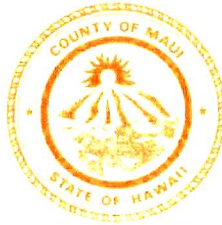


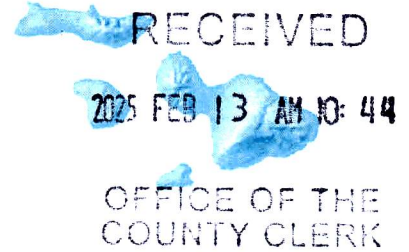
RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793



February 12, 2025

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen, Jr. 2-13-25
Mayor Date

For Transmittal to:

Honorable Alice Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Council Members:

SUBJECT: AN ORDINANCE AMENDING CHAPTER 19.36B – OFF-STREET PARKING AND LOADING, MAUI COUNTY CODE, TO ACCOMMODATE PARKING REDUCTIONS FOR A SPECIFIC PORTION OF LĀNAʻI CITY

Background Information

At the July 17, 2024 Lānaʻi Planning Commission meeting, the Commission was made aware of an approved Parking Reduction application for the proposed new Lānaʻi Bowling Alley, located on a parcel within Dole Park in Lānaʻi City. The Parking Reduction approval allowed a proposed new bowling alley to be established provided that 21 parking spaces were installed instead of the required 42 parking spaces. During the meeting, the Commission discussed concerns regarding applicability of Maui County Code's (MCC) parking requirements to Lānaʻi City given its walkability.

At their August 21 and September 18, 2024 meetings, the Commission continued their discussion of the matter, which focused on options to address their concerns. At their November 20, 2024 meeting, the Commission formally initiated a code amendment to accommodate parking reductions for a specific portion of Lānaʻi City. Then, at their December 18, 2024, the Lānaʻi Planning Commission recommended County Council approval of the code amendment.

Discussion

Attached is the Planning Department's (Department) December 18, 2024 report to the Lānaʻi Planning Commission, which provides additional background in support of the Commission's recommendation. In summary, the proposed ordinance would amend MCC Chapter 19.36B to exempt

Honorable Richard T. Bissen, Jr.
For Transmittal to:
Honorable Alice Lee and Members of the Maui County Council
February 12, 2025
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parking in a specific boundary area of Lānaʻi City; namely the Dole Park block located within the boundaries of Fraser Avenue to the west, Lānaʻi Avenue to the east, Seventh Street to the north, and Eighth Street to the south.

Parcels within the Dole Park block are composed of two separate zoning districts – one relatively small parcel zoned Public/Quasi Public (P-1) and the remaining parcels zoned Park (PK). Adjacent to the block are existing angled parking spaces along Seventh and Eighth Streets, parallel parking on the opposite side of the block along Seventh and Eighth Streets, and intermittent parallel parking along Fraser Avenue and Lānaʻi Avenue.

Due to the abundance of public parking that surrounds the Dole Park block, the Lānaʻi Country Town Business District Design Guidelines (Guidelines) established that all permitted uses on properties within the Country Town Business District (B-CT) are exempt from the parking requirements established in MCC Chapter 19.36B. Thus, uses on Lānaʻi that are within the B-CT district are exempt from providing parking associated with that use. All B-CT districts on Lānaʻi are in Lānaʻi City.

Most of the properties that surround the Dole Park block are within the B-CT district and thus are exempt from providing parking spaces for their respective uses. However, the properties within the Dole Park block itself are not zoned B-CT. Therefore, uses within the Dole Park block are required to provide parking spaces in accordance with MCC Chapter 19.36B even though these properties are also served by the abundance of available parking spaces surrounding the block. The proposed code amendment merely provides equity between those parcels in the B-CT district that surround the block with those parcels contained within the block itself. The proposed ordinance is consistent with the General Plan and the Lānaʻi Community Plan.

Lanai Planning Commission Recommendation

At their December 18, 2024 meeting, the Lānaʻi Planning Commission unanimously recommended approval of the proposed ordinance with two minor amendments - changing the terms within the ordinance from 7th Street to Seventh Street, and 8th Street to Eighth Street. The Commission's requested changes have been made to the attached draft ordinance along with other very minor non-substantive changes.

The Department supports the Commission's recommendation. Thank you for your attention and consideration. Should further clarification be necessary, please feel free to contact me.

Sincerely,



KATE L.K. BLYSTONE
Planning Director

Attachments:

Honorable Richard T. Bissen, Jr.
For Transmittal to:
Honorable Alice Lee and Members of the Maui County Council
February 12, 2025
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- Proposed Ordinance
- Department Transmittal Letter to PC
- Lānaʻi PC Minutes
 - July 17, 2024 (excerpt)
 - August 21, 2024 (excerpt)
 - September 18, 2024 (excerpt)
 - November 20, 2024 (excerpt)
 - December 18, 2024 (excerpt)

cc: Ana Lillis, Deputy Planning Director (pdf)
Jordan E. Hart, Planning Program Administrator (pdf)
Gregory Pfost, Administrative Planning Officer (pdf)

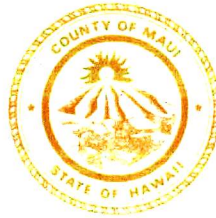
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RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

December 18, 2024

MEMORANDUM

TO: LĀNAʻI PLANNING COMMISSION

FROM: KATE L. K. BLYSTONE, Planning Director 

SUBJECT: AN ORDINANCE AMENDING CHAPTER 19.36B – OFF-STREET PARKING AND LOADING, MAUI COUNTY CODE, TO ACCOMMODATE PARKING REDUCTIONS FOR A SPECIFIC PORTION OF LĀNAʻI CITY

Background Information:

At the July 17, 2024 Lānaʻi Planning Commission meeting, the Commission was made aware of an approved Parking Reduction application for the proposed new Lānaʻi Bowling Alley, located on a parcel within Dole Park in Lānaʻi City. The Parking Reduction approval allows the bowling alley use to be established provided that 21 parking spaces are installed instead of the required 42 parking spaces. During the meeting, the Commission discussed the Parking Reduction approval, the future location of the 21 required parking spaces, and concerns regarding applicability of this requirement to Lānaʻi. The Commission continued discussion of the matter to their next meeting so that staff could provide additional information.

At the August 21, 2024 Lānaʻi Planning Commission meeting, the Commission continued their discussion of the matter. Staff provided a presentation regarding the requirements of Maui County Code's (MCC) parking requirements (MCC Chapter 19.36B) and the ability for property owners to obtain reductions or waivers to these requirements, including requests for variances. Commission members expressed their concern regarding the applicability of MCC Chapter 19.36B to Lānaʻi City given its walkability. The Commission continued their discussion on the matter to their next meeting so that staff could provide additional information regarding the code amendment process.

At the September 18, 2024 Lānaʻi Planning Commission meeting, the Commission continued their discussion of the matter. The Department's Administrative Planning Officer provided a presentation on the legislative process involved in amending MCC Chapter 19.36B to address the concerns of the Commission. The Commission unanimously requested that the Director place on a future

agenda, a public hearing item that would allow the Commission to formally vote on the initiation of a code amendment to revise MCC Chapter 19.36B to accommodate parking reductions for a specific portion of Lānaʻi City.

At their November 20, 2024 meeting, the Lānaʻi Planning Commission voted to initiate the code amendment as discussed above.

Discussion:

Attached is a draft ordinance for a proposed code amendment amending MCC Chapter 19.36B to exempt parking in a specific boundary area of Lānaʻi City; namely the Dole Park block located within the boundaries of Fraser Avenue to the west, Lānaʻi Avenue to the east, 7th Street to the north, and 8th Street to the south. The specific additional code language proposed to be added to MCC section 19.36B.040 is as follows:

“D. On Lānaʻi, within the boundaries of Fraser Avenue to the west, Lānaʻi Avenue to the east, 7th Street to the north, and 8th Street to the south, all permitted uses established for the zoning districts within this boundary area are exempt from the parking requirements established in Chapter 19.36B of this title.”

Parcels within the Dole Park block are composed of two separate zoning districts – one relatively small parcel zoned Public/Quasi Public (P-1) and the remaining parcels zoned Park (PK). Adjacent to the block are existing angled parking spaces along 7th Street and 8th Street, parallel parking on the opposite side of the block along 7th Street and 8th Street, and additional intermittent parallel parking along Fraser Avenue and Lānaʻi Avenue.

Due to the abundance of parking that surrounds the Dole Park block, the Lānaʻi Country Town Business District Design Guidelines (Guidelines) established that all permitted uses on properties within the Country Town Business District (B-CT) are exempt from the parking requirements established in MCC Chapter 19.36B. Supporting the Guidelines, MCC section 19.36B.040.B indicates that the *“B-CT country town business district design guidelines adopted pursuant to chapter 19.15 of this code, if any, shall prevail over this chapter if there is a conflict.”* Thus, uses on Lānaʻi that are within the B-CT district are exempt from providing parking associated with that use. All B-CT districts on Lānaʻi are in Lānaʻi City.

Most of the properties that surround the Dole Park block are within the B-CT district and thus are exempt from providing parking spaces for their respective uses. However, the properties within the Dole Park block are not zoned B-CT. Therefore, uses within the Dole Park block are required to provide parking spaces in accordance with MCC Chapter 19.36B even though these properties are also served by the abundance of available parking spaces surrounding the block. The proposed code amendment merely provides equity between those parcels in the B-CT district that surround the block with those parcels contained within the block itself.

The proposed ordinance is consistent with the General Plan and the Lānaʻi Community Plan and conforms to the following related policies:

- Countywide Policy Plan. Policy 4.f. *“Perpetuate the authentic character and historic integrity of rural communities and small towns.”*
- Lānaʻi Community Plan. Urban Design Action 10.04. *“Create a comprehensive parking strategy for Lānaʻi City. Revise the B-CT design guidelines to lessen parking requirements and allow businesses to fulfill onsite parking requirements through use of existing public parking surrounding Dole Park.”*

Next Steps:

If approved, the Director will prepare a report to the Maui County Council that would include a summary of the Commission’s recommendation(s) on the code amendment along with the Commission’s meeting minutes. The Council would then need to review the matter in a first and then a second public hearing before taking final action. The Council may also refer the matter to a Council Committee for additional review.

Recommendation and Options:

The Department believes that a code amendment exempting uses found within the Dole Park block from providing parking, like most of the lots surrounding Dole Park that are currently zoned B-CT, has merit. The Commission has the following options:

1. Recommend approval of the proposed ordinance to the Maui County Council.
2. Recommend approval of the proposed ordinance with amendments to the Maui County Council.
3. Vote to not recommend the proposed ordinance, wherein no further action on this matter will be taken; or,
4. Vote to defer action on the proposed ordinance to gather specific additional information.

Attachment: Draft Ordinance

xc: Ana Lillis, Deputy Director (pdf)
Jordan Hart, Planning Program Administrator, ZAED (pdf)
Danny Dias, Planning Program Administrator, Current (pdf)
Gregory Pfost, Administrative Planning Officer (pdf)

KLKB:GP:

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1 simple report, zero. No water has been used at this
2 time in that project area.

3 CHAIR GIMA: Okay. Questions, comments for
4 Keiki-Pua on the Miki basin area?

5 Hearing none, thank you, Keiki-Pua.

6 MS. DANCIL: Thank you, commissioners.
7 Good evening.

8 CHAIR GIMA: I'm sorry. I'm sorry. We
9 need to take public testimony.

10 Leilani? Roxanne? Any testifiers at your
11 locations?

12 MS. MORITA: I don't have anyone here.

13 MS. RAMORAN-QUEMADO: And nothing at the
14 Maui planning conference room.

15 CHAIR GIMA: All right. Thank you much.
16 Closing public testimony.

17 And then moving on to Director's Report,
18 completed Lanai application report for the time
19 period May 7 to July 8, 2024.

20 Is that you, Ana?

21 MS. LILLIS: Yes, Chair. So we have only
22 (indiscernible) application from Dr. Keiki-Pua Dancil
23 of Pulama Lanai.

24 MS. DANCIL: Sorry, Deputy Director, can
25 you restate your question?

1 MS. LILLIS: It was just -- I was reading
2 the -- the applications that we have --

3 MS. DANCIL: Okay.

4 MS. LILLIS: -- on the report that's on the
5 agenda. Yeah.

6 MS. DANCIL: I thought there was a specific
7 question. I heard my name. I apologize. Thank you.

8 MS. LILLIS: Sorry about that. I was -- no
9 problem.

10 So that's our report, Chair.

11 CHAIR GIMA: So, Ana, the project was
12 approved. And that means now Pulama can do what?

13 COMMISSIONER KAYE: You're mute.

14 MS. LILLIS: Sorry it's hard to hear me,
15 commissioners. Let's see. I may ask -- let's see.
16 Yeah. That is -- I -- that is what we have for the
17 bowling alley for the parking reduction
18 (indiscernible).

19 CHAIR GIMA: So is Carly Watanabe
20 available?

21 MS. LILLIS: Not on the call, Chair.

22 CHAIR GIMA: Okay. Danny?

23 MR. DIAS: Yeah. Yes, chair. So this
24 project is for a parking reduction. I'll be honest,
25 I don't know the specifics of it.

1 Parking permits are processed by our Zoning
2 and Enforcement Division which I am not a part of.
3 But I did sort of pull up some of the documents.

4 And what it looks like is Pulama Lanai --
5 and I hope Ms. Keiki-Pua Dancil is still on the call
6 just in case she needs to interject more
7 information -- but it appears that there has been --
8 let me see here -- that a building permit was
9 submitted for the bowling alley.

10 Part of the requirements would be for them
11 to provide 42 parking stalls. And Maui County Code
12 allows people to request parking reductions of up to
13 50 percent. So that's what Pulama Lanai did. They
14 requested a reduction of 50 percent or 21 stalls.

15 And so that was approved by -- let me see
16 here -- Carly Watanabe. And the county code
17 essentially lists a number of things that -- that
18 would allow the director to determine that a parking
19 stall reduction is -- is acceptable. And so I'll
20 just read off some of them.

21 One is that there's other parking available
22 nearby. Also that there's nearby transit,
23 pedestrian, or bicycle access and bicycle parking.
24 And then also that the provisions of required parking
25 wouldn't necessitate the removal of mature and

1 aesthetically valuable trees or other unique features
2 of the property.

3 So our zoning division determined that
4 because this request from Pulama Lanai met those
5 criteria that it was acceptable to allow them to
6 reduce the stalls from 42 to 21. Thank you, Chair.

7 CHAIR GIMA: Thanks, Danny. Comments,
8 questions from the commissioners?

9 Go ahead, Sally.

10 COMMISSIONER KAYE: Okay. So we live here.
11 We know the bowling alley. We know Dole Park. Are
12 you saying that Pulama has to provide 21 stalls
13 somewhere?

14 I mean, I don't understand how that
15 computes. That -- we're a walking community. We
16 have parking all around the square. What are they
17 going to be required to do?

18 MR. DIAS: So -- so Maui County Code,
19 basically the way the parking requirements work is
20 whenever you have a use, depending on the use,
21 there's, first, square footage. There's a certain
22 amount of parking stalls that you need to provide.

23 So, for example, if you're a restaurant,
24 maybe you need to provide three stalls for every
25 500 square feet of dining area, maybe you need to

1 provide four stalls for every 500 square feet of
2 kitchen area, maybe two parking stalls for every
3 500 square feet of office, so on and so forth.

4 So just based on what they're proposing to
5 do with the bowling alley, county code requires
6 42 parking stalls. And so that's why they're
7 reduce -- you know, asking, well, can we reduce it by
8 50 percent?

9 Now, let me see here. I'm trying to find
10 their application. So what it looks like is where
11 the bowling alley is, if you go across the park area
12 where it hits 7th Street, that's where that parking
13 lot is going to be provided, the 21 stalls along 7th
14 Street.

15 COMMISSIONER KAYE: A parking lot that's
16 going to take footage from the park, the Dole Park?
17 Not just utilize the -- the spaces around the street?

18 MR. DIAS: That's -- that's what their
19 request is, yes, to reduce it by 50 percent. I guess
20 there's -- there could have been other avenues. They
21 could have requested maybe a variance from -- but
22 I'll let Keiki-Pua chime in. Thanks.

23 CHAIR GIMA: You want to chime in,
24 Keiki-Pua?

25 MS. DANCIL: Thank you, Chair. Thank you,

1 Danny, for the invitation to respond. So, thank you,
2 Sally, Commissioner Kaye, for those very great
3 observations.

4 So according to Maui County Code, we are
5 required to find onsite parking. Within Dole Park,
6 the bowling alley sits on a piece of a parcel that
7 transects. And so the option was to put parking,
8 42 stalls in Dole Park; we opted not to do that.

9 So we applied for the reduction. We got
10 the reduction of 21 stalls. We're not allowed to
11 count the stalls, the 108 stalls fronting 7th and 8th
12 Street because that is county-owned parking, and that
13 didn't count to the 21 stalls.

14 So we're applying for and we're in the
15 process of the approval. So we got the parking
16 reduction approval for 21. So now we're applying for
17 an offsite parking lot.

18 And an offsite parking lot, there's five
19 criteria, the main one being that these stalls have
20 to be within 500 feet of the property line.

21 So the place in where -- in which we own
22 property where we could site are the stalls that
23 are -- currently there's 13 -- there's 13 stalls on
24 the parcel where Dole Admin Building and Hotel Lanai,
25 that large parcel, the parking right in front of Dole

1 Admin Building, we're asking that their 13 stalls,
2 the -- that already exists because that's existing
3 parking, so it's not creating new parking, so 13 of
4 those stalls will be reserved.

5 And we have to put together a unilateral
6 agreement with ourselves that -- and file it with the
7 Bureau of Conveyances that those be reserved for
8 bowling alley patrons only.

9 And then we have to find seven additional
10 stalls to make 20. One of the stalls, we actually
11 are putting on the TMK, and that's for the ADA stall.
12 So the seven additional are on 7th Street, and it's
13 kind of where people are parking right now. They're
14 on the grassy area where people pull on the side on
15 the Dole Admin lawn where they go to the bank, where
16 they used to go to the bank when they went to First
17 Hawaiian.

18 So we're -- we're not putting a parking
19 lot. They're going to still be pervious surfaces,
20 and it's just going to be demarcations with a hedge.
21 And there'll be a sign that says "Reserved for
22 bowling alley patrons only."

23 This is something that was required for us
24 to build the bowling alley. We worked really hard
25 with the planning department in understanding where

1 we could put these parking stalls. It was quite the
2 challenge.

3 CHAIR GIMA: Thanks, Keiki-Pua.

4 MS. DANCIL: Thank you.

5 CHAIR GIMA: Anything else, Sal?

6 COMMISSIONER KAYE: Yeah. I'm sorry.

7 This -- this is a poster child for why Maui
8 countywide ordinances and requirements do not apply
9 to us. We have been fighting this for how many years
10 now?

11 Is there no way that we could ask Maui
12 County to give a waiver of this requirement?

13 COMMISSIONER GROVE: I second.

14 MR. DIAS: Is your question directed to
15 somebody?

16 CHAIR GIMA: Go ahead, Danny.

17 COMMISSIONER KAYE: Sorry. Danny.

18 MR. DIAS: I can't answer that question,
19 like, right off the top of my head. I'm going to
20 have to kind of look at the code and see what options
21 are. I know there's something in the code regarding
22 Lanai and parking, but I just -- I don't have it
23 memorized.

24 Variances are also an option. They're --
25 you know, I think it'd be kind of difficult to get

1 because then you have to prove that you can't provide
2 the parking which, you know, obviously, they can.

3 So I'd have to look into this. But I
4 think --


5 COMMISSIONER KAYE: Okay. So let's put
6 this on the agenda for next month and maybe look at
7 the board of Variances and Appeals and what they
8 would use as a criteria to grant a variance should it
9 be requested. Yeah? Because they're the ones that
10 would have to grant it; right?

11 MR. DIAS: Correct. Yeah. I mean, I
12 can -- if you give me a few minutes, I can pull up
13 their criteria. It's pretty strict.

14 COMMISSIONER KAYE: I'd like to have this
15 on an agenda item. It's late. I don't -- I don't
16 want to do it tonight. Thank you very much. Yeah.
17 Thank you.

18 CHAIR GIMA: All right. Last call on
19 approved projects for Lanai, specifically the bowling
20 alley. Okay.

21 Hearing, seeing none, Item E, status update
22 for -- of in-person meetings and how the department's
23 budget will impact this decision. And is there a
24 budget -- is there a budget available to purchase
25 equipment and setup at a county facility to hold



3. **MS. KEIKI-PUA S. DANCIL, Ph.D., Senior Vice-President of Governmental Affairs, PULAMA LANAI, submitting the Q2 2024 quarterly water usage report, pursuant to Condition 11, for the Miki Basin Interim Industrial Use Project, Lanai, Hawaii (SUP2 2021/0008)**

The Report is provided to the Lanai Planning Commission for its review.

Mr. Gima: Alright. Moving on to communication item number three, Ms. Keiki-Pua Dancil, Senior VP of Governmental Affairs, Pulama Lanai, submitting the Q2 2024 quarterly water usage report pursuant to condition 11 for the Miki Basin interim industrial use project, Lanai, Hawaii. Keiki-Pua?

Dr. Dancil: Mahalo Chair Gima. There was zero water used during this period.

Mr. Gima: Alright, at this time I'll open it up for a public testimony. Anything Leilani in the chat or the office?

Ms. Ramoran-Quemado: Thank you, Chair. There's a one on chat or in the office. Thank you.

Mr. Gima: All right. Roxanne?

Ms. Morita: No, there's nobody here.

Mr. Gima: Okay, thank you. Alright Commissioners, any comments, questions for the applicant on item three? Okay, thank you very much Keiki-Pua.

Alright, moving on to this quick planning commission meeting tonight, Director's Report. Danny, you're going to go over the Lanai application report?

C. DIRECTOR'S REPORT

1. **Completed Lanai Applications Report (for the time period of 07/08/24 to 08/12/24)**
2. **Lanai Bowling – BVA criteria to use in order to grant a parking waiver should it be requested.**

Mr. Danny Dias: Yes, Chair. Good evening members of the Lanai Planning Commission. Chair, I -- so there's the completed applications report which has to do with a Country Town Business approval for offsite parking for the bowling, the proposed bowling alley. I do have a quick power point presentation that should cover this item and then the following item, which is the, you know, BVA criteria and the criteria used to grant a variance. So if you don't mind, if I can, if we can jump to Item C.2., I'll start my presentation and then hopefully cover both of these items, Chair.

Mr. Gima: Okay, go ahead Danny.

Mr. Dias: Is the slide show coming up on your end?

Mr. Gima: Yes.

Mr. Dias: Okay, cool. Okay, so last meeting there was a parking reduction waiver that was part of the approved project report for the commission. And then that sort of created a lot of questions as to, you know, exactly what was happening here, and so anyway, I'm hoping this is pretty short slideshow, just, just ten slides or so, but hopefully I can answer a bunch of questions. So let me get started here.

Okay, the, the parking code, basically parking code is in the Maui County Code Chapter 19.36B, and the intent, I'll just read it. The intent of this chapter is to ensure that on site off street parking spaces, parking surfaces, and maneuvering areas are provided in sufficient quantities for each type of land use while maximizing safety and minimizing impacts on adjacent properties and the environment. So that's the purpose of the parking code and then it gets in more detail. I won't get into it, but essentially parking stall requirements are based on use and related square footage of that use and I'll further explain it in the next slide.

Some buildings or projects will have multiple different uses, and each use may have different parking requirements. And lastly, the Department of Planning analyzes projects during the building permit process and provides applicants with a worksheet breaking down the project and the amount of parking spaces required by the Maui County Code. So this is kind of a busy slide, but essentially on the left side is, is the, a portion of the worksheet that we provide applicants. The important section is more on the right side, on the bottom half. So essentially what we do is any time there's a building permit, we look at the building and we look at the various uses, we figure out the square footage of those uses, and then look at the County Code and see what the code requires for that type of use. So, if you look here, you know, there's a bowling alley. Ignore the salmon red stuff. That's, that's like a, basically like a, a building plan, so just ignore that. But, you know, the bowling alley, the area for it, the proposed area is 2,400 square feet. The code requires three parking stalls per lane, and, as of right now the or at least the most recent data that we have Pulama Lanai is proposing four lanes. So therefore, you know, the, at three parking stalls per lane, the total of parking spaces required is twelve. Indoor dining, 1,400 square feet, the Code requires one per hundred square feet. So then that's, you know, 14.33 stalls, so forth and so on. So, just with what we have essentially adding up all the square footages and what the Code requires the bowling alley as proposed requires 42 parking stalls.

Now Maui County Code also allows the Director to reduce required parking up to 50 percent. And there's ten criteria, I won't go through all of them. But, you know, so the first criteria is, you know, the sharing of parking spaces between two or more uses occurs at different times or days. So for example, let's say you had, a building and it was, you know, a doctor's office

during the day, you know, say eight to four, but then at five o'clock, you know, on the second story or something, there's a, like a tattoo shop, you know, but they're only open from five to nine at night or something. So instead of, you know, like, for example, let's say the doctor's office requires 30 stalls, the tattoo parlor requires 15. Instead of requiring a total of 45 because the uses are at different times, the Director could reduce the amount by 50 percent.

Another, another option would be say duplicate parking is not needed for component accessory uses when parking has already been assessed for a principal use such as the school that expands its cafeteria. So if you can imagine, you know, a high school or something, the, the cafeteria is enlarged. We don't necessarily have to require more parking stalls because just because the cafeteria is enlarged doesn't mean you're necessarily going to have more students, teachers, staff etc.

So there's ten of these things and, and as you can see, number ten is that the pro, if the proposed use is in Lanai City, the Director can reduce required parking by up to 50 percent. And just as a side note, you know, all legislation goes before all three planning commissions before it goes to the County Council. So the last time that the parking code was revised was in 2018, and so this parking code or the most recent parking code went to the Lanai Planning Commission on May 6th, 2018, and it was actually at that meeting that the Lanai Planning Commission requested to add item number ten.

Next slide. So this is just -- I mean, I don't expect you to read this. It's way too small. But this was the parking reduction waiver that was approved for the bowling alley. So they as mentioned earlier, they required 42 stalls and the applicant requested a 50 percent reduction which was granted. So now they're required to provide 21 stalls.

So the next issue obviously is like, okay, so where are these 21 stalls going to be? The bowling alley is essentially in the park. Of course, we don't want the parking lot there, neither does the applicant. So Maui County Code also provides an avenue to do offsite parking. And I'll just read some of this here. So, Maui County Code 19.36B.100, the Director may allow offsite parking for required parking spaces, may allow the designation of parking spaces that maybe required in the future subject to all of the following and so there's, there's five criteria that need to be met. So that's what the applicant is proposing. So instead of providing the parking near the bowling alley, they're proposing to provide it across the Lanai Avenue. Next slide is more of a blown up. So these are the stalls. These are the 21 stalls that they're proposing to provide for the bowling alley. And let me see here.

So just, just to close off this, this brief presentation, I know at the last meeting there was a, a question about, you know, can they ask for a variance? So variances are listed in Maui County Code Chapter 19.520.050, and basically, I'm just going to read the whole thing, that's kind of the best way to do it. So I'll just read this, in accordance with the Charter of the County of Maui, as amended, the provisions of this article and the procedures established in this Chapter, variances from the provisions of this title maybe granted by the Board of Variances and Appeals if the Board finds that due to the particular physical surroundings, shape, or

topographical condition of the subject property, compliance with the provisions of this chapter would result in hardship to the owner and is not mere inconvenience or economic hardship on the applicant.

So for all areas in the County outside of the Wailuku Redevelopment Area, the board must grant the variance if the board finds the following. And the following meaning all three of these, so it's not just one item, it's all three have to apply. So, one, there is an exceptional, unique or unusual physical or geographical condition existing on the subject property, which is not generally prevalent in the neighborhood or surrounding area and the use sought to be authorized by the variance will not alter the essential character of the neighborhood. Strict compliance with the applicable provisions of this title would prevent reasonable use of the subject property. Any conditions creating a hardship are not the result of previous actions by the applicant.

So, theoretically, Pulama Lanai could apply for a variance, but the variance criteria is very strict, particularly when you have to meet all three. And generally speaking, number Item C is, is really what prevents almost everybody from getting it, which is any conditions creating a hardship are not the result of previous actions by the applicant. So what that essentially means is if you're doing something that then creates the need for a variance, then you don't meet the criteria for a variance. So by them constructing a bowling alley, that's what's triggering the need for parking stalls. So then they can't go and say, well, we want a variance from the parking stalls when it's the fact that they're doing a bowling alley that requires it. That's not too confusing. But, so that's essentially why, you know, a variance wouldn't work in this case because they don't meet the criteria for a variance.

So, that essentially concludes my presentation, but I know it's a lot, but essentially, bowling alley requires X-amount of parking stalls. The Code allows them to request a reduction of 50 percent, which they did and the Department granted. So now they need to provide 21. The Code also allows for offsite parking, so you don't have to put the parking on the, the same lot where your project is, which is what the applicant has applied for. And I'm going to stop sharing my screen here. But basically that ties into the approved project report for this meeting, which is the Country Town Business approval, so that's yet another permit that they have to get because where the proposed offsite parking is, it's zoned Country Town Business.

So, I hope that wasn't too confusing. I hope to have some clarity to what's going on here. I know it's kind of a lot of steps in, in the permit just for parking, but, that's, that's what our Code requires. Thank you, Chair.

Mr. Gima: Thanks Danny. I got a request, but before the request, just want to put on the record that Commissioner Alboro is now on camera. Nikki, do you have anybody in the room with you?

Ms. Nicole Alboro: No, I'm by myself. Sorry.

Mr. Gima: Alright, thank you. So Danny, could you pull up the map of the alternate parking stalls again, please? Okay, . . . (inaudible) . . . Okay, so all, all of the remaining required 21 will be accommodated around the Dole Admin Building. Okay, Commissioners, questions or comments for Danny? Sally?

Ms. Kaye: Yeah, I just wonder Danny, what factors, what weight would be factored into a consideration of a variance that it was prior, it was a bowling alley? It was built as a bowling alley?

Mr. Dias: Yeah, I, I think that's something that the applicant could argue. However, you know, I, that last criteria where you can't be the cause for a need of a variance, I think that's, that's just a really hard hurdle for a lot of people to get over.

Ms. Kaye: Well, that's not a --

Mr. Dias: So --

Ms. Kaye: So this isn't a lot of people, this is just us and no one wants to see the park taken away for parking. So I, I'm just wondering how, if I, could I ask how Pulama Lanai feels about whether they're satisfied with this reduction? Can I ask that?

Mr. Gima: Keiki-Pua, are you still on?

Dr. Dancil: Shoots. Aloha, Commissioner Kaye, mahalo for the question. You know, this has been a journey and we've tried everything. We, your first question of, you know, this was originally built as a bowling alley, same number of parking stalls around the park were there. We had that argument, we were denied because we are demoing the building because it's not structurally sound to do the improvements that we want to do. And so that removed us from using that allowance of it was initially because we had -- we're demoing and we're constructing new. And so that's why we couldn't use that argument.

And then we've marched along this path of where we are today. As we all know, and you mentioned at the last meeting, Lanai is a walking town, there's a 108 stalls around Dole Park. They're County owned. They can't be counted for anything else. So there is, there is room for improvement in Title 19, and I suggest that the next time it comes around, stall for five years that we consider adding Lanai having more than 50 percent because, as you mentioned, we are a walking town, everybody walks, it's close by, and not being able to count those stalls for anything is an impediment to what we want to do. We've applied for at least four additional permits for the bowling alley because of this requirement. We're just following the rule.

Ms. Kaye: No, thank you. I, I did not know you were having to demolish. The last time I thought we had a presentation, it was going to be a refurbishment of the existing building. So that's new for me anyways. Thank you.

Dr. Dancil: Thank you.

Mr. Gima: So Sally, was your question answered in terms of Pulama's satisfied with the parking around the Dole Admin Building?

Ms. Kaye: In a very diplomatic way, I got the answer that I asked for, yes, I would wonder if we, if there are any other steps that we as a Commission could take. But I don't know to whom I would address that question at this point. Thank you.

Mr. Gima: Alright, Nikki?

Ms. Alboro: So can I, I just got to ask a dumb question. Is it still owned by the County or did the County give it to Pulama, the building?

Dr. Dancil: Mahalo Commissioner Alboro. We always own the building. County never owned the building. So it was always our building.

Ms. Alboro: Okay, sorry it was a misunderstanding. I thought it was the County building --

Dr. Dancil: They leased it.

Ms. Alboro: -- and they gave it up. Okay. They leased it.

Mr. Gima: Okay, any further questions, Nikki? Okay. Michelle, Lisa, Sandi?

Ms. Grove: I would just like to say for the record that we do need to have a better conversation about this moving forward with this Title and understanding the specific needs of Lanai. I think this is ridiculous that we have to put these parking spaces in, and I think it hurts the contour and characteristics of the island, and there are plenty of parking spaces around the park for people who don't walk. And it's unfortunate that we, you know, it's another situation where we get lumped in with Maui and end up, in my view, paying the price.

Mr. Gima: Okay, thanks Lisa. Did you, did you, did you want to jump in Danny?

Mr. Dias: Yeah. So a couple things. So like I mentioned in the presentation, you know, the parking code requesting a reduction for 50 percent did come from the Lanai Planning Commission. What, what I often see is, you know, with legislation is that you don't really know the effects of it until something happens, right? And then you go, ah shucks, you know, this doesn't work or whatever. So I, I would assume that the planning commission at that time were probably a little hesitant to say a hundred percent, they probably felt comfortable with 50. But this is an example, six years later of how this doesn't work, you know, it doesn't really make sense.

Mr. Gima: Lisa?

Ms. Grove: I'm not sure how I agree with, if I agree with what I'm about to say, but I have a question which is when the legislative person is briefing us, is it possible to also understand the extent to which this could be retroactive and that maybe just a complete non-starter? But I was just curious.

Mr. Dias: Okay, I'll, I'll let him know.

Mr. Gima: Danny, I, I don't remember, if it was last meeting or the meeting prior, but I think one of the Commissioners asked about, if any changes were proposed for parking around the Dole Park area, can it be limited to changing the Country Town Business District ordinance or does it have to also be Title 19? I mean, does it, there's one supersede the other?

Mr. Dias: I believe the Country Town Business because it's more restrictive, it supersedes. I don't know how it would, in this particular case though, I don't, the, the park isn't in country town business, right, so Title 19 would apply for this project.

Mr. Gima: No, it is, it is the Country Town Business.

Mr. Dias: Oh, okay, okay, I must have been looking like a wrong map then.

Dr. Dancil: No, no. Sorry Chair Gima, it is not in the Country Town Business. The park is not.

Mr. Gima: Oh. So everything around it is but not the, not Dole Park. That's interesting. Thanks for the clarification. Okay. All right, last call on bowling alley stuff. Sally?

Ms. Kaye: I'm sorry, just one more. So the park might not be in Business Country Town, but the parking existing parking spaces are. Is that correct?

Mr. Gima: Good point.

Mr. Dias: I would have to look at a map of that. I, I don't believe so. From what I, the map I was looking at, the park and the area around it, was not Country Town Business, but it was like the adjacent parcels itself. That's my understanding.

3. Status up-date of in-person meetings.

Mr. Gima: Okay. Moving on status of in-person hybrid meetings. Danny?

Mr. Dias: Thank you Chair. Not a lot of updates from the last time. Essentially, you know, we're still trying to get access to the Senior Center. If we do, you know, it still needs to be upgraded to be able to, you know, conduct meetings in there. And so with the upcoming

B. COMMUNICATIONS

- 1. Discussion with the Department of Planning's Administrative Planning Officer, Gregory Pfost, on the legislative process and making amendments to the County of Maui's parking code in order accommodate parking reductions in Lanai City.**

Mr. Gregory Pfost: Thank you, Chair, Members of the Commission. It's good to be here with you this evening to talk about legislative matters and how to adjust the parking code if that's the desire in moving forward. I have a little bit of a, a brief slide presentation, so if you can bear with me, let me put this on the screen here.

Mr. Gima: One, one second Greg.

Mr. Pfost: Sure.

Mr. Gima: Let me check, Erin, are you, are you on video? Okay looks like she's, she's still trying to log on. Go ahead Greg.

Mr. Pfost: Okay. Bear with me for a moment. There, can you all see that?

Mr. Gima: Yes.

Mr. Pfost: Okay, great. Thank you. So, my position here with the County and the Planning Department is I'm called an administrative planning officer and I deal with legislative matters. You've seen me in the past and dealing with code amendments, so, what I'm going to talk, and be talking about today is the legislative process or how to, or how do we do a code amendment for things such as adjusting the Maui parking code, which is kind of a topic that you've been discussing recently. You may recall back on your July 17th meeting and August 21st meeting, you talked about a, a parking reduction request for the Lanai bowling alley that has been moving through the Planning Department. The Planning Department actually approved that parking reduction request which allowed a 50 percent reduction in parking. The Maui, I mean the Lanai bowling alley was required to have 42 parking spaces. The parking reduction thereby, thereby reduced it down to 21 spaces.

At a subsequent meeting you saw a plan, I think that was at the August 21st meeting where the applicant was proposing to put those 21 spaces along Lanai Avenue and along Seventh Street. And at both of those meetings, the Planning Commission expressed some concerns, you know, noting that, you know, Lanai City is unique. It's a walkable kind of town and the parking code may not apply equally as it does on perhaps Maui Island in much more busier place. And that wanting to look at potential legislative options and amending the code and what would that process be? So that's really kind of what we're talking about today.

So interestingly I, as, as I've been assigned to kind of come to tonight's meeting, I, I did a little bit of research and, and kind of wanted to talk to you a little bit about parking requirements on, in Lanai City specifically. It's interesting the Lanai Community Plan, which was adopted in 2016, the Lanai Community Plan adopted in 2016 actually identified this issue or addressed this issue through issue three, strategy three and urban design action 10.04. And I'll just read some of these real quick. In issue three within the Lanai Community Plan indicates there is ample parking and surrounding Dole Park for the adjacent businesses and institutions making the requirement for onsite parking for each business unnecessary. Strategy three says develop and adopt less restrictive parking requirements as part of the revised Lanai City Country Town Business District Design Guidelines which would allow businesses to utilize public parking surrounding Dole Park instead of developing new parking spaces on site.

The Urban Design Action 10.04 says revise the Country Town Business Design Guidelines to lessen parking requirements and allow businesses to fulfill onsite parking requirements through use of the existing public parking surrounding the park. So the community plan correctly identified this exact issue that the Planning Commission have been bringing up in the last two meetings.

And so interestingly then in 2019, we have the Lanai City County Town Business District Design Guidelines and Standards. And the design guidelines and standards actually implemented what the community plan was desiring. So, the design guidelines and standards include the section that says, and it's highlighted here, all permitted uses established in Chapter 19.15, Maui County Code, which is the country town business district. So all the uses established in the country town business district, including additional outside dining areas are exempted from parking requirements established in Chapter 19.36 B, Maui County Code, which is the parking code.

So what all this means is that in the country town business district in Lanai City, the parking code in the zoning code does not apply to it. So, in other words, there is no required parking for the country town business district in Lanai City. Well, this is, this is good and especially since the, and the reason why this was put forward is when you look at where the country town business district is, well, it's basically most of the lots that surround Dole Park. So, there was an identification that, hey, Dole Park has all of these public parking spaces surrounding the park, and so these uses in the country town business district which surround Dole Park do not necessarily need to provide parking because we already have additional parking already out there. So, this is what the planning commission has identified in the last two meetings. So that's already in existence. But the important part is that Dole Park itself, as well as the bowling alley location, are not in the country town business district. So, while this requirement says you don't need parking in the country town business district, you still need to provide parking per the zoning code within Dole Park or within specifically the bowling alley that we've been talking about at the last two meetings.

Hence that's why the Department was moving forward and it has been requiring the applicant to provide parking for the bowling alley because it was the, it was the removal of the existing

building and building a new building, and so we had to implement the, the parking code and requiring the 42 spaces. Nevertheless --

Mr. Gima: Greg, let me jump in real quick.

Mr. Pfost: Sure. Sure.

Mr. Gima: Could you do a readers digest version for the newer commissioners about the country town business district?

Mr. Pfost: Sure. The country town business district is, is, well, initially it's basically surrounding most of the, most of the properties within the country town business district on Lanai surround Dole Park. And it's basically, you know, the district was established identifying that and we have other country towns on Maui Island, Paia, for example. And so there, these are kind of towns that were established quite some time ago with really a unique kind of presence and a unique development component to them where they're really what you might think of as country town and businesses. And those are really surrounding Dole Park, so it's really kind of the heart there in, in the Lanai City. And so that's kind of generally what it is, and then what I've been saying is that for the country town business district and for those uses acknowledging the parking around Dole Park those uses don't require, aren't required to comply with the parking code of, of the zoning code. Hopefully that helps.

It's, in country town business district also you kind of look at the things of like, you know, it's more of a walkable area, more of a kind of downtown, country town that you might need to establish. And hence that is the reason why the community plan, as well as the design guidelines and standards, recognize that and recognize that it doesn't need to provide parking because of the walking environment that is associated with a country town.

Importantly, though, as I mentioned, again, I'll reiterate is that the bowling alley and the park itself are not zoned country town business district, so this same requirement doesn't apply to them. Hence, that's why we required parking for the bowling alley. Never, and even though, I mean, I, I can still, I agree with the Commission's concern that because it really make sense for the bowling alley and the park itself to have to provide parking when the surrounding uses or the surrounding businesses do not. So, it may be worthy of moving forward with a, with a code amendment to address the park and the bowling alley site as also not having to provide parking, same as the surrounding businesses that don't have to provide parking. So, I think a, a code amendment an initiating code amendment maybe worthwhile to address that specific issue.

So when you look at what, what, what should we amend in looking at a parking code revision to address the parking and the bowling alley site is really what I think we should look at or focus on amending and if, if the Commission wants to move forward in that direction, is in Title 19, which is Section 19.36B, which is our parking code section. This is the section that allowed for the 50 percent reduction, and, for the bowling alley. And this section basically

says that throughout the entire County, all the islands, you can do a 50 percent reduction in parking spaces provided that you can meet one of ten criteria. And I noted here the tenth criteria is that the proposed use is in Lanai City. So, for every use in Lanai City, not just the country town business district, but every use in Lanai City is allowed to take advantage of this parking modification that would reduce parking requirements by 50 percent. So, in the country town business district, you can have a 100 percent reduction, but the rest of Lanai City can have a 50 percent reduction just for the mere fact of being located in Lanai City. It's almost like an automatic approval in Lanai City to have a 50 percent reduction. But the country town business district surrounding Dole Park it's a hundred percent reduction with exception to Dole Park and the bowling alley.

So, it's interesting so when, when you look at an amendment, where would we go with an amendment if you wanted to move forward with an amendment, I would suggest, and I, I don't have specific language here. We would need to; I would need to work on that. The Department would need to work on that, but I would suggest looking at this section in Title 19 to make those modifications.

So, what is the legislative process in doing an amendment to Title 19 if you were to decide to move forward? Interestingly, the, the Code itself in Title 19 prescribes how to amend the Code and the, the, the agencies or, or folks that can amend the Code are the County Council, the Planning Commission or the Planning Director. All three of those can initiate a code amendment. And here, in this specific instance, we would be talking about the Lanai Planning Commission, which can initiate, has the authority to initiate a code amendment.

So, what does that process look like? Well, the first step is that we would have to put on a future agenda in a public hearing for the Planning Commission to initiate the Code amendment through a motion. So, that would have to be in a public hearing. Tonight, we do not have a public hearing, so you cannot initiate the Code amendment tonight. We can talk about it because it was agendized a little bit, but you cannot initiate it through a formal motion. That has to be in a public hearing.

Step two would be at the future public hearing that we would have the Lanai Planning Commission would pass the motion addressing, addressed to the Planning Director, telling the Planning Director that we want to initiate, the Planning Commission wants to initiate a Code amendment to address the parking issues.

And step three would be the Planning Director would then prepare a report, come back to the Lanai Planning Commission with the proposed amendment, actually, in form code form, at a public hearing, at a future agenda. At which time step four the Planning Commission, can review that proposal. And if they recommend approval of the code amendment, then the Planning Director would then forward that to the County Council for consideration. County Council would then have to vote on the amendment. They would take two readings of the County Council in order to get the final action on it. Of course, the County Council may send

the item to a committee prior to the final vote or during that process to adjudicate or review the matter in more detail.

That's basically the process that would occur. Tonight you couldn't actually formally initiate it, but you could at least provide direction to the Planning department to say, hey, at the next meeting we would like you, to put on as a public hearing, a motion to initiate a Code amendment. So that could have happened at a future meeting, but I would need your direction tonight to do that just to at least agendize this for a future meeting.

That concludes my presentation, and hopefully I didn't confuse you too much and, and gave you enough background on this. But feel free. I'm open to any questions that hopefully I can answer and we can discuss this further if you like.

Mr. Gima: Alright, thanks Greg. Before we take comments and questions from the Commissioners, first of all, we have Erin on camera now. Erin, anyone in the room with you?

Ms. Erin Atacador: Good evening, everyone. No Chair, I'm alone.

Mr. Gima: Okay, thank you. So, at this time I'll open it up for public testimony. Leilani, do we have anyone in the Planning Department's conference room or on chat?

Ms. Leilani Ramoran-Quemado: Thank you, Chair. I do not have anyone signed up on chat or anyone in the conference room wanting to testify. Thank you.

Mr. Gima: All right. Thank you. Roxanne, anyone in the District Office?

Ms. Roxanne Morita: No, there's no one here to, to testify.

Mr. Gima: All right. At this I will close public testimony and then now open it up to questions and comments by the Commissioners. Go ahead Sal.

Ms. Kaye: Yeah, I have two questions. For Greg, one, the first one is I'm, I'm going to assume from what you said that the best course for us tonight is to actually do a formal motion, second and vote to put it on the agenda. Is that correct?

Mr. Pfost: Um, actually tonight, I just need a majority vote to tell the Department to schedule a public hearing for the formal motion to move forward with initiation. Because we can't actually move forward with initiation tonight because that has to be in a public hearing.

Ms. Kaye: Right.

Mr. Pfost: So tonight, I just need you to tell me we'd like this to occur on a future agenda and or public hearings for the formal motion to initiate.

Ms. Kaye: Got it. Okay, and the second question I have would be, does, let's assume for the sake of argument that we follow this procedure, we set it in motion, is Pulama stuck with having to not move forward with their plans until this is resolved or can they work it?

Mr. Pfost: That's a really good question and actually I discussed that with staff today because obviously this process will take a, a few months at minimum to get through. We're talking about at least two more Planning Commission meetings and obviously two Council meetings, so it's going to take a little bit of time. And I understand that they're in the process right now. They submitted their plans for building permits and so forth. So we've talked about this internally about conditionally approving their building permit, which would allow them to move forward with actually construction, but holding off on their Certificate of Occupancy until one of two things happens. This Code amendment occurs and so then subsequently they don't have to provide the parking or two, they actually move forward prior to Certificate of Occupancy with the requirements that they're supposed to do, in other words, installing the 21 parking spaces. So I think we've just discussed it internally, I haven't discussed this with the Director. But that maybe a possibility that we can allow them to move forward recognizing that this process takes a few months and, you know, recognizing that I think it's, it's, it's probably at least focusing on that area of the park and the bowling alley is probably makes sense. So the Code amendment moving forward would make sense, so I think we can work with them on that.

Ms. Kaye: Okay, thank you.

Mr. Gima: Go ahead, Nikki.

Ms. Alboro: If you know if it is moved forward and we go with the reduction, you know, give you the say or whatnot, for public testimony, will that supporting documents being, be brought up? For example, Pulama's redoing it, doing the bowling alley, and we're supporting it with the reduction or is it just a rule change? No backing information?

Mr. Pfost: All that would be brought to you would be a rule change. I mean, it's actually the Code amendment language itself that would be the change, as well as the staff report that would be done by the Planning Department, signed by the Planning Director that would provide an analysis of why this is a good idea or not a good idea, so that would be our Department's responsibility to prepare that analysis and make a recommendation as well.

Whether or not we include the bowling alley as an example of the issue, I don't know, that, you know, our, our report would accompany the actual code amendment language itself.

Ms. Alboro: I, I just asked cause like, you know, it may, it may be beneficial because, you know, them knowing that they would have to somehow make 21 stalls elsewhere would, you know, kind of be supportive, but --

Mr. Pfost: Yeah, it's a good example of a reason to support a Code amendment such as this, I think. It provides a kind of backing of like, why wouldn't this property be treated similarly to the surrounding properties of Dole Park, right? If you're allowing those surrounding properties to have an exemption from parking, why wouldn't you allow the bowling alley to have an exemption to the parking? So I agree it provides a good example.

Mr. Gima: So Greg, I think many of us were surprised that the Dole Park and bowling alley were not part of the country town business district. Do you have any history on why that's the case? So that's point, question number one. The second would be, um, if, if we so choose, would it be easier to change it so that Dole Park and the bowling alley becomes part of the country town business district rather than changing Maui County Code?

Mr. Pfost: You know, it's, it's inter -- thank you for the question. It's, it's interesting. I don't really have a lot of background on why that established. I'll probably have to go back to the community plan a little bit more as well as the country town business district design guidelines. There is a lot history in, in both of those documents at the beginning. I have a feeling that the country town business district applied to those properties surrounding Dole Park because those are actual kind of business type district uses as opposed to the park itself as a park designation. The bowling alley actually has a, a public/quasi-public zoning designation, so it's a little bit different as well.

I think, you know, it, it is an option. It would be an interesting option to change and I don't think you would want to move forward in this changing the park and the bowling alley site to, to country town business district. Country town business District is actually a zoning designation for its property that is zoned country town zoning, country town business district. Whereas you have park district and you have public/quasi-public district. So changing the actual zoning designation would be an ex, more of an extensive process, but I'm not sure you'd want to move in that direction either. You wouldn't want to change the park to now of all of a sudden allow businesses. You want to maintain the park property as park, right? I mean, who knows what would happen in the future? So I would recommend not going down that path, but instead looking at the parking requirements for the park and the bowling alley site itself and actually making revisions in the Code to the parking code section. That's the easiest process to then allow for a parking reduction to a 100 percent in those areas. So I think that would be an easier path.

Mr. Gima: Makes sense. Thank you, Greg. Erin, Michelle, Sandi, you guys get any comments or questions? Okay, so what's the pleasure of the Commission? You guys want to set this for a public hearing?

Ms. Kaye: I think we have to ask the Department to pursue language that would be appropriate to achieve this goal and then have a public hearing on that. That's why I asked if we needed a motion to formalize everybody's desire to have the Department go do that.

Mr. Gima: Go ahead Greg.

Mr. Pfost: Yeah, it's really, it's kind of a, it's, it's interesting. It's kind of a two-step process. Tonight, we're just kind of discussing this openly, just more of a talk story kind of thing on how we go about doing this. What we actually need to do first is schedule a public hearing just to do a motion by the Planning Commission to direct the Department to initiate the Code amendment. So it's like a, it's unfortunately a two, two-step process where what you're doing tonight is going, yeah Greg, we want a, at a subsequent meeting, we'd like you to come back in the public hearing section on the agenda to, so that we can, so that we can draft a motion to move forward with initiation. Does that make sense? And then once you do that and you initiate it, that would be the formal initiation through a public hearing. Then we come back at a subsequent public hearing to actually do the, the Code amendment where you would be reviewing it in more detail. And I see Selena there in case she has any comment on it.

Ms. Selena Pannell: Gosh. Yeah, sorry. My camera is off on my computer so I'm on my small screen. But anyway, I was just going to clarify that there isn't need to be a motion for it to be on the agenda next time. So yeah, you can just agendize it and then just let Greg know informally now.

Mr. Pfost: That's correct.

Mr. Gima: Okay, so if there are no objections, I'll entertain a motion to direct the Planning Department to set on next month's agenda in the public hearing section to entertain a Planning Commission motion --

Mr. Pfost: -- to initiate a Code amendment.

Mr. Gima: To initiate a Code amendment.

Ms. Kaye: So move.

Ms. Alboro: Second.

Mr. Gima: Okay, it's been moved by Commissioner Kaye, seconded by Commissioner Alboro that we direct the Planning Department to set on next month's agenda in the public hearing section for the Lanai Planning Commission to pose a motion to have the Planning Department initiate the Code change regarding parking rules. All right, um, any further discussion? Hearing none, hearing none, all in favor, please raise your hands. One, two, three, four, five. Okay. All opposed? Okay, motion is carried. Thank you.

It was moved by Ms. S. Kaye, seconded by Ms. N. Alboro, then unanimously

VOTED: To direct the Planning Department to set on next month's agenda, in the public hearing section, for the Lanai PC to propose a motion to have the Planning Department initiate the Code change regarding the parking rules/codes.

(Assenting: N. Alboro, E. Atacador, M. Fujie-Kaauamo, S. Kaye, S. Rabaca)
(Excused: E. Grove, N. Manna)

Mr. Pfof: Thank you.

C. DIRECTOR'S REPORT

1. **Completed Lanai Applications Report (No permits were issued from the period of 08/12/24 to 09/09/24 – No report generated.)**

Mr. Gima: Thanks Greg. Okay, let's move on to the Director's Report and I'll turn this over to Danny.

Mr. Dias: Good afternoon, Chair, Members of the Lanai Planning Commission. For the Director's Report, Item C.1., is the completed Lanai applications report. There were no permits issued for the time period between August 12th and September 9th.

2. **Proposed meeting schedule for calendar year 2025. Commission may accept or modify the proposed meeting schedule.**

Mr. Dias: Next Item C.2. is a proposed meeting schedule for next calendar year, and I don't know what the proper procedure is, maybe Selena can help me out, but I, I think I don't know if you guys have to vote on it or not, but essentially this is the, the meeting dates that we're proposing for next year. Thank you, Chair.

Ms. Pannell: Uh, no need to vote. Just the Chair has the discretion to set those. Just an informal discussion if those dates work for everyone, but, that's all.

Mr. Gima: So do we need dates to jump out that would be difficult for any of you? Okay, hearing none back to you Danny.

3. **Highlights and takeaways from Commissioner Sandi Rabaca who attended the 2024 Hawaii Congress of Planning Officials (HCPO) Conference, September 11-13, 2024, Westin Hapuna Beach, Waimea, Hawaii**

Mr. Dias: Thank you, Chair. Next item is highlights and takeaways from Commissioner Sandi Rabaca who attended the 2024 HCPO Conference last week.

Ms. Rabaca: Hello. So my takeaway, just as a Hawaiian, I felt like there's a big dis, disconnect from understanding this place we live, under, understanding the land that we live on. Like, because, like we're so focused on building and building instead of, like, understanding the land and working with it, not against it. And I felt, I feel like that's where we misuse and that's where like our natural resources go depleted, so that was one takeaway.

~~Ms. Alboro: Alright, so everyone just bear with me, first meeting, but I guess we'll go over the housekeeping rules first. All planning commission members must be on video. All votes must be show, done by shown of hands, and ask to speak, don't rely on raising your hand. For public testimony, all, all testifiers to sign up with Leilani in the chat. Please state your name and the agenda item you'd like to testify on. Mute your video, your audio and your video until you're called to testify, and your testimony must be limited to three minutes. Let's see here.~~

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

1. INITIATION OF A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B – OFF-STREET PARKING AND LOADING, MAUI COUNTY CODE, TO ACCOMMODATE PARKING REDUCTIONS IN A SPECIFIC PORTION OF LANAI CITY

The Lanai Planning Commission will consider passing a motion to initiate an amendment to Maui County Code Chapter 19.36B; with the purpose of removing onsite parking requirements for certain properties and uses in Lanai City that are specifically located within the boundaries of Fraser Avenue the west, Lanai Avenue to the east, 7th Street to the north, and 8th Street to the south. If the motion passes, then a subsequent public hearing will be scheduled before the Lanai Planning Commission for formal review and recommendation to the County Council of the proposed Bill. (G. Pfost)

Ms. Alboro: So our first agenda item is the, the public hearing for the initiation of a bill for ordinance amending Chapter 19.36B, off-street parking and loading Maui County Code to accommodate parking reductions in a specific portion of Lanai City. Has everybody had a chance to review the document that was sent to us? Do I need to read it again, anybody? Everybody okay? Basically, I guess we'll, if I'm correct, we'll open it up for anybody public testimony, on this agenda item. Leilani, anybody signed up?

Ms. Leilani Ramoran-Quemado: Thank you Vice Chair, there's, oh wait, hold on. There is someone. Keiki-Pua.

Ms. Alboro: Okay, Keiki-Pua?

Dr. Keiki-Pua Dancil: Aloha Commissioners, can you --? There you are, you're on this one. Pulama Lanai would like to strongly support this initiative. We are thankful that the Commissioners brought it to the Planning Department's attention and we look forward to a vote to ask this today. Mahalo.

Ms. Alboro: Thank you so much. Leilani, anyone else?

Ms. Ramoran-Quemado: Let me double check. Oh, thank you, that's it for our online listing. Thank you.

Ms. Alboro: And then Roxanne, anybody signed up at the district office? Okay I can't hear Roxanne. Can anybody hear her? Sorry. Okay, alright, I see that in the chat, so nobody here. So basically the agenda item is to propose for a public hearing. So does anybody want to motion, move or motion recommendations?

Mr. Gima: I think, Nikki, I wonder if Greg or the staff planner wants to add anything.

Mr. Greg Pfof: Yes, thank you, Chair, and members of the Commission. My name is Greg Pfof. I don't have anything to add if you've read over the correspondence. This is really the first step in the code amendment process. You remember you spoke about this issue actually at three prior meetings. What this is tonight is just to initiate the process or initiate the amendment. If you, if the Commission decides to move forward with this, then I would just need a majority vote to initiate this amendment and then we would come back at a tentatively scheduled for your next meeting on December 18th, I believe it was. Yes, December 18th, where we would actually bring the formal Code amendment. I'll give a presentation on it and then if the Commission votes to move the, the code amendment forward, then we'll, then I'll, then my next step would be to take that to Council. And if it gets adopted then we implement it. So that's all I have to offer. So really tonight all that we're looking for is a majority vote to initiate the process and then I'll see you again on December 18th. Thank you.

Ms. Alboro: Thank you, Greg. Do I have anybody like to move?

Ms. Grove: So moved.

Ms. Kaye: Second.

Ms. Alboro: Moved by Lisa. Any second? Erin, you second?

Ms. Atacador: Yeah, I'll second. I think Sally also was chiming in.

Ms. Alboro: Sorry.

Ms. Atacador: Both of us I think are willing to second it.

Ms. Alboro: Okay, so it was moved by Lisa seconded by Sally that we voted to initiate the code amendment to Chapter, Maui County Code, Chapter 19.36 exempting use within Dole Park block for providing parking. So it will be brought up at our next meeting on December 18th for the public hearing.

Let's see here and then we'll move on to communications, possible topics for future Lanai Planning Commission training and discussions.

Mr. Gima: Hold on. Hold on, Nikki.

Ms. Kaye: I think we have vote.

Mr. Gima: I think we have to have discussion by the Commissioners before we vote on the motion.

Ms. Alboro: Sorry. Sorry. So open it up for discussion for agenda item one. Correct? Anybody?

Mr. Gima: Hold on a second here.

Ms. Alboro: Or am I, I think I'm supposed to ask like all in favor and we all raise their hand for a majority vote? I think that's what I missed or --.

Mr. Gima: Correct, yeah, we need, we need a, we need a vote on, on the motion if there are no comments or questions by the Commissioners.

Ms. Alboro: Okay.

Ms. Grove: Can I make one quick comment? I just want to mahalo Sally Kaye for bringing this issue to our attention. We all knew it was out there, but we didn't know that there was a mechanism for fixing it. So I just want to say thanks for bringing your manao to this.

Ms. Alboro: Yes, thank you. Anybody else? Any comments, questions?

Ms. Grove: Nope.

Ms. Alboro: Alright, so again, it was moved by Lisa seconded by Sally. Can I get, I guess can I get a show of hands all in favor of initiating the code? One, two, three, four, five, six. All right, unanimous vote. Everybody's in favor. Motion passes, I guess.

It was moved by Ms. E. Grove, seconded by Ms. N. Alboro, then unanimously

VOTED: To initiate the Code amendment to Chapter 19.36B, off-street parking.

(Assenting: E. Atacador, M. Fujie-Kaauamo, R. Gima, E. Grove, S. Kaye, S. Rabaca)
(Excused: N. Manna)

C. COMMUNICATIONS

1. Possible Topics for Future LPC Training/Discussions

Ms. Ana Lillis: Yes Chair, we can see her.

Ms. Ramoran-Quemado: Hi Chair. Yes, this is Leilani. I can see.

Mr. Gima: Okay, it's just my end. So we're good, we're good for quorum. Okay, thank you. Erin, is anybody in the room with you?

Ms. Atacador: Thank you, Chair. No, I'm alone.

Mr. Gima: Okay, thanks. Alright, for those wishing to testify this evening, there will be several opportunities. You can either provide testimony by logging into the chat stating your name and what agenda item you would like to testify on and then we'll call you at that time. But until that happens, please mute your mic and camera. And then, we will contact the County Planning Department to see if they have anybody in their conference room and in the Lanai District office. If you do testify, you will be limited to three-minutes and we ask that you testify and address the Lanai Planning Commission. That being said, we will move on to the public hearing.

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

1. A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B – OFF-STREET PARKING AND LOADING, MAUI COUNTY CODE, RELATING TO EXEMPTING PARKING REQUIREMENTS FOR A SPECIFIC BOUNDARY AREA OF LANAI CITY

The Lanai Planning Commission will consider an amendment to Maui County Code Chapter 19.36B; with the purpose of removing onsite parking requirements for certain properties and uses in Lanai City that are specifically located within the boundaries of Fraser Avenue to the west, Lanai Avenue to the east, 7th Street to the north, and 8th Street to the south (the Dole Park block). (G. Pfost)

Mr. Gima: So a bill for ordinance amending Chapter 19.36B, Off-Street Parking and Loading, Maui County Code, relating to exempting parking requirements for a specific boundary area of Lanai City. So the Lanai Planning Commission will consider an amendment to Maui County Code Chapter 19.36B with the purpose of removing onsite parking requirements for certain properties and uses in Lanai City that are specifically located within the boundaries of Fraser Avenue to the west, Lanai Avenue to the east, Seventh Street to the north, and Eight Street to the south; basically the Dole Park block. So at this time I'll turn this over to you Greg.

Mr. Gregory Pfost: Yes, thank you Chair. I have a real brief power point presentation just to go over this real quick with you if you can bear with me for a moment. And can you all see that presentation? Yes?

Mr. Gima: Everybody can but I can't. But go ahead. Go ahead.

Mr. Pfost: Okay. Anyways, it's going to be real brief anyways. You may recall -- I'll go over a little bit of background on this -- you may recall back in your July and August meetings you discussed or heard about a parking reduction request for the Lanai Bowling Alley that we would have reduced their parking requirement by 21 spaces. And there were a number of concerns that were expressed by the Commissioners at that time, noting that really Lanai is unique and didn't feel like the parking code should apply to this specific site and wanted to know what the legislative process or options were to do an amendment. Then on your September 18th meeting, I appeared before the Commission and went over what that process of doing a code amendment would be. And then on your November 20th meeting, you actually initiated, the formerly initiated the code amendment process.

So we're here tonight and I, I presented this slide to you before showing the five-step process in order to do a code amendment. And we're here really at step three, which is the actual formal code amendment before the Lanai Planning Commission. Step four, if this is approved tonight, then I would take the Lanai Planning Commission's recommendation to the County Council of which in step five they will vote on it within two different meetings. They may also send it to a committee for further review if they desire. So that's the process in order to get the, the amendment approved.

The proposed code amendment itself, as mentioned by the Chair, specifically I've highlighted the section that is being added here, which is Section B to 19.36B.040 which is our general requirements for parking areas, which is in our off-street and parking loading section of the Maui County Code. Specifically, we're adding a section that says on Lanai within the boundaries of Fraser Avenue to the west, Lanai Avenue to the east, Seventh Street to the north, and Eight Street to the south, all permitted uses established for the zoning districts within this boundary area are exempt from the parking requirements established 19.36B.

So what does this actually mean? As you can see in this aerial photo, you're very all aware of the location of Dole Park. As you can see, in this, in this photograph it shows you can actually barely see it is the, a number of parking spaces that are adjacent to Dole Park specifically around Seven, along Seventh and Eighth Street and Lanai Avenue and Fraser Avenue. They actually serve all of the businesses or most of the businesses that surround Dole Park and Dole Park itself including the bowling alley site, which is in the middle of Dole Park. You can see the building right there.

I'd like to go over just real quick the existing zoning in the area. In the middle of your screen or in the middle of this diagram is a, has a rectangular green parcel and that is Dole Park, and it is zoned Park. Within that area is a, is a small blue rectangle which is zoned Public/Quasi-Public, and that's the location of the bowling alley. What's important though is surrounding Dole Park are all of these pink parcels which are actually zoned Business Country Town. And within the Business Country Town Design Guidelines for Lanai, it indicates

that all of those uses that are in pink are exempt from providing parking for their uses. However, because Dole Park is not zoned Business Country Town, but it is zoned Park and the Bowling alley is zoned Public/Quasi-Public, those uses are required to, those uses in those two zones are required to provide parking. Hence the problem is that Dole Park is interestingly being treated differently than the Business Country Town parcels that surround Dole Park.

And so what this proposal does and why it has merit is it's basically treating Dole Park and the bowling alley site and with equity with all of the, most of the surrounding uses of Dole Park, and, and therefore not requiring parking in that area. So it's pretty straightforward. The code amendment is basically exempting parking from Dole Park and the bowling alley site.

The options for the Commission tonight are to recommend approval of the ordinance to the Maui County Council. Recommend the approval of the ordinance with amendments, excuse me. Vote to not recommend approval of the ordinance with no further action on this matter will be taken. Or vote to defer the action for, to get additional information. And that concludes my presentation and hopefully I can answer any questions that you may have.

Mr. Gima: Alright, thank you Greg. At this time I will open up public testimony on this agenda item. Leilani, do we have anyone in the Planning Divisions Conference Room or on chat?

Ms. Ramoran-Quemado: Thank you Chair. There's no one signed up to testify. And then just to note, Sandi is actually on.

Mr. Gima: Oh, okay.

Ms. Ramoran-Quemado: Thank you.

Mr. Gima: Thanks. Roxanne, anybody at the Lanai District Office willing wanting to testify?

Ms. Roxanne Morita: Actually, yes, I do have two testifiers here at the District Office. I'm sorry I didn't let you folks know a little bit earlier, but we do have testifiers ready to testify.

Mr. Gima: Okay.

Ms. Ramoran-Quemado: Sorry Chair. Then after Roxanne has her testifiers testify I do have a last minute add on that wants to testify. Thank you.

Mr. Gima: All right. Thanks Leilani. Okay Roxanne, who, who will be testifying at the Lanai District Office or can they come on camera? Okay, I see you Roxanne. Diane, you're on mute.

Ms. Roxanne Morita: Can you hear me in my office?

Mr. Gima: Yes.

Ms. Morita: I'm going to have them transfer to my, my computer then. Give me one second, I'll transfer them over. Can you hear me and see me?

Mr. Gima: Yes.

Ms. Morita: Okay. All right, actually I'll give these guys a little bit more space. Can you turn that one down, Matt?

Ms. Diane Preza: I don't know where I am. You can see me? I can't see myself. Can you guys see me?

Mr. Gima: Yes, and we can hear you.

Ms. Preza: Okay. Okay. All right. Okay, thank you. All right. Aloha Chair Gima and Commissioners. I'm Diane Preza and I was born and raised on Lanai. Thanks for placing this item on the agenda. I, I support the draft ordinance for proposed code amendment amending MCC Chapter 19.36B to exempt parking around Dole Park. The existing stalls surrounding Dole Park provide ample parking for current businesses and for the new bowling alley, I feel. When we were young going to the bowling alley, we always walked and as we got older and we, we began going to parties and events there and at the union hall when a lot of people are there, there were there was always enough parking. We always found a parking style. So I feel that the town, the character of the town, the unique rural kind of atmosphere of the town should be kept intact and therefore I sub, I support the proposed code amendment. Thank you for your consideration.

Mr. Gima: Alright, thanks Diane. Commissioners any questions, comments for Diane? Okay, hearing none, thanks again Diane.

Ms. Preza: Thank you.

Mr. Gima: And we'll move on to -- who do you have Leilani? Oh, we have another testifier. Okay, go ahead.

Ms. Hannah May Lee: Okay. Hi everyone. My name is Hannah May Lee and I'm a Junior at LHS, and I believe that the parking for the, for everything around Dole Park is good as it is. And I believe that there doesn't need any more parking for the bowling alley. Like Ms. Preza said everything is good and now we do walk to get to certain areas, and I feel like this is like good especially because it won't disrespect like Dole Park itself, and it would be good to keep Dole Park the way it is already.

Mr. Gima: Thank you Hannah. Commissioners, any questions or comments for Hannah? Okay, hearing none, thanks again Hannah.

Ms. Grove: I have one quick comment.

Mr. Gima: Oh, go ahead Lisa.

Ms. Grove: My comment is, I just want to thank you for testifying and to be here. It's important to our community to hear the voices of our young people and I really appreciate you taking the time and sharing your opinion. So thank you.

Ms. Lee: Thank you.

Mr. Gima: Alright, thanks again Hannah. Roxanne, anybody else in the District Office?

Ms. Morita: Nope, that's all the testifiers we have right now.

Mr. Gima: Alright, thank you.

Ms. Ramoran-Quemado: Thank you Chair. So signed up online is Keiki-Pua Dancil.

Mr. Gima: Okay. Go ahead Keiki-Pua.

Dr. Keiki-Pua Dancil: Aloha Chair Gima and Commissioners. Mahalo for allowing us the opportunity to provide supportive comments on agenda Item B.1., an ordinance amending Chapter 19.36, Off Street Parking and Loading, Maui County Code, to accommodate parking reductions for a specific portion of Lanai City.

I also want to thank Commissioner Kaye. It was her initiative of these discussions and also Mr. Pfof from the Planning Department to moving this matter forward in an expeditious way. Pulama Lanai is very supportive of the proposed amendments and recommending passage with minor technical amendments tonight. The proposed ordinance is limited just to four parcels in Dole Park. There are already a 108 parking stalls along the edge of the park on Seventh and Eighth Streets. These stalls are located on County property, open to the public, and not reserved for any particular purpose. Lanai City, as mentioned by the previous testifiers, a walking town with residences near the city center, which is Dole Park. The uniqueness of Lanai City is described in the BCT Guidelines, which allows for parcels in BCT zoned areas to be exempt from parking as Mr. Pfof said. These four parcels in Dole Park are surrounded by BCT zoned areas. However, the parcels in Dole Park are not zoned BCT despite the ample parking around the four parcels. The proposed amendment will allow the four parcels to benefit from the adjacent 108 parking stalls providing people that visit the park already to use the stalls or walk to the park.

So Commissioners in the staff report you have four choices tonight. We respectfully request that you choose number two; recommend approval of the proposed ordinance with amendments to Maui County Council. There are two very minor amendments, and these are to replace the number seven, the letter T, the letter H with the word Seventh spelled out, and

the number eight, the letter T, the letter H with the word Eighth spelled out as these are the proper names of the streets. Mahalo for your consideration.

Mr. Gima: Right, thank you Keiki-Pua. Commissioners, any questions comments for Keiki-Pua? Hearing, seeing none, all right, thanks again Keiki-Pua. Leilani, any other persons wanting to testify?

Ms. Ramoran-Quemado: Let me give it a second. I don't see anyone else signed up. Thank you Chair.

Mr. Gima: Alright. Thank you. So at this time I will close public testimony on this agenda item. Now Commissioners, any further questions, comments, on this agenda item? Go ahead Sal.

Ms. Kaye: Yeah, I just have a question. On Page-2, second to the last paragraph, it says most of the properties that surround Dole Park block are within the BCT and thus are exempted. My question is, to the County, are there any other properties that could theoretically down the line fall into this trap? In other words, are we taking care of the last property that is going to be requiring an exemption from parking?

Mr. Pfost: Thank you for the question. Can I ask the Chair for the Chair? Interesting, you know, I mean, it, it, what, what happens right now is that what is exempt is everything in the BCT. So in those pink areas of the zoning map that I mentioned that I showed you. The other areas that are there's a couple other lots that are surrounding that are to Dole Park to the west. In fact, along, there's two parcels basically on the screen. It's everything along Fraser Avenue on the opposite side of, of the park is zoned also BCT, so they're required to do parking. And then the small parcel at the north, I guess that's northwest corner across the street from the park or, or, at the, I guess that's the northeast corner of Seventh and Fraser Avenues is also zoned BCT. So those are the only other two properties that are surrounding Dole Park that are not exempt from parking.

I'm not sure I would necessarily recommend moving in that direction. It's interesting within the, within the guidelines for the BCT or within actually I'm sorry, the Lanai Community Plan, there is an Urban Design Action 10.04 that actually starts off with create a comprehensive parking strategy for Lanai City recognizing the, you know, the, what, Lanai City is and the walkability of Lanai City. It, it goes on to talk about revising the BCT design guidelines to lessen parking requirements and so, and that's what has happened in the code. But it's almost I would --. In order to address those other two parcels that I mentioned, it's, you might want to look at more of a more comprehensive parking analysis for Lanai City to pursue as opposed to just taking these parcel by parcel. That would be my recommendation. So I would recommend that you just keep the Dole Park; wanted to address the issue with the bowling alley. But perhaps a more comprehensive zoning parking analysis for all of Lanai City downtown would be worthwhile at some time in the future. That's what I would recommend per the community plan.

Mr. Gima: Any, any further comments, Sal, or any further questions?

Ms. Kaye: No, that, that answered my question. Thank you.

Mr. Gima: Okay. So I still don't have Erin on camera. Can you guys see Sandi on camera? Okay. Okay, so I have one, two, three, four, five, six.

Ms. Rabaca: Yes, I'm here.

Mr. Gima: Okay. So Sandi do you have, or anyone else in the room with you?

Ms. Rabaca: Yes, my son, Kaimi Morita.

Mr. Gima: Okay, thank you. If there are no further comments or questions, I will entertain a motion to recommend approval of the proposed ordinance with the two amendments that Keiki-Pua offered to the Maui County Council.

Ms. Kaye: So moved.

Ms. Atacador: Second.

Mr. Gima: Okay, it's been moved by Commissioner Kaye, seconded by Commissioner Atacador that we recommend approval of the proposed ordinance with two amendments stated by Keiki-Pua Dancil to the Maui County Council. Any further discussion? Hearing none, I, because I can't see, I will call for a roll vote so Sally?

Ms. Kaye: Aye.

Mr. Gima: Michelle?

Ms. Fujie-Kaauamo: Aye.

Mr. Gima: Lisa?

Ms. Grove: Aye.

Mr. Gima: Erin?

Ms. Atacador: Aye.

Mr. Gima: And Sandi?

Ms. Rabaca: Aye.

It was moved by Ms. S. Kaye, seconded by Ms. E. Atacador, then unanimously

VOTED: To recommend approval to the Maui County Council the proposed ordinance with the two amendments as discussed.

(Assenting: E. Atacador, M. Fujie-Kaauamo, E. Grove, S. Kaye, S. Rabaca)
(Excused (E)/Absent (A): N. Alboro (E), N. Manna (A))

Mr. Gima: Alright, thank you very much. Motion passes unanimously.

C. ADOPTION OF WRITTEN DECISION AND ORDER

1. **Proposed Findings of Fact, Conclusions of Law, and Decision and Order denying the request for a Short-term Rental Home (STRH) permit renewal by RUSSELL NIELSON to continue operation of THE BIG BLUE HOUSE, located at 1320 LANAI AVENUE, LANAI CITY, with a Tax Map Key (TMK) of (2) 4-9-013:001 in the R-1 RESIDENTIAL DISTRICT for providing transient accommodations in three bedrooms of a four-bedroom single-family dwelling. (STLA20200001) (K. Spellman)**

The Department of Planning (Department) brought the subject renewal application before the Lanai Planning Commission (LPC) in accordance with Maui County Code sub-section 19.64.060(C). The LPC considered and acted on the renewal application at their regularly scheduled meeting on March 20, 2024. The LPC may take action to adopt, adopt with modifications, or take some other action regarding the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

Mr. Gima: All right. Moving on next agenda, agenda item is Adoption of written Decision and Order. Propose Findings of Fact, Conclusions of Law, and Decision and Order denying the request for a short-term rental home permit renewal by Russell Nielsen to continue operation of the Big Blue House located at 1320 Lanai Avenue, Lanai City, TMK of 2-4-9-013:001 in the R1 Residential District for providing transient accommodations in three bedrooms of a four-bedroom single-family dwelling.

The Department of Planning brought the subject renewal application before the Lanai Planning Commission in accordance with Maui County Code Subsection 19.64.060C. The Lanai Planning Commission considered and acted on the renewal application at their regularly scheduled meeting on March 20th, 2024. The Lanai Planning Commission may take action to one, adopt; two adopt with modifications; or three, take some other action regarding proposed Finding of Facts, Conclusion of Law, and Decision and Order. Kevin, would you like to add anything to this?