Balance</b>
Salaries/ Wages	\$4,478,782	\$4,574,766	\$4,233,742	93%	\$ 341,024
Operations	\$1,981,824	\$2,426,824	\$1,092,918	45%	\$1,333,906
Equipment	\$ 78,000	\$ 96,000	\$ 91,062	95%	\$ 4,938
<b>TOTAL GENERAL FUNDS:</b>	<b>\$6,538,606</b>	<b>\$7,097,590</b>	<b>\$5,417,722</b>	<b>76%</b>	<b>\$1,679,868</b>

*Source: IFAS, Department Summary as of June 30, 2020*

In FY20, the Department collected \$1,051,783.26, which was deposited through the iNovah cashiering system into the County's general fund and the Special Management Area Special Fund, for permit application fees and fines for zoning violations.

## SECTION 3

### ACTIVITIES BY DIVISION

#### Administration



*(Clockwise from L): Michele McLean (Director), Avis Teshima-Wong, Charmaine Rodrigues, Theresa “Momi” Maglente, Jordan Hart (Deputy Director) and Karin Phaneuf.*

#### Description

The Administration Division includes the Office of the Director and Deputy Director, and is responsible for the overall management and day-to-day administration of the department in accordance with the county charter and state and county laws.

This year, Director Michele McLean and Deputy Director Jordan Hart, continued to work together to manage a team of 73.5 hardworking planners, administrators, clerical staff, building inspectors, GIS analysts, building plans examiners, permit clerks and four board and commission secretaries.

#### FY 20 Accomplishments

- FY20 was a year of new initiatives. The Administration was directly involved with several projects that began in FY20 but that will be completed in future years. These include bills to revise the Bed and Breakfast Home and Short-Term Rental Home ordinances to make them more consistent, clear and flexible, and to encourage long-term occupancy; the update to the Department’s fee schedule to incorporate cost-recovery; the update to the traffic impact fee study; and the mapping of Important Agricultural Lands.

- The Planning Department had the privilege of hosting the annual Hawaii Congress of Planning Officials (HCPO) conference at the Sheraton Maui Resort & Spa from September 11 – 13, 2019.



Convened each year, HCPO is a meeting of planning officials, planning commissioners, and those involved in managing and regulating land use and development in the State of Hawai'i. Rotated between each county and the State Office of Planning, Maui hosts HCPO once every five years. In addition to ongoing challenges such as record-high housing prices, homelessness, climate change, increasing visitor arrivals, and lack of mobility options, 2019 was a year of unprecedented natural disasters across the State, including record rainfall in a 24-hour period on Kauai; Kilauea's volcanic eruption and lava flow on Hawai'i Island; destructive fires in Lahaina; impacts from Hurricane Lane; and coastal flooding on Oahu. With all this in mind, Maui's HCPO conference, with a mantra of "Keep Calm and Plan

On", focused on how various disciplines within planning, and related to planning, deal with and can better mitigate, prepare for and respond to these challenges.

The conference brought together 314 attendees from around the county, state, mainland, and Guam. The conference had something for everyone: four mobile workshops, American Planning Association awards, a luau with Maui born entertainer Eric Gilliom, four keynote and plenary sessions, and an extensive choice of 25 individual break-out sessions with moderators, presenters and panelists having an impressive array of expertise in their respective fields.



The conference also provided a valuable networking opportunity and set the stage for further cooperation and collaboration between the public and private sector. The keynote speakers included Jeff Speck (Creating Walkable Communities), pictured below, and Kristin Baja (Climate Resilience), both renowned advocates of smart, resilient and sustainable planning.



The conference was organized and managed entirely by Planning Department staff. Over the course of year, and guided by conference co-chairs Ann Cua and Kathleen Ross Aoki, the HCPO conference committee, comprised of ten sub-committee Planning staff chairs and a number of Planning staff and personnel from other county departments, organized and facilitated the successful event. All costs for the conference were covered entirely by the HCPO budget, which is funded by conference registrations and sponsorships. The Department extends its appreciation and gratitude to all those who attended the conference, and to the sponsors who enabled the HCPO conference committee to make Maui's conference no ka 'oi!



- All Planning Employees this year received Customer Service Training which incorporated Hawaiian Values by the Native Hawaiian Hospitality Association

(NAHHA). More targeted Customer Service training is planned for FY21. Also, most department employees were certified in CPR, First Aid and AED use thanks to training arranged by the County's Risk Management Division.

### FY 21 Goals

For FY21, the Administration will continue its efforts to see that quality customer service is provided throughout the Department, to update codes and procedures when changes are needed, and to improve opportunities for public participation. The Department will continue to pursue the same four general goals as in prior years:

- Provide quality public service by offering accurate and timely information.
- Administer and enforce zoning and land use regulations, and ensure that all applicable laws and rules are followed.
- Review and process a wide variety of development applications, and appropriately consider their potential impacts.
- Prepare and implement long-range plans to guide and direct future development and growth.

Additionally, several initiatives that began in prior years should come to completion in FY21. These include:

- Adoption of revisions to the Maui Planning Commission's Special Management Area and Shoreline Rules to streamline processes and to incorporate recent sea level rise data into shoreline setbacks.
- Adoption of revisions to the Bed and Breakfast Home and Short-Term Rental Home ordinances to provide consistency, clarity, flexibility, and opportunities for long-term occupancy.
- Completion of the Kaahumanu Community Corridor Master Plan.
- Completion of the mapping of Important Agricultural Lands.
- Initiation of a Strategic Plan for the Department.
- Launch of MAPPS – Maui's Automated Planning and Permitting System.

### Potential Areas for Improvement

In addition to supporting the division-specific goals noted later in this report, the Administration will also begin the process to develop a Strategic Plan for the Department. This was one of the suggestions that came from an earlier Departmental policy retreat; it is also a directive from Mayor Victorino and received funding in the FY21 budget.

## Current Planning Division



Top Row (L-R) Clayton Yoshida (Administrator), Ann Cua, Candace Thackerson, Sybil Lopez  
Second Row (L-R) Jeffrey Dack, Kurt Wollenhaupt, Simone Bosco, Jared Burkett  
Third Row (L-R) Paul Fasi, Scott Forsythe, Livit Callentine, Keanu Lau-Hee  
Fourth Row (L-R) Tara Furukawa, Kim Willenbrink, Jim Buika, Ryan Quigless





Top Row (L-R): Linda Kim, Rachel Adams, Carolyn Takayama-Corden, Leilani Ramoran-Quemado, Aagnes Nolan  
Bottom Row (L-R): Laury Sanger, Tyerone Holmes, Suzette Esmeralda, Nina-Lehua Kawano

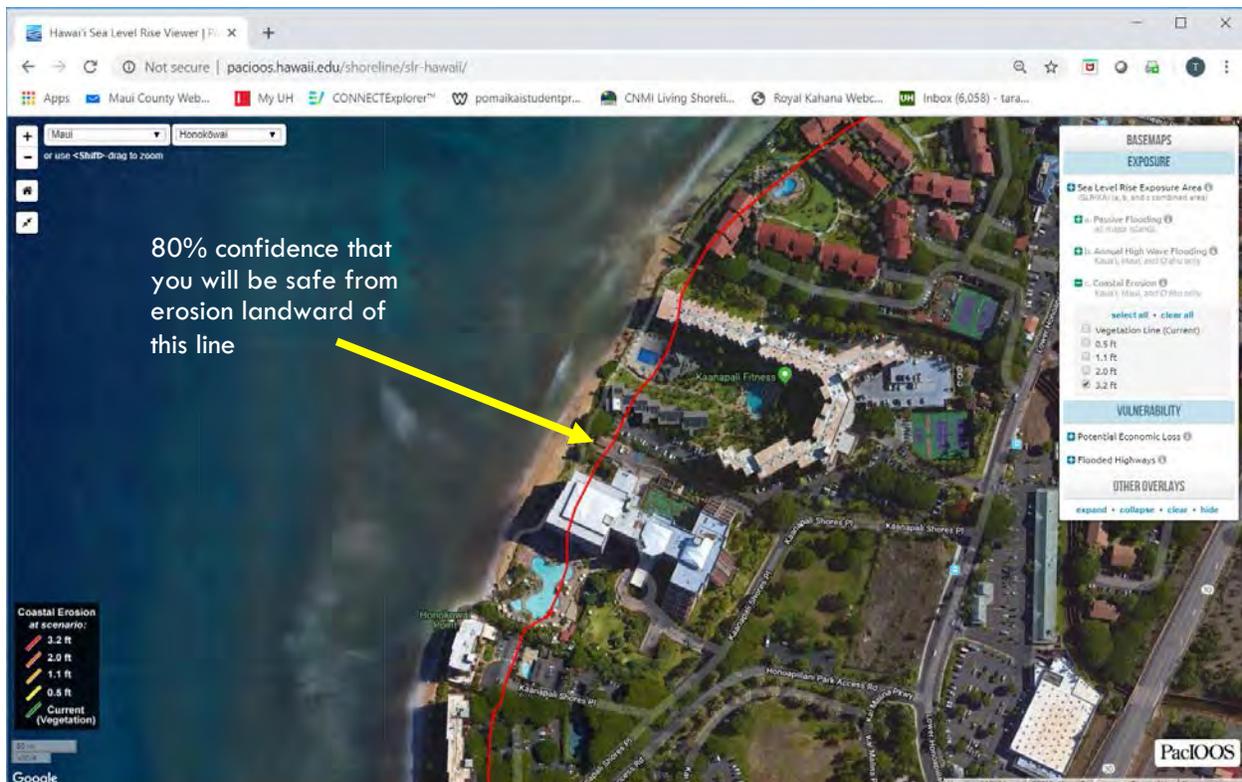
Description

The Current Planning Division (Current) includes the land use section and the environmental section, and is responsible for the processing of major development applications in accordance with planning and zoning regulations. Current reviews and analyzes a broad variety of discretionary and administrative permits.

As part of these duties, Current also provides staff support to the Maui Planning Commission, Molokai Planning Commission, Lanai Planning Commission, Maui Redevelopment Agency, Urban Design Review Board, and the Hana Advisory Committee to the Maui Planning Commission.

FY 20 Accomplishments

- Current staff also participated in numerous workshops on this subject and many others at the September 2019 Hawaii Congress of Planning Officials Conference sponsored by the Department at the Sheraton Maui Hotel in Kaanapali.
- During FY20, the Current Division continued to work with the community and property owners on proposed amendments to the Maui Planning Commission’s Special Management Area (SMA) Rules and Shoreline Area Rules to streamline and improved procedures, and to account for projected impacts of sea level rise as noted in the State’s Climate Commission Report. Coastal Resources Planning staff (the “shoreline team”) attended various workshops conducted by the staff of the State Office of Planning’s Coastal Zone Management program in the summer of 2019.



Dr. Charles Fletcher, Professor of Ocean and Earth Science and Technology at the University of Hawaii at Manoa and a member of the State Climate Commission, provided a workshop on climate change to the Maui Planning Commission with members from the UH-Sea Grant Program and staff from the shoreline team in October 2019. Dr. Fletcher also gave the presentation to the Mayor's cabinet.

Dr. Fletcher also made a presentation to the Molokai Planning Commission regarding climate emergency, sea level rise, and coastal erosion. This informed the Maui County Council in its appropriation of monies in the FY20 budget to assess the impacts of climate change and sea level rise on the Island of Molokai. The number of Special Management assessment applications received decreased slightly from 551 in FY19 to 512 in FY20 as compared to 459 in FY18.

- When COVID-19 came to Hawaii, in-person meetings were suspended. This impacted the three planning commissions as well as other boards and commissions that the Department staffs. Three regular Maui Planning Commission meetings were cancelled, in late March and in the month of April. Instead, two training meetings were held in April to learn how to use and become familiar with the County's BlueJeans videoconferencing technology.



Ever since May 2020, all boards and commissions have returned to their regular meeting schedules using BlueJeans. While the change from in-person meetings to videoconferenced meetings has its flaws, it has also provided greater opportunity for public participation.

### FY21 Goals

Funding approved in the FY21 budget will allow for the hiring of Shoreline Planner I to assist with shoreline applications from the public and to support other shoreline planners to supervise the completion of various other technical studies.

The Department selected Planning Consultants Hawaii, LLC in May 2020 to use \$99,940 in County funds to provide recommendations for a consolidated and streamlined shoreline permit system for Maui County.

Continuing initiatives that should conclude in FY21 are the adoption of the proposed amendments to the Maui Planning Commission's SMA Rules and Shoreline Rules.

### FY21 Potential Areas for Improvement

Current is looking for improvement in how applications will be processed under the MAPPS submittal process and how staff will handle projects if the proposed amendments to the SMA and Shoreline Area Rules are adopted. Resources needed for these improvements would be the utilization of the one additional staff planner to handle the change to submittal of applications (from the current process to MAPPS) and staff administering the proposed changes to the SMA and Shoreline Area Rules.

Staff may also evaluate and implement several of the recommendations for a consolidated and streamlined shoreline permit system once the consultant recommendations have been submitted for review.

## Zoning Administration and Enforcement Division



**Top Row (L-R):** Joy Paredes, Chalsey Kwon, Melissa Tokushima, Jacky Takakura, Chelsea Rabago

**Second Row (L-R)** Shelly Kan-Hai, Sheila Nakagawa, Deanna Gomes, Adam Parness, John Rapacz (Administrator)

**Third Row (L-R)** Russell Higa, Tammy Osurman Melissa, Rulan Waikiki, Shelly Camara, Renee Segundo

**Fourth Row (L-R)** Jay Arakawa, Gary Estanislao, Merle Tashiro, Conklin "Kai" Wright, Gail "Gracie" Davis

**Fifth Row (L-R)** Paul Critchlow, Merle Tashiro, Carolyn Cortez, Diego Sanchez-Gomez, Danny Dias.

### Description

As its name indicates, the Zoning Administration and Enforcement Division (ZAED) administers and enforces state and county land use laws and rules. ZAED also serves as the Department's primary advisor and information source for Maui County residents regarding the interpretation and application of land use laws and rules, permits, approvals, decisions and orders, and other enforcement matters.

ZAED provides administrative and technical support to the Board of Variances and Appeals (BVA). ZAED assists in the administration and enforcement of the Coastal Zone Management Program and processes appeals to the Planning Director and the planning

commissions of Notices of Violation Special Management Area and Shoreline Setback regulations. ZAED also processes Requests for Service, including complaints and requests for information and documents; processes numerous types of administrative permits; and reviews a variety of applications, such as subdivisions and building permits, for compliance with land use laws and rules.

### FY20 Accomplishments

- To improve its enforcement responsibilities, ZAED worked in collaboration with the Department of the Corporation Counsel on training for evidence collection and report writing; forwarding unresolved Notices of Violation to Corporation Counsel for collection and injunctions; and expediting appeals of Violations to require correction of violations and to collect fines in a timelier manner.
- ZAED substantially reduced the number of illegal vacation rentals advertising and operating in Maui County. Though the numbers are always a moving target, data shows illegal operations decreased from more than 1,000 in 2018 to approximately 200 in 2020. ZAED's contract with its first vendor for web-based enforcement services (investigation, identification, monitoring and reporting) expired, and ZAED obtained bids and selected a new vendor, Host Compliance. Host is providing additional information and services that will contribute to a more efficient and informative enforcement system.
- With the adoption of a Charter amendment in the 2018 election, ZAED subsequently pursued accompanying code and administrative rule amendments to be able to impose and collect the new \$20,000 initial fine for illegal vacation rentals. Given the dramatic reduction in illegal vacation rentals since 2018, ZAED believes that this fine has had a deterrent effect, as fewer landowners are willing to take the risk of illegal operation.
- The COVID-19 pandemic has resulted in new and additional duties for enforcement staff, including helping Maui Police Department track legal and illegal short term rentals that are housing "quarantiners" in violation of the Governor's and Mayor's orders, and issuing fines for violating those orders. Collaboration between the departments will contribute to cooperation in future enforcement. The enforcement staff has also worked at the airport and assisted with standby advice and information.

 <b>COUNTY OF MAUI</b> DEPARTMENT OF PLANNING ZONING ADMINISTRATION AND ENFORCEMENT DIVISION 2350 Maui Street, Suite 315 WAILUKU, MAUI, HAWAII 96793 Telephone: (808) 270-7295 Facsimile: (808) 270-7834 E-Mail: <a href="mailto:planning@mauicounty.gov">planning@mauicounty.gov</a> Website: <a href="http://www.mauicounty.gov">www.mauicounty.gov</a>		FILE NO. [REDACTED] RFS NO. [REDACTED] DATE OF NOTICE August 26, 2020 DATE OF VIOLATION June 09, 2020 CONTINUING VIOLATION <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO COLLECTED FINE NONE CERTIFIED RECEIPT NO. [REDACTED]
<b>NOTICE OF VIOLATION</b>		
MAUI COUNTY CODE, TITLE 18 - COMPREHENSIVE ZONING ORDINANCES		
TO: [REDACTED]		
RE: TMK [REDACTED] PERMIT NO. NONE		
ADDRESS [REDACTED]		
I have inspected the above described structure and/or premises and have found the following violation(s) of the County of Maui's Code(s) and/or Ordinance(s) governing same, as amended:		
CODE(S); ORDINANCE(S); SECTION(S)	NATURE AND EVIDENCE OF THE VIOLATION(S)	
Maui County Code (MCC) § 18.65.080 (E)	Operating a short-term rental home without a valid permit. Evidence of the aforementioned violation(s) include(s): Website advertisement.	
<b>ORDER</b>		
Pursuant to MCC § 18.530.020(5), and Chapter 12-103, Rules for Administrative Procedures and Civil Fines for Violations of Chapter 18.13 and Title 18 of the MCC (Administrative Rules), as amended, you are hereby ordered as follows:		
<input checked="" type="checkbox"/> Cease and desist all activity immediately.		
<input checked="" type="checkbox"/> Correct the violation(s) at your own expense by:	September 2, 2020	By taking the following corrective action(s): Remove all advertising and cease all short-term rental activities.
<input checked="" type="checkbox"/> Pay an initial civil fine in the amount of:	\$20,000.00	To the Department of Planning (Planning) by September 26, 2020
<input checked="" type="checkbox"/> Pay a daily civil fine in the amount of:	\$10,000.00	Per day to Planning if the corrective action described above is not completed by September 2, 2020
Pursuant to MCC § 18.530.030(2) and (3) and § 12-103-06, Administrative Rules, as amended, this Notice of Violation and Order shall become final thirty (30) days after the date of this notice, unless an appeal is properly filed with the Board of Variance and Appeals (BVA). The appropriate form may be found online at <a href="http://www.maui.gov/planning/department/boards/06">http://www.maui.gov/planning/department/boards/06</a> or at the Department of Planning, One Main Plaza, 2000 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793. An appeal to the BVA shall not stay any provision of this Order.		
Pursuant to § 12-103-12(2), Administrative Rules, as amended, the initial fine shall be payable whether the violation is corrected before or after the Order becomes final.		
Pursuant to § 91-409(2), Hawaii Revised Statutes, you may retain counsel or appear on your own behalf.		
Pursuant to § 12-103-12(2), Administrative Rules, as amended, in the case of a continuing violation, the daily fine shall be doubled on the first (1st) day of each thirty (30) day period after the time to take corrective action, up to a maximum amount of ONE THOUSAND AND NINETY DOLLARS (\$1,090.00) per day.		
<b>FOR THE PLANNING DIRECTOR</b>		
Print Administrator's Name	JOHN S. RAPACZ	Administrator's Signature
Print Supervisor's Name	JAY ARANKAWA	Supervisor's Signature
Print Inspector's Name	ADAM PARNESS	Inspector's Signature
IC: RFS File (CVARS) Folder S:\ZONING\RF\92020\0705_1639_File_Pt_848\04\0705_INV_OPFR.pdf (Rev 01/21)		

- Since 1981, the County has regulated development in its floodplain areas through a flood ordinance which allows the County's participation in the National Flood Insurance Program (NFIP). Federally backed flood insurance would not be available to local residents if the County did not participate in the NFIP. Currently, over 2,300 properties maintain NFIP insurance which protects their home and personal belongings.



An important component of the NFIP is the Community Rating System (CRS) which "rewards" property owners in floodplains with discounted flood insurance premiums in communities that exceed the NFIP's minimum standards for floodplain protection. The NFIP has rewarded Maui County's higher flood development standards with a CRS class 7 designation resulting in a 15% flood insurance

discount for all NFIP flood insurance policy holders. According to the most up-to-date numbers on existing flood insurance policies, this discount has provided total annual premium savings of more than \$714,000 County-wide.

The Department is charged with maintaining the County's standing in the NFIP and CRS class status. This includes administration of the flood hazard area ordinance, processing flood development permits, community outreach activities, and ensuring audits conducted by the Federal Emergency Management Agency are thoroughly addressed for compliance. Due to these successful efforts in administering higher regulatory standards and the caliber of the flood program Maui County citizens receive the best CRS class status and flood insurance discount in the State of Hawaii. The average insurance premium in the County is \$770 per year, while the national average is \$1,100 to \$1,200 per year. This is in spite of average property values being much higher in the County than nationwide.

- ZAED established the following analysis until such changes can be incorporated in the Maui County Code:
  - walls and fences are allowed in setbacks, and as site preparation before establishment of a principal use;
  - roof eaves may overhang no more than three feet into setbacks;
  - SMA assessments are not necessary for multi-family/apartment buildings for improvements by individual owners to individual units if the improvements were covered by the original permit.
- To increase efficiency and transparency, the internal "AX" database was significantly expanded, updated and made available for the public to research

information, including changes in zoning, community plan amendments, district boundary amendments, vacation rental and grandfathered use determinations, and more.

- ZAED accomplished the following tasks for improved customer service and compliance with the Maui County Code:
  - drafted the first quarterly report on the status of Conditional Permits
  - published the short-term occupancy list on the department website
  - created a link on the department website for access to all Planning Regulations and made the ZAED webpage more complete and user-friendly.

### FY21 Goals

Based on two years of experience with web-based enforcement of illegal vacation rentals, ZAED will continue to streamline its efforts and procedures. There are approximately 25,000 web advertisements run each day for properties in the county, and ZAED has narrowed those to several hundred potential violators. ZAED will work with the new compliance vendor to gain the most benefit from its system's capabilities.

Continued development, testing, training and going live with the County's new MAPPS computer/database system, with online public access and electronic submittals.

The following bills for ordinance were proposed by the Council or by the Department in Fiscal Year 2020 for approval in 2021:

- to prohibit vacation rentals in apartment district properties that have no vacation rentals; to clarify that vacation rentals are prohibited in the industrial districts; and to encourage density in future dwelling units in the industrial districts;
- to allow for additional uses in the urban reserve district;
- prohibit new B&B and STRH permits on Lanai until caps are established;
- to reduce STRH caps on Maui and Lanai;
- to require a conditional permit for canopy tours and zip line operations.

### FY 21 Potential Areas for Improvement

ZAED continuously evaluates and revises its internal procedures to improve its response time and accuracy in reviewing applications and in customer service, and to be more effective in enforcing land use regulations. At the same time, ZAED continuously seeks to improve the overall land use regulatory system by documenting issues that can be resolved through revisions to land use regulations, and pursuing the revisions through County Council and other agencies... all while adapting to and administering new, untested regulations, and changing priorities. ZAED is also continuously analyzing the potential to use zoning regulations to assist with issues such as our homeless and affordable housing problem. As such, ZAED anticipates great improvements in public access and service with the implementation of the new MAPPS systems and public interfaces, following an expected learning curve by county agencies and the public.

## Long Range Division



### Description

The Long Range Division (LRD) looks at land use from County-wide and island-wide perspectives, working with the community to formulate their vision for future land uses. This is accomplished through planning events and activities within the nine community plan regions, dialogue with the community and the application of professional planning principles, from which LRD formulates plans that will facilitate the development of a desirable living environment.

One of LRD's most important responsibilities is to prepare updates to Maui County's nine community plans that manage development, protect the County's natural and cultural resources, and promote economic vitality. LRD also coordinates long range planning activities with other county, state, and federal agencies to meet the long term goals of the Department, and to maintain cooperation among the various agencies.

## FY20 Accomplishments

- The West Maui Community Plan Advisory Committee (CPAC) began their review of the Draft West Maui Community Plan in July 2019. With staff support by LRD, the diverse group of 13 West Maui residents held 37 meetings over the course of ten months at which they listened to public testimony and made recommendations to amend the Draft Plan. As part of the CPAC meetings, LRD also collaborated with County and State agencies, large landowners and community groups to provide the CPAC with informative presentations on various topics to aid their discussions and recommendations.

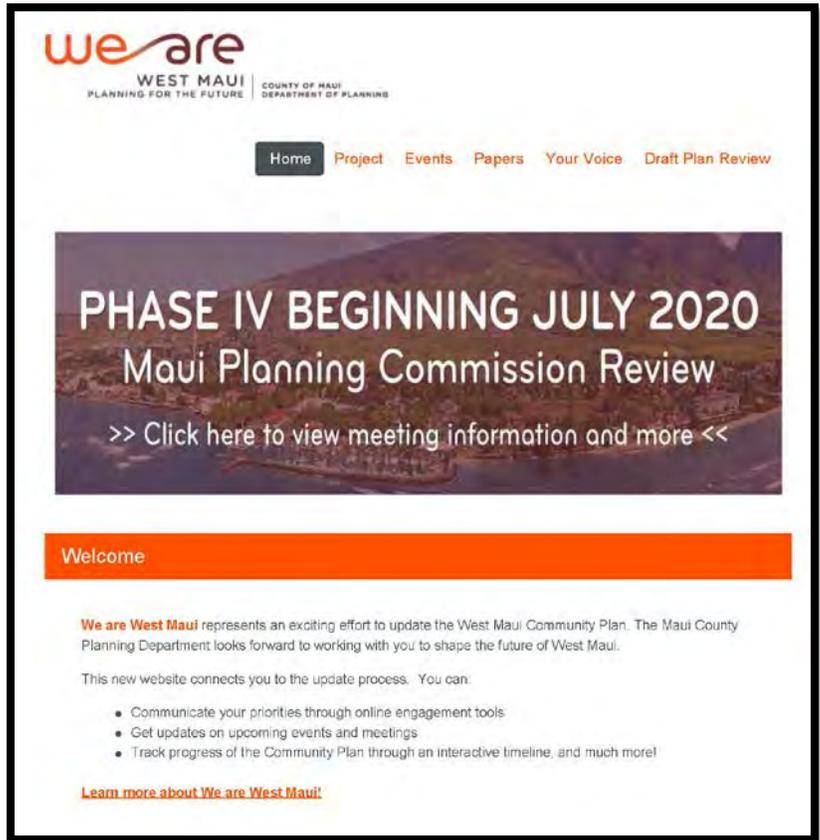
Throughout the CPAC review process, the [wearemaui.org](http://wearemaui.org) website remained a vital tool to share information with the community regarding the Draft Plan and make the CPAC process as welcoming and transparent as possible. LRD developed an interactive story map, highlighting important issues in West Maui, which the CPAC used as a resource while making recommendations for future growth. The CPAC used community input from the engagement phase and Planning Department feedback to create a future growth map to guide development over the next 20 years. Highlights of the map are explored in the Draft Plan as Areas of Stability and Areas of Change in the Growth Framework section.

The Draft Plan also includes a Policy Framework section and Implementation and Monitoring section to guide County decisions and actions in West Maui over the next few decades. The CPAC voted unanimously at their final meeting to send the Draft Plan with their recommendations to the Maui Planning Commission. The Draft Plan is user-friendly, beautifully designed and it articulates the vision and priorities of the community. It will be a model for future community plan updates in the County.



- The We Are Maui website continued to play a critical role throughout FY2020 for the West Maui Community Plan Update process. A new website was created and hosted on the website vendor's new platform, Konveio, and acted as the central hub for the CPAC's review of the Draft Plan under the URL

[wearemaui.konveio.com](http://wearemaui.konveio.com). Users who visited [wearemaui.org](http://wearemaui.org) and clicked on the “CPAC Page” tab were redirected to the new site to review the Draft Plan, obtain information on upcoming CPAC meetings, and view agendas, meeting minutes, video recordings and other relevant materials from past CPAC meetings. After the CPAC’s review concluded in May 2020, the CPAC information was consolidated into one section and the website now focuses on the next phase of the update process: the Maui Planning Commission’s review of the Draft Plan.



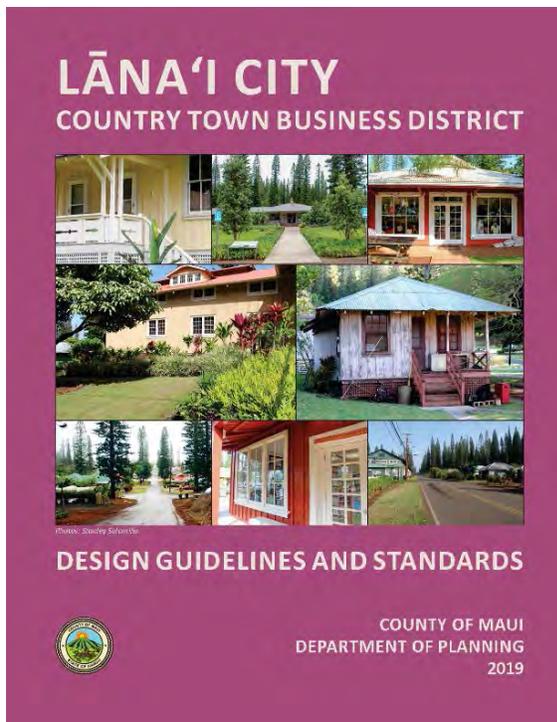
Between July 1, 2019 and June 30, 2020, a total of **9,323 users** visited the We Are Maui and Draft Plan Review websites, garnering **59,970 page views**. The charts below illustrate the cumulative growth of users and page views by quarter.

- LRD kicked off the South Maui Community Plan update during FY 2020. The division released a Request for Proposals and selected Belt Collins Hawai'i (BCH) to assist with the South Maui Community Plan update so that LRD could manage two community plan updates simultaneously. BCH began working on updating technical studies including writing resource papers on housing, mobility, climate change and hazards, and drafting a public facilities and infrastructure assessment for South Maui.

Meanwhile, LRD staff crafted a public engagement program for South Maui, shifting gears from preparing for a traditional public engagement process to one that will engage the public mostly in a virtual environment due to the COVID-19 pandemic. LRD searched for a new website consultant to help expand wearemaui.org to include the South Maui Community Plan, and began preparing material for that the new website including a story map that the public can use to learn more about the South Maui community. LRD also began building trust and enthusiasm for the update in the community by meeting with key stakeholders throughout the region.

- The process to develop a new Countywide Historic Preservation Plan is continuing. A new historic preservation plan is much needed for the County of Maui as the current plan was created in 1984 and quite a bit has changed in the last 36 years. The County is a Certified Local Government, a program under the National Park Service. As such, the County is obligated to fulfill many different historic preservation and cultural resources management-related responsibilities. This includes maintaining a Countywide historic preservation program, consisting of a historic preservation commission (the Cultural Resources Commission), a system for surveying and inventorying historic properties, and an educational program. This new preservation plan is meant to clearly outline practical and achievable strategies for improving the County’s historic preservation program. It will also function like a work plan for the Cultural Resources Commission and LRD.

With the help of consultants, the Lakota Group, LRD completed Phase I of this plan last year. Phase I involved the creation of an existing conditions report. This report inventoried existing regulations, plans, incentives, and community partners related to historic preservation in Maui County. It also identified issues and challenges that need to be addressed during the plan-making phase (Phase II), which should begin in FY21.



- Under the Maui County Code, each Country Town Business District in Maui County is required to have accompanying design guidelines. These guidelines help to ensure that the special character of each district is maintained. The guidelines for this district in Lānaʻi City have not been updated since they were adopted in 1997. The Lānaʻi community made it loud and clear in their recently updated Community Plan that they want new design guidelines for Lānaʻi City. They recognize the specialness of this town, and want updated guidance that clearly dictates standards for existing historic buildings and for the construction of new buildings. LRD embarked on the process to update the design guidelines several years ago. The document went through the required review process with the community and relevant boards and commissions, and is pending action by the County Council, which should occur in FY21.

- The Planning Department received state and county funding totaling \$600,000 to develop a Transit Oriented Development (TOD) Corridor Master Plan along 2.5 miles of Kaahumanu Avenue between the commercial core of Kahului and the civic core of Wailuku to act as a spine connecting facilities and land uses that are or can be developed for affordable housing, shopping and other commerce, commuting

to work or recreational opportunities, and to provide better access and connectivity for a variety of multimodal transportation options. Additionally, the TOD Corridor Master Plan should provide various alternatives or scenarios to link the two most densely populated areas on Maui, which also have the largest employers, by this “Community Corridor.”

The division released an RFP late spring and selected the Nelson/Nygaard consultant team to formulate the Master Plan. Initial work includes the completion of a public engagement strategy, web site design, and initial stakeholder meetings and focus groups.

### FY21 Goals

During FY20 GIS staff continued the update (both of the structure and the data) of the development projects database, and expects to produce revised Development Projects Maps during FY21.

During FY20 GIS staff continued the update of GIS layers from the Maui Island Plan and various community plans, to bring them in alignment with other layers, particularly the latest parcel layer. LRD is nearing completion of these data layers and aims to release for public access in FY21.

It is hoped that the Maui County Council will adopt the West Maui Community Plan update in FY21.

In FY21, it is likely that South Maui CPAC members will be appointed and the CPAC will begin its review of the South Maui Community Plan.

LRD will begin the early stages of the Central Maui Community Plan update by framing what is needed to revise and update technical studies and initiate the beginning of the community engagement phase.

This TOD Corridor plan will be close to completion in FY 21 and then will be appropriately integrated into the Central Maui Community Plan update.

A contract was executed with consultant the Lakota Group and the planning process kicked off on August 5, 2020. LRD is currently in the research and development phase for countywide historic contexts. Once this is done, LRD will develop and implement a community engagement strategy, hoping to have the plan close to adoption in FY21.

### FY21 Potential Areas for Improvement

A fully staffed division is needed to accomplish these goals. Funding for professional services is needed to assist with the Central Maui Community Plan update. Additionally, in future years, it would benefit LRD to have any additional GIS analysts added to work with land use and other relevant data to support the community plan update process and

to assist others in the Department with GIS needs. Having an improved IT environment that allows full and efficient use of the enterprise GIS tools available to the Department would also assist, as well as up-to-date computer hardware and GIS applications and to assist others in the Department with GIS needs. Having an improved IT environment that allows full and efficient use of the enterprise GIS tools available to the Department would also assist, as well as up-to-date computer hardware and GIS applications.

## Plan Implementation Division



(L-R) Behind the masks: Peter Graves (GIS Analyst V), Carolyn Cortez (Planner V), Peter Stasiuk (Planner II), and Kathleen Ross Aoki (Administrator)

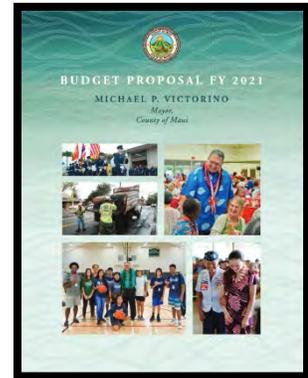
### Description

The Plan Implementation Division (PID) has a dedicated focus on the implementation of our General Plan, which includes the Countywide Policy Plan, the Maui Island Plan, and our regional community plans. These plans contain goals, objectives, policies and actions that require implementation once they are adopted.

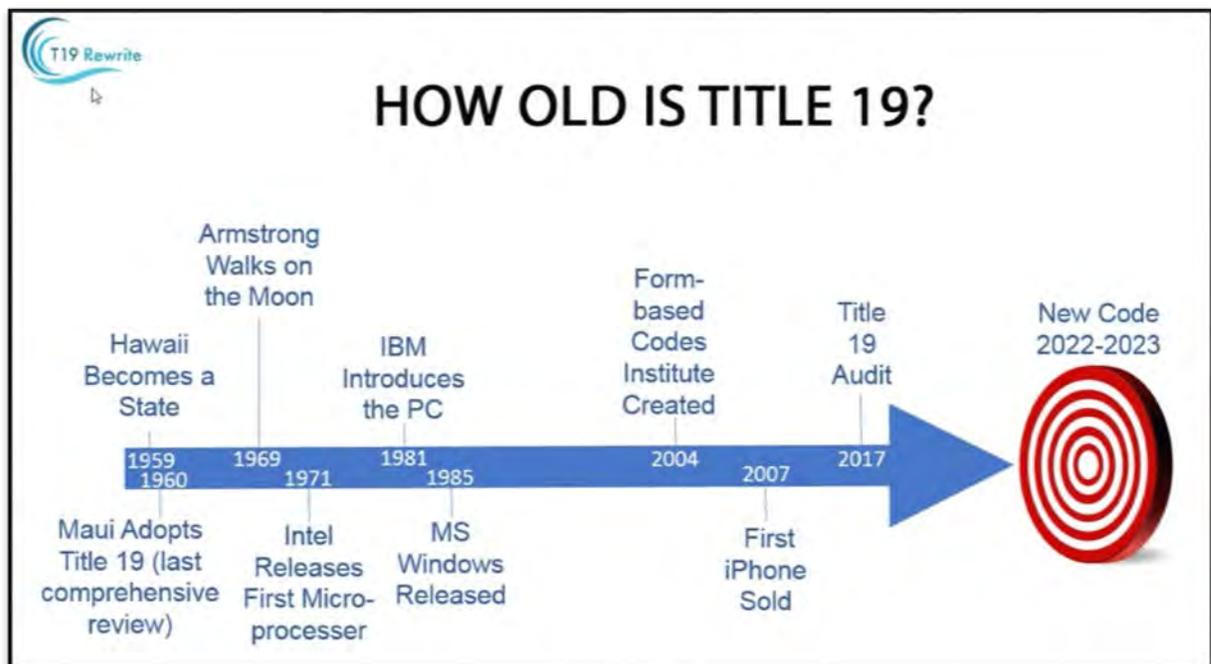
By working with other divisions within the Planning Department, as well as other County departments and State and Federal agencies, PID monitors the County's progress towards the implementation of the General Plan and submits an annual report to the Mayor and County Council on the status of implementation on each general plan document. PID accomplishes implementation of the General Plan through programs that monitor and track progress towards objectives and actions within the General Plan, through Capital Improvement Program (CIP) reporting from other departments, and through the initiation, preparation, and coordination of revisions to county zoning ordinances and regulations. In addition to providing input and guidance on permit and development review, PID also gives technical, informational, and GIS support to the other divisions within the department and has a dedicated staff person to serve on the Maui Metropolitan Planning Organization's Technical Advisory Committee.

## FY20 Accomplishments

- PID reviewed the Mayor's proposed \$186.8 million FY21 County CIP Budget for consistency with the General Plan documents. Specifically, staff reviewed all CIP funding requests to assess their consistency with and support for stated objectives, policies and action items within the Countywide Policy Plan, Maui Island Plan and Community Plans.
- Maui County's zoning code was adopted in 1960 shortly after Hawai'i became a state in 1959. While Maui County and the world around it have changed dramatically from 1960 to today, the County has responded to some of this change by incrementally adopting numerous targeted amendments to the code. These amendments have sometimes created confusing and conflicting interpretations as well as complex layers of administration.



In FY18, an audit of Title 19 was concluded and confirmed that the current code is cumbersome and outdated, and contains standards that do not promote the livable, built environment that is called for in the General Plan. The audit recommended that Title 19 be rewritten and updated to be a Hybrid code (a mix of Euclidian and Form-Based zoning). In FY19, Orion Planning & Design was contracted to rewrite Title 19, which is estimated to be a four-year project.

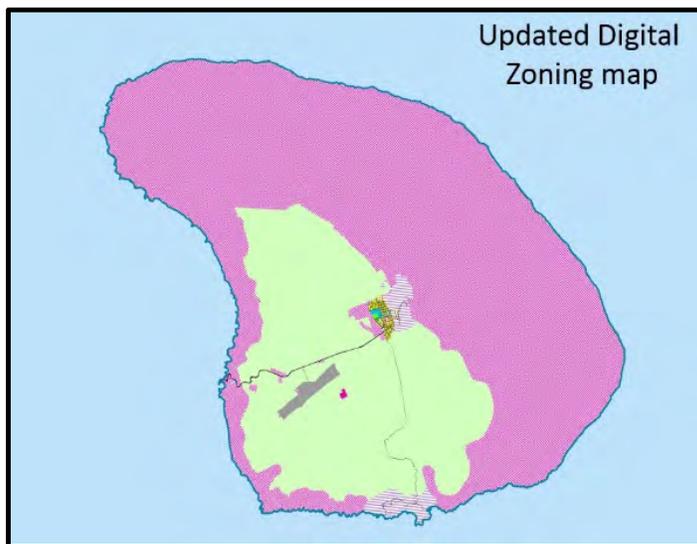


The Department formally launched the project in February 2020 by introducing the project and the consultant team to the Maui County Council and Maui County's



## FY21 Goals

- While the Title 19 Rewrite project will not be accomplished in a single year, FY21 will be an important year for the project as the Department expects to release the first draft of the new hybrid code. Public participation events will be held throughout the county to garner input and feedback on the draft. In addition, a website will be launched for the project in FY21. The website will provide project details, documents for review and comment, presentations, FAQs, additional resources and other pertinent information.



- PID expects the Lānaʻi Digital Zoning map will be adopted by the Maui County Council in FY21.
- A consultant was secured in late FY20 to conduct a Quality of Life (QOL) Survey for Maui County. The consultant and Department will be in regular communication to determine the most ideal time to conduct the survey, taking into consideration the COVID-19 pandemic and its impact to Maui County and its residents in terms of health, education, economy, employment, and mental wellbeing.

## Departmental Performance Measures

To achieve the Department’s mission – to manage growth in a sustainable manner that balances our economy, culture and environment – the Department had three program goals for FY20. Each of these goals had program objectives and success measures as described below. It is difficult to separate these by division because many of these goals, objectives and measures pertain to two or more divisions; therefore, they are tracked department-wide.

Goal #1: Improve customer service and streamline permit application procedures.

Objective	Success Measure	FY20 Est.	FY20 Actual
Process building permit reviews, zoning verification requests, complaints, permits and requests for information in an efficient and professional manner	# of building permits reviewed	2,000	1,764
	Average # of building permits reviewed by each plans reviewer	400	441
	% of building permits reviewed within 30 days	100%	98%
	# of zoning verifications performed	2,000	2894
	# of zoning complaints investigated	500	701
	% of zoning complaints closed/ brought into compliance without a Notice of Violation (NOV)	90%	87%
	% of zoning complaints unresolved resulting in a Notice of Violation (NOV)	10%	13%
	# of Bed and Breakfast Home and Short-term Rental Home permits and renewals issued	65	58
	# of Special Management exemptions issued	250	355
	# of Special Management Area Minor permits approved	75	138
	# of formal, written Requests comments answered	100	128

Discussion: many of these measures are data rather than indicators of performance. Those that call for numbers are important in terms of tracking the Department’s intake and output, but they do not necessarily reflect good or poor performance. The percentages, however, are generally indicators of performance. The percentage of

building permits reviewed within 30 days indicates that the Department is close to meeting the goal of 100%. The percentage of zoning complaints that are resolved without issuing a violation shows that enforcement efforts are successful in achieving compliance at an early stage without assessing fines, and is close to the meeting the goal.

Goal #2: Increase public participation and access to information by conducting public meetings of boards, commissions and community plan advisory committees, and by making more documents available through the county’s website.

Objective	Success Measure	FY20 Est.	FY20 Actual
1. Update the department's website with proposed and enacted legislation, frequently asked questions, and other timely information	# of website updates	100	38
2. Conduct public meetings for boards, commissions and community plan advisory committees	# of public meetings conducted	100	179
	% of planning commission decisions that substantially follow the department's recommendations	85%	94%

Discussion: these measures indicate that the Department did not provide as much information to the public, through website updates, as anticipated. This could be due to a failure to post timely information, or it could be because there was no new information to publish. However, the goal of holding public meetings far exceeded expectations. The last measure also shows that the Department’s analyses and recommendations to the three planning commissions have their support a majority of the time, and recent efforts have been made to provide greater balance in our reports. However, the commissions should not be a “rubber stamp” for the Department, particularly because issues or concerns that were not known to staff can often be raised at meetings; therefore, it is an overall positive indicator that this is a high – but not too high – percentage.

Goal #3: Improve the administration of our land use ordinances and long-range plans by revising and updating ordinances and departmental rules and by implementing long-range plans.

Objective	Success Measure	FY 20 Est.	FY20 Actual
1. Amend land use ordinances and	# of ordinances and rules amended annually	5	8

administrative rules to clarify and modernize			
2. Initiate implementation of the Maui Island Plan and the community plans	# of implementing actions initiated by department	4	4

Discussion: unlike many of the previous measures, the first measure shows the degree to which the Department is being pro-active in making changes and improvements to its laws and processes. In FY20, the Department exceeded its estimate, which is very positive. The second measure shows the pro-active efforts to implement long range plans, which met the goal.

## **SECTION 4.**

### **DEPARTMENTAL PRIORITIES FOR FISCAL YEAR 2021**

#### **Priorities**

For FY21, the Department has several priorities. Many were initiated in FY20 or prior years, and some continue beyond FY21, but ongoing work is needed for these to move forward.

A top priority is for the West Maui Community Plan to be adopted. This would be the first community plan on Maui to be updated since the adoption of the Maui Island Plan. The West Maui CPAC completed its review in early 2020 and the Maui Planning Commission began its review in the summer of 2020. Similarly, the South Maui Community Plan update began in 2020 with the preparation and update of technical studies and initial community outreach; another departmental priority is for the South Maui CPAC to be empaneled during FY21.

Another top priority is enacting revisions to the Maui Planning Commission's Special Management Area (SMA) and Shoreline rules. These proposed changes have been in the works for many years, with recent revisions being proposed to address sea level rise. The objectives are to simplify the SMA permitting process, clearly define which projects are statutorily exempt and do not require any SMA review, and incorporate sea level rise into the required shoreline setback to protect future coastal development.

With funding from the County Council and the State Legislature in FY20, the Transit-Oriented Development Master Plan for the Wailuku-Kahului corridor should be completed in FY21, and the process to identify Important Agricultural Lands for designation should also be completed in FY21.

Additionally, with funding in FY20, an updated study of the Department's permit application fee structure was completed; it is expected that this will be proposed to be included in the Department's FY22 budget. Similarly, an updated proposed traffic impact fee study should be completed in FY21.

#### **Continuing Efforts**

Continuing from FY20 will be the Title 19 rewrite project to overhaul the County's zoning code. This project will take several years and, therefore, needs to make steady and consistent progress each year.

#### **Budgetary Requirements**

The adopted FY21 budget was reduced from what was proposed in response to the economic impact of COVID-19. Several needed expansion positions were approved but

were not funded. However, sufficient funding was provided in FY20 and FY21 to proceed with these projects.

The Department’s approved FY21 total budget decreased by 8.5% compared to FY20.

The modest increase in Salaries and Wages is attributed partially to collective bargaining requirements. The decrease in Operations reflects a decrease in Professional Services, which was well-funded in FY20 as noted above but is not needed to the same extent in FY21. The modest increase in equipment includes the purchase of new computer equipment for LRD and for MAPPS.

<b>General Fund Budget Item</b>	<b>FY20 Approved</b>	<b>FY21 Approved</b>	<b>Difference</b>	<b>Change</b>
Salaries/ Wages	\$4,574,766	\$4,619,006	\$ 44,240	1.0%
Operations	\$2,426,824	\$1,755,981	-\$650,843	-26.8%
Equipment	\$ 96,000	\$ 99,000	\$ 3,000	3.1%
<b>TOTAL GENERAL FUNDS:</b>	<b>\$7,097,590</b>	<b>\$6,493,987</b>	<b>-\$603,603</b>	<b>-8.5%</b>

*Source: Fiscal Year 2021 Council Adopted Budget*

## **SECTION 5**

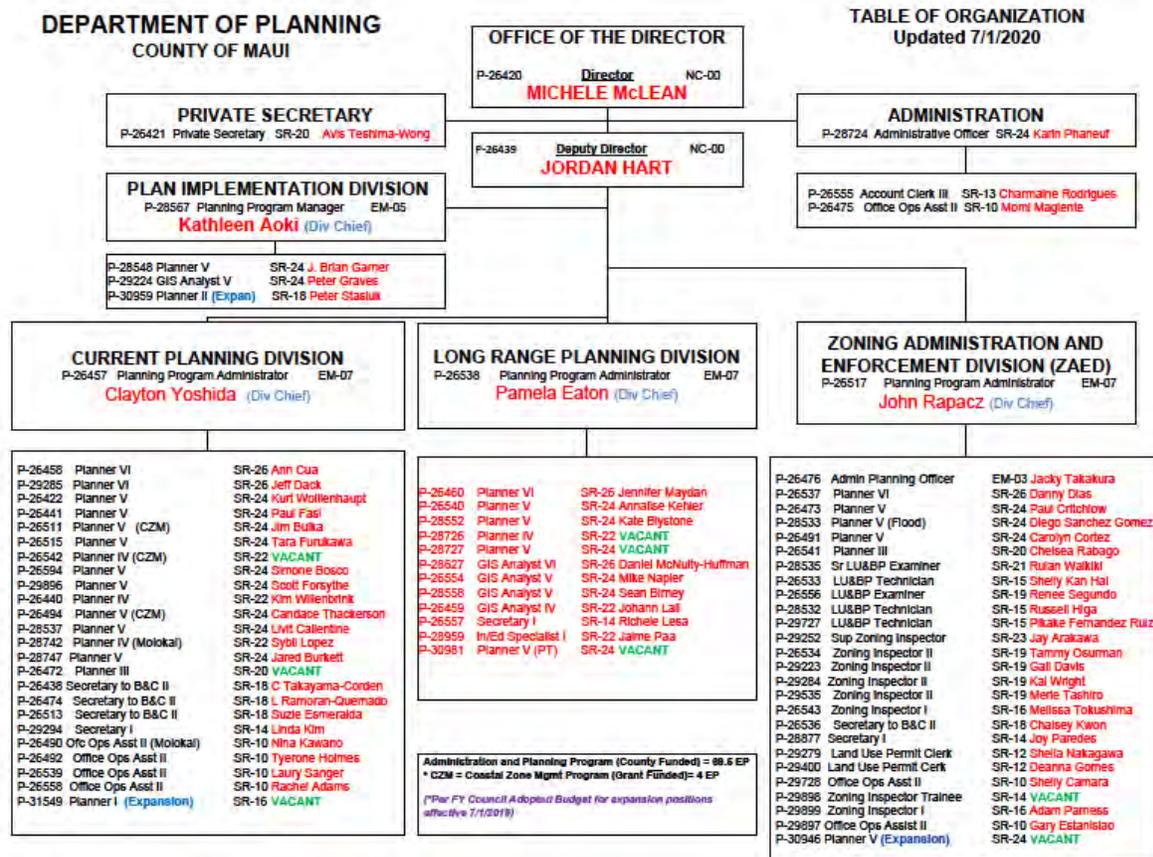
### **REPORT APPENDICES**

#### **Personnel**

This year, the Department of Planning chose Renee Segundo as our Employee of the Year. Renee is an exemplary employee, a Land Use and Building Plans Examiner in ZAED. Our Manager of the Year was awarded to Ann Cua, Planner VI in the Current Division. Ann has been with the Department since 1983 and is the supervisor everyone wishes they had! The Planning Department Team of the Year included the talented group who chaired, organized and facilitated the annual three-day Hawaii Congress of Planning Officials (HCPO) event in October. The “HCPO Chair Team” consisted of Kathleen Aoki (PPM, PID), Ann Cua (Planner VI Current), Avis Teshima-Wong (Private Secretary, Admin), Candace Thackerson (Planner V, Current), Jen Maydan (Planner VI, LRD), Kate Blystone (Planner V, LRD), Jaime Paa (Info & Ed Specialist, LRD), Tammy Osurman, (Zoning Inspector II, ZAED), Danny Dias (Planner VI, ZAED), Suzie Esmeralda (Secretary to Boards/Commissions II, Current), Livit Callentine (Planner V, Current), and Ana Lillis (Planner IV, ZAED). The event went off without a hitch and was widely reported to be the “best HCPO ever!”

At the end of FY20, after adding 2.5 expansion positions, the Department had 69.5 general funded EP positions. Ten new hires joined Planning during this time period including Shelly Camara, Johann Lall, Adam Parness, Peter Stasiuk, Kim Willenbrink, Chelsea Rabago, Deanna Gomes, Gary Estanislao and two temporary hires, Jock Yamaguchi and Frederick Brown. The Department had two employees transfer into the department from other County departments and five transfer out to other departments, most to pursue promotional opportunities. Six employees resigned from the Department this year and moved on to other endeavors.

The organizational chart below shows Departmental personnel as of the beginning of FY20 as well as projected vacancies at the beginning of the fiscal year.



Planning welcomed to its staff the following new hires and congratulates the well-deserved promotions:

### Current Planning Division

**Keanu Lau-Hee** was promoted from her position in the Current Division as a Shoreline Planner IV to ITSD as their Business Continuity Plan Coordinator. **Layne Belen** was promoted into the Current Division as a Planner III but moved back to DEM as a Wastewater Source Control Technician only two months later. **Kimberley Willenbrink** was reallocated from a Planner III to a Planner IV.

### Zoning Administration and Enforcement Division (ZAED)

ZAED welcomed **John Rapacz** back from the Department of Council Services to once again become the Planning Program Administrator (PPA) for the Division. **Chelsea Rabago** was promoted from a Land Use and Building Plans Technician to a Planner III. **Melissa Tokushima** and **Merle Tashiro** were promoted from Zoning Inspector I to Zoning Inspector II. New hire this year, **Adam Parness**, was promoted from a Zoning

Inspector Trainee to Zoning Inspector I. ZAED welcomed new hires **Gary Estanislao** and **Shelly Camara**, both Office Operations Assistant IIs. ZAED also welcomed new hire **Peter Stasiuk** and **Frederick Brown** this year as a Zoning Inspector Trainees.

**Sarah Reichert** was promoted out of ZAED when she accepted a position in the Water Department as a Planner III. **Christi Keliikoa** and **Ana Lillis** both transferred to Council Services where Christi works as an Executive Assistant for Councilperson Tamara Paltin and Ana works as a Legislative Analyst. ZAED welcomed new hire **Deanna Gomes** as a Land Use Permit Clerk. **Shelly Kan-Hai** was promoted from Land Use Permit Clerk to Land Use and Building Plans Technician.

Long Range Division

The Long Range Division welcomed new hire GIS analyst IV **Johann Lall** just before COVID hit the island. **Tiffany Bostwick** was promoted from Planner IV to Planner V and we sadly bid her goodbye when she decided to leave the island to work for the Army Corps of Engineers in California. **Sean Birney** was promoted from a GIS Analyst IV to GIS Analyst V. **Doug Miller** transferred to a half time position in January in anticipation of his upcoming summer retirement.

EMPLOYEE NAME	PERSONNEL ACTION	JOB TITLE
BELEN, LAYNE	Inter-Dept Promotion IN - CURRENT	From DEM to Planner III
LAU-HEE, KEANU	Inter-Dept Promotion OUT - CURRENT	Planner IV to ITSD Business Plan Coordinator
REICHERT, SARAH	Inter-Dept Promotion OUT - ZAED	Promoted ZAED Office Ops II to H2O as Planner III
RAPACZ, JOHN	Inter-Dept Transfer - ZAED	Leg Attorney, Council Svcs to Plan Pgm Administrator
BELEN, LAYNE	Inter-Dept Transfer - Back to DEM	From Planner III to Wastewater Source Control Tech
LILLIS, ANA	Inter-Dept Transfer OUT - ZAED	Planner IV to Legislative Analyst in Council Services
KELIIKOA, CHRISTI	Inter-Dept Transfer OUT - ZAED	Planner IV to Executive Assistant in Council Services
MILLER, DOUGLAS	Intra-Dept Transfer - LONG RANGE	FT Planner V to PT (.5) Planner V
CAMARA, SHELLY	New Hire (Inter-Gov) - ZAED	State to County - Office Operations Assistant II
BROWN, FREDERICK	New Hire - ZAED	Zoning Inspector Trainee (LTA)
LALL, JOHANN	New Hire - LONG RANGE	Office on Aging (Housing) to ZAED
PARNESS, ADAM	New Hire - ZAED	Zoning Inspector Trainee
STASIUK, PETER	New Hire - ZAED	Zoning Inspector Trainee
WILLENBRINK, KIMBERELY	New Hire (Re-Hire) - CURRENT	Planner III
RABAGO, CHELSEA	New Hire (Re-Hire) - ZAED	Land Use & Building Plans Technician
GOMES, DEANNA	New Hire (Re-Hire) - ZAED	Land Use Permit Clerk
YAMAGUCHI, JOCK	New Hire (Temp) - LONG RANGE	Geographic Information Analyst IV
ESTANISLAO, GARY	New Hire - ZAED	Office Operations Assistant II
RABAGO, CHELSEA	Promotion - ZAED	LU&BPT to Planner III
WILLENBRINK, KIMBERELY	Promotion - Current	Planner III to Planner IV

<b>BOSTWICK, TIFFANY</b>	Promotion - LONG RANGE	Planner IV to Planner V
<b>BIRNEY, SEAN</b>	Promotion - LONG RANGE	GIS Analyst IV to GIS Analyst V
<b>STASIUK, PETER</b>	Promotion - PID	Planner II
<b>PARNES, ADAM</b>	Promotion - ZAED	Zoning Inspector Trainee to Zoning Inspector I
<b>KAN-HAI, SHELLY</b>	Promotion - ZAED	Land Use Permit Clerk to LU & Building Plans Tech
<b>TOKUSHIMA, MELISSA</b>	Promotion – ZAED	Zoning Inspector I to Zoning Inspector II
<b>TASHIRO, MERLE</b>	Promotion – ZAED	Zoning Inspector I to Zoning Inspector II
<b>YAMAGUCHI, JOCK</b>	Resignation - LONG RANGE	Appointment Ended (LTA)
<b>BROWN, FREDERICK</b>	Resignation - ZAED	Resigned - Zoning Inspector Trainee
<b>BOSTWICK, TIFFANY</b>	Resigned - LONG RANGE	Resigned - Planner V
<b>AARONA, JAMES</b>	Resigned - ZAED	Land Use and Building Plans Examiner
<b>ALUETA, JOSEPH</b>	Resigned - ZAED	Planning Program Administrator (LTA)
<b>GORGONIO, LEXY</b>	Resigned - ZAED	Office Operations Assistant II

### Anniversaries

The following employees are to be congratulated for their many years of admirable service:

#### 10 Years

Canndace Thackerson  
T. Momi Maglente  
Karin Phaneuf

#### 15 Years

Danny Dias  
Livit Callentine  
Carolyn Cortez

#### 20 Years

Jay Arakawa

### Above and Beyond Awards

Each month, Department of Planning employees honor coworkers by awarding the “Above and Beyond” award. This year, the awards went to the following employees:

<b>MONTH</b>	<b>EMPLOYEE</b>	<b>AWARDED TO</b>
July 2019	Jordan Hart, Deputy Director	Jeff Dack, Planner VI
July 2019	Joy Paredes, Secretary I	Rus Higa, LU&P Tech
August 2019	Russ Higa LU & Plans Tech	Could not be at meeting
August 2019	Jeff Dack, Planner VI	Anna Lillis, Planner IV
September 2019	Anna Lillis, Planner IV	Kathleen Aoki & Ann Cua
September 2019	Russ Higa, LU&P Tech	Diego Sanchez-Gomez, Planner V
October 2019	Diego Sanchez-Gomez, Planner V	Carolyn Cortez,, Planner V

October 2019	Kathleen Aoki (PID) & Ann Cua (Planner VI Current)	Avis Teshima-Wong, Private Secretary
November 2019	Carolyn Cortez, Planner V	Chelsea Rabago, LU&Build Plans Examiner
November 2019	Avis Teshima-Wong, Private Secretary	Shelly Kan-Hai, Land Use Permit Clerk
December 2019	Chelsea Rabago, LU&BP EX	Pikake Fernandez-Ruiz, LU&BP Tech
December 2019	Shelly Kan-Hai, Land Use Permit Clerk	Jacky Takakura, Administrative Plan Ofcr
January 2020	Pikake Fernandez, LU&BP Tech	Candace Thackerson, Planner V
January 2020	Jacky Takakura, APO	Sheila Nakagawa, Land Use Permit Clerk
February 2020	Sheila Nakagawa, LUPC	Gail Davis, Zoning Inspector II
February 2020	Candace Thackerson, Planner V	Agnes Nolan, Secretary I
March 2020	COVID – No Meeting	
April 2020	COVID – No Meeting	
May 2020	Gail Davis, ZI II	Gary Estanislao, Office Ops Clerk II
May 2020	Agnes Nolan, Secretary I	Linda Kim, Office Ops Clerk II
June 2020	Linda Kim, Office Ops Clerk II	Rachel Adams, Office Ops Clerk II
June 2020	Gary Estanislao, OOC II	Adam Parness, ZI I

## List of Applications

### Current Division

Application or Review Type	Number of Applications			
	FY 2017	FY 2018	FY 2019	FY 2020
State District Boundary Amendments (>15 acres)	3	3	3	0
State District Boundary Amendments (<15 acres)	1	2	2	1
State LUC Special Use Permits	21	15	26	15
State LUC Declaratory Rulings	0	0	0	0
Project District Reviews	8	10	9	8
Changes In Zoning	5	9	6	2
Community Plan Amendments	4	8	1	2
Conditional Permits	4	5	2	3
County Special Use Permits	5	3	6	4
Use Determinations	1	1	2	1
Planned Developments	5	5	8	2
Historic District Permits	34	10	30	18
Historic District Signs	15	23	16	15
Bed and Breakfast Permits	29	29	24	5
B&B Permit Time Extensions	43	47	11	3
Short-Term Rental Home Permits	118	46	36	2
STRH Permit Time Extensions	61	67	26	10
Environmental Assessments	1	2	0	4
Environmental Impact Statements	1	0	1	0
EA Comments	12	15	11	8
EA Exemptions	78	50	74	72
Historic District Approvals	10	9	15	4
MRA Approvals	3	2	3	5
Country Town Business Reviews	6	9	9	5
Cluster Housing Developments	0	0	0	0
R-0 Overlays	0	0	0	0
Requests for Files	132	145	186	150
Requests for Comments	194	106	148	178
Major Permits (SM1)	7	11	11	13
Modifications	9	22	11	10

Current Division, cont.

Application or Review Type	Number of Applications			
	FY2017	FY2018	FY2019	FY2020
Monitoring/Compliance Reports	7	9	10	6
Minor Permits				
Maui (SM2)	135	88	102	129
Molokai (SM6)	1	2	2	0
Lanai (SM7)	3	1	1	0
Exemptions (SM5)*	199	229	144	153
Administrative Appeals	1	0	2	1
Emergency Permits (SM3)	7	11	6	8
Shoreline Setback Variances	3	0	0	2
Shoreline Setback Approvals	68	47	60	68
Shoreline Setback Determinations	1	0	5	6
<b>TOTAL</b>	<b>1,235</b>	<b>1,041</b>	<b>1,009</b>	<b>913</b>

Zoning Administration and Enforcement Division

Application or Review Type	Number of Applications			
	FY2017	FY2018	FY2019	FY2020
Building Permits	2081	1713	1845	1764
Certificates of Occupancy	114	121	106	118
Comprehensive Signage Plans	11	10	16	8
Farm Plans**	117	97	20	0
Ag Declarations**	n/a	n/a	172	210
Flood Development Permit	43	68	80	139
Notices of Violation	101	95	149	114
Parking Waivers/ Off-site Approvals	7	8	2	16
Sign Permits	Sign-91 Banner-298	Sign-69 Banner-238	Sign-101 Banner-265	Sign-62 Banner-173
SMA Exemptions (SM5)*	336	259	271	130
Subdivisions	382	364	394	468
Variances and Appeals	14	12	29	18
Zoning Investigations	499	671	591	701
Zoning Verification Forms	3340	3794	4933	2894

\* SMA Exemptions (SM5) are reviewed by both Current and ZAED, and are recorded separately.

\*\* Farm Plans have been replaced by Ag Declarations

## **Boards and Commissions**

Maui Planning Commission. The Maui Planning Commission is concerned with the area encompassing the islands of Maui and Kahoolawe.

23 Regular Meetings Scheduled	0 Special Meetings Held
20 Regular Meetings Held	3 Workshops/Site Inspections

Molokai Planning Commission. The Molokai Planning Commission is concerned with the area encompassing the island of Molokai, except the portion of the island known as Kalaupapa, Kalawao, and Waikolu and commonly known and designated as the Kalaupapa Settlement.

22 Regular Meetings Scheduled	1 Special Meetings Held
13 Regular Meetings Held	0 Workshops/Site Inspections

Lanai Planning Commission. The Lanai Planning Commission is concerned with the area encompassing the island of Lanai.

12 Regular Meetings Scheduled	2 Special Meetings Held
7 Regular Meetings Held	0 Workshops/Site Inspections

Hana Advisory Committee to the Maui Planning Commission. The Hana Advisory Committee advises the Maui Planning Commission as delegated on land use matters concerning the Hana District.

4 Regular Meetings Scheduled	0 Special Meetings Held
1 Regular Meetings Held	1 Workshops/Site Inspections

Maui County Cultural Resources Commission. The Cultural Resources Commission works for the preservation of the County's historic and cultural resources.

12 Regular Meetings Scheduled	2 Special Meetings Held
9 Regular Meetings Held	0 Workshops/Site Inspections

Board of Variances and Appeals. The Board of Variances and Appeals hears and determines requests for variances from the County Code and appeals alleging error from any person aggrieved by a decision or order of any department.

23 Regular Meetings Scheduled	0 Special Meetings Held
12 Regular Meetings Held	0 Workshops/Site Inspections

Maui County Urban Design Review Board. The Urban Design Review Board advises the planning commissions and the Department on project design.

12 Regular Meetings Scheduled	1 Special Meetings Held
8 Regular Meetings Held	0 Workshops/Site Inspections

Maui Redevelopment Agency. The Maui Redevelopment Agency deals with the area defined as the Wailuku Redevelopment Area.

12 Regular Meetings Scheduled	1 Special Meetings Held
8 Regular Meetings Held	0 Workshops/Site Inspections