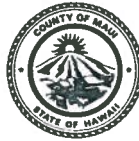


Council Chair  
Mike White

Vice-Chair  
Don S. Guzman

Presiding Officer Pro Tempore  
Michael P. Victorino

Councilmembers  
Gladys C. Baisa  
Robert Carroll  
Elle Cochran  
Don Couch  
Stacy Crivello  
Riki Hokama



Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

June 24, 2016

The Honorable Mike White  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair White:

SUBJECT: **AMENDMENT TO BILL 67 (2016)** (PAF 16-089)

May I request the attached proposed amendment to Bill 67 (2016) be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Riki Hokama", with a long, sweeping flourish extending to the right.

RIKI HOKAMA  
Councilmember

paf:gjg:16089j

Attachments

RECEIVED  
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COUNTY CLERK

COUNTY COMMUNICATION NO. 16-122


July 1, 2016 Council meeting

BILL 67 (2016)

MAUI COUNTY COUNCIL  
Amendment Summary Form

Legislation: Lana`i Community Plan Update.

Proposer: Riki Hokama, Councilmember.



Description: Amends Exhibit "1" to Bill 67 (2016) to address matters discussed at the Council's meeting of June 17, 2016.

Motion: Move to amend Chapters 3, 7, 9, 10, and 13, and Appendix 9.3 of Exhibit "1" to Bill 67 (2016) by replacing language as shown on the attached markup of excerpted pages.

Effect: See attached revised pages. Page numbers reference pagination of Exhibit "1" to the posted bill.

Attachments: Markup of excerpted pages from Exhibit "1" to Bill 67 (2016).

paf:16-089h:gjg

Attachment

### 3 | ENVIRONMENT AND NATURAL RESOURCES

#### C. GOAL, POLICIES, AND ACTIONS

---

**GOAL**                **Lānaʻi's environment and natural resources will be protected, restored, and preserved for future generations.**

##### **Policies**

1. Protect, preserve, restore, and enhance Lānaʻi's native forest ecosystems, including the Lānaʻihale cloud forest, Maunalei Gulch, and Kānepuʻu Preserve.
2. Protect fog drip, aquifer recharge areas, and water quality.
3. Protect and restore biodiversity, native habitats, and native plant and animal species through conservation, land management, education, and control of invasive species.
4. Recognize and support agricultural, forestry, and game BMPs as key elements to maintain, preserve and protect Lānaʻi's land, water, and marine resources.
5. Protect and restore, where appropriate, Lānaʻi's coastal resources and water quality by implementing BMPs for surface water and sediment management, including the use of green infrastructure.
6. Support the Mānele-Hulopoʻe Marine Life Conservation District.
7. Recognize the existing boundaries of the Kānepuʻu Preserve and support expansion of those boundaries.
8. Support the use of adaptable protection areas, such as a system of floating preserves, as a means of managing nearshore coastal resources.
- ~~9.~~ Support the protection and expansion of native plants by encouraging the use of appropriate practices and techniques for native plant propagation, planting, and distribution.
- ~~9-10.~~ Native plant species which are found on Lānaʻi shall be utilized for landscape purposes wherever feasible and appropriate.
- ~~10-11.~~ Encourage and support public stewardship of natural resources.
- ~~11-12.~~ —Encourage the State to adequately fund quarantine and inspection programs.
13. Protect and enhance the island's native plant and animal species by prohibiting the importation of alien species.

### 3 | ENVIRONMENT AND NATURAL RESOURCES

Table 3.1 Environment and Natural Resources Actions				
No.	Action	Policy No.	Lead County Agency	Partners
3.08	Assist in conducting outreach to agricultural, ranching, and development interests on implementing BMPs to reduce herbicides and pesticides.	4, 5	OED	Mayor's Office (Environmental Coordinator) DOH (Clean Water Branch) Pūlama Lānaʻi UH College of Tropical Agriculture and Human Resources (CTAHR) NRCS
3.09	Review the Special Management Area (SMA) boundary and make changes as necessary to comply with the objectives and policies defined in Section 205A-2, HRS.	3	Department of Planning	Pūlama Lānaʻi Lānaʻi Planning Commission
3.10	Work with federal, state, and county agencies to initiate a program that provides education and community involvement in the stewardship of coastal areas, including conducting baseline studies on coastal water quality.	6, 8	Mayor's Office (Environmental Coordinator)	DLNR DOH (Clean Water Branch)
3.11	Work with the State to develop a quarantine and inspection process for imported plant species.	1, 3, 4	Mayor's Office (Environmental Coordinator)	State Department of Agriculture (DOA) Pūlama Lānaʻi
3.12	Work with Pūlama Lānaʻi to establish a feral animal control program.	1, 3, 4, 7	Mayor's Office (Environmental Coordinator)	DLNR Pūlama Lānaʻi Lānaʻi Hunting Advisory Group
<del>3.13</del>	<del>Native plant species which are found on Lānaʻi shall be utilized for public and quasi-public facilities.</del>	<del>3, 9</del>	<del>Department of Planning</del>	<del>State of Hawaiʻi (various) Pūlama Lānaʻi</del>
<del>3.14</del>	<del>Protect and enhance the island's native plant and animal species by prohibiting the importation of alien species.</del>	<del>3, 9</del>	<del>Department of Planning</del>	<del>State Department of Agriculture (DOA) Pūlama Lānaʻi</del>

## 7 | INFRASTRUCTURE AND UTILITIES

### C. GOAL, ISSUES, STRATEGIES

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**Goal**                    **Lānaʻi will have a sufficient supply of potable and non-potable water provided in an environmentally sustainable and cost-effective manner.**

#### **Policies**

1. Improve the long-term efficiency, reliability, and capacity of the island's water infrastructure.
2. Work with CWRM, landowner(s), and LWAC or a committee of Lānaʻi residents sanctioned by the County, to ensure that water resource management is based on BMPs.
3. Support the implementation and monitoring of the WUDP by LWAC, or a committee of Lānaʻi residents sanctioned by the County, in collaboration with the water purveyor and regulatory agencies that have responsibility over Lānaʻi's water.
4. Support the provisions under "Land Use Entitlements" of the WUDP by deferring additional or incremental discretionary entitlements pending careful consideration of the adequacy of long-term water supply sources and infrastructure.
5. Protect the long-term health of the Lānaʻihale watershed for groundwater recharge.
6. Encourage and improve data exchange and coordination among Federal, State, County, LWAC or a committee of Lānaʻi residents sanctioned by the County, and private land use planning and water resource management agencies.
7. Ensure the repair, replacement, or removal of aging, damaged, and leaking water infrastructure occurs in an efficient and timely manner.
8. Encourage water conservation through demand-side management measures by using education, incentives, and regulations.
9. Support the planning, design, and development of an alternative water source that will supplement the existing high-level aquifer while protecting the integrity of the high-level aquifer.
10. Support the use of recycled water for irrigation and prohibit the use of potable water for golf course irrigation.
11. Support the development, adoption, and implementation of a wellhead protection strategy and ordinance for potable water distribution systems.
12. Discourage the removal of plant material necessary for water recharge. Plant material necessary for water recharge should not be used as a source of landscape planting materials.

## 9 | LAND USE

### Land Use Planning Principles and Standards

- 1. Protect ecological diversity, natural resources, culturally sensitive lands, and agricultural lands when defining future growth areas.** Lānaʻi's ecology and natural and cultural resources are important for both current and future generations.
- 2. Protect open space and scenic landscapes.** Open space should be preserved to retain Lānaʻi's rural character and to separate and define distinct edges of communities. Scenic landscapes, viewsheds, and view corridors are integral to identity of place and should be retained.
- 3. Strengthen existing communities through infill and redevelopment.** New development should be directed to designated growth areas: 1) contiguous or near to existing employment, and 2) where infrastructure and public facilities can be provided in a cost-effective manner.
- 4. Protect Lānaʻi City's small-town character.** Development within and adjacent to Lānaʻi City should be compatible and sensitive to the community's use of place. Development components, such as street layout, streetscape, architecture, and landscape design, should enhance the small-town character.
- 5. Promote equitable, healthy, livable, mixed-use communities.** Urban development and employment centers should be concentrated within or around Lānaʻi City or in designated sites to avoid urban sprawl. Urban communities should provide a mix of housing types and affordability, be compact and pedestrian-oriented, provide access to parks and open space, and offer a mix of compatible land uses.
- ~~**6. Prohibit tree removal from a portion of the Hotel Lanaʻi site.** No trees shall be removed from the additional one-acre Hotel area behind Hotel Lanaʻi, identified as a portion of tax map key (2) 4-9-011:001, because of hotel or related use.~~
- ~~**7.5. Apply appropriate development and design standards.** Until such time as the Lānaʻi City Country Town Business District Design Standards are adopted by the Council, the following planning standard applies to development and design. Building height is limited to two stories or 30 feet above grade except as follows: (1) buildings within heavy industrial areas may be as high as 40 feet and may exceed this height subject to design review by the County; and (2) buildings within business/commercial areas surrounding Dole Park shall not exceed one story in height.~~

**Figure 9.1 Land Use Planning Principles and Standards**

Pūlama Lānaʻi's estimate for total future population is approximately 6,000 residents. To meet the future demand for housing, Pūlama Lānaʻi's plans include development of new residential housing



## 9 | LAND USE

shown as urban on the Lānaʻi Community Plan land use maps; and 2) a development agreement provides fiscal neutrality for the County.

9. Establish a predictable and timely development approval process for requests that meet community plan policies and land use regulatory requirements.
10. Ensure all lands are zoned and zoning standards are consistent with community plan policies and land use designations as shown on Maps 9.2 through 9.6.
11. Ensure the boundaries of community plan land use designations are aligned with the boundaries of the applicable State land use districts.
12. Facilitate the provision of infrastructure and public facilities and services prior to, or concurrently with, development, including provision for ongoing maintenance through community facilities district funding or other funding mechanisms.

~~13. Establish a 50-100-year coastal erosion rate analysis.~~

~~14. The total area within Project District 1 (Mānele) shall be approximately 868 acres, provided that the minimum land use pattern requirements shall be as follows:~~

~~a. The entire Puʻupehe Peninsula (approximately 130 acres) shall be kept in open space for public use. This open space area shall encompass all lands on the peninsula previously planned for multi-family use and shall exclude those lands previously planned for commercial use. No dwellings (residential units) of any kind shall be permitted. However, structures to promote cultural resources and preserve archaeological resources, based upon a resource management plan for the area, shall be permitted.~~

~~— A portion of the multi-family use displaced from the project district due to the designation of open space referenced above shall be accommodated within the project district east of Mānele Road. Further, a small area adjacent to the northeast portion of the existing hotel lot shall be redesignated from single family to hotel use.~~

~~b. The provision of these open space areas, along with the provision of the multi-family area within the project district, shall not increase the total number of hotel units within the project district in~~

## 9 | LAND USE

~~accordance with the density standards provided in the project district ordinance.~~

~~15. Continued implementation of Project District 2 (Kō'e'e) shall be based on the following requirements:~~

- ~~a. That the open wooded area bordered by Ninth, Pualani, and Sixth Streets shall be maintained in public open space. A minimum of 12 acres shall be designated for this purpose.~~
- ~~b. The provision of this open space area shall not reduce, or in any way affect, the total number of approved units within the project district.~~



## 9 | LAND USE

Table 9.3 Land Use				
No.	Action	Policy No.	Lead County Agency	Partners
9.06	Develop and provide incentives to landowners to preserve and protect agricultural lands.	5, 6, 7	Department of Planning	DOA (IAL Program)
9.07	Work with landowners to review PDs in Chapters 19.70 and 19.71, MCC, and subsequent ordinances to determine if actions are needed to fulfill outstanding requirements.	2	Department of Planning	Pūlama Lāna`i
9.08	<del>Designate all lands within the coastline Open Space, with the exception of existing and appropriately designated urban areas and kuleana landholdings. Regulate the coastline Open Space lands using special management area regulations.</del> A 50-100 year coastal erosion rate analysis shall be developed. Where new major waterfront structures or developments are to be approved, open space preservation should be assured by employing a shoreline setback based upon the erosion rate established by the coastal erosion rate analysis.	13	Department of Planning	Pūlama Lāna`i

## Urban and Rural Design Principles (continued)

- 8. Building Orientation.** In commercial areas, buildings should be oriented toward the street, creating a connection between the private elements of the town and the public realm. Principal entries to buildings should face public spaces such as streets, parks, or plazas instead of facing parking lots.
- 9. Parking.** Parking in commercial areas should be either on-street or behind buildings to prevent a field of parking in front of buildings. Parking lots should be designed for pedestrians and cars, and should include pathways and trees.
- 9.10. Apply appropriate development and design standards.** Until such time as the Lānaʻi City Country Town Business District Design Standards are adopted by the Council, the following planning standard applies to development and design. Building height is limited to two stories or 30 feet above grade except as follows: (1) buildings within heavy industrial areas may be as high as 40 feet and may exceed this height subject to design review by the County; and (2) buildings within business/commercial areas surrounding Dole Park shall not exceed one story in height.

**Figure 10.1 Urban and Rural Design Principles**

## B. ISSUES AND STRATEGIES

- Issue 1:** The array, quality, and integrity of the historic structures that make up the core of Lānaʻi City are threatened by inadequate maintenance, demolition, and renovation without care for historic character.
- Strategy 1:** Protect Lānaʻi City's unique small-town character and plantation heritage by supporting collaborative efforts to develop a vision and master plan for Lānaʻi City that includes preservation of historic structures in the B-CT District.
- Issue 2:** Lānaʻi City's intact and unique plantation era historic character could be compromised by inappropriate new development and insensitive renovation of existing structures.
- Strategy 2A:** Review, revise, and enhance as necessary the B-CT design guidelines for Lānaʻi City to provide more detailed guidance for new construction as well as renovation

## 10 | URBAN DESIGN

Table 10.1 Urban Design Actions				
No.	Action	Policy No.	Lead County Agency	Partners
10.02	Revise and enhance the B-CT design guidelines for Lānaʻi City to provide more detailed guidance for new construction, as well as renovation and reconstruction of existing structures for adaptive reuse.	1, 3, 11	Department of Planning	Pūlama Lānaʻi
10.03	Develop design guidelines for structures in Lānaʻi City, but outside of the B-CT District, to provide guidance on appropriate form, scale, architectural character, details, and materials.	3, 6	Department of Planning	Pūlama Lānaʻi
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.	1, 3, 6	Department of Planning	Pūlama Lānaʻi
10.05	Develop an urban forestry management plan for County and public property throughout Lānaʻi City. Include options for the planting of native and non-invasive species, where appropriate, and consider replanting Cook Island Pines only where there is adequate space for the mature trees. Encourage Pūlama Lānaʻi to adopt a similar plan.	2, 7	Department of Parks and Recreation	Department of Planning Pūlama Lānaʻi
10.06	Select options for implementing LED lighting to save energy and provide a more point-like light source.	8	DPW	Department of Planning Pūlama Lānaʻi
<del>10.07</del>	<del>Prohibit the removal of plant material necessary for water recharge. Plant material necessary for water recharge shall not be used as a source of landscape planting materials.</del>	<del>2, 7</del>	<del>Department of Parks and Recreation</del>	<del>Department of Planning Pūlama Lānaʻi</del>

## 13 | IMPLEMENTATION AND MONITORING

Community Plan Chapter	Action No.	Description	Type	Priority	Timing	Lead Agency*	Est. Cost (\$1,000)	Funding Source(s)
Envir./NR	3.08	Assist in conducting outreach to agricultural, ranching, and development interests on implementing BMPs to reduce herbicides and pesticides.	Program	2	2022-2030	OED	10	County
Envir./NR	3.09	Review the Special Management Area (SMA) boundary and make changes as necessary to comply with the objectives and policies defined in Section 250A-2, HRS.	Project	2	2016-2021	Department of Planning	50	County
Envir./NR	3.10	Work with federal, state, and county agencies to initiate a program that provides education and community involvement in the stewardship of coastal areas, including conducting baseline studies on coastal water quality.	Program	1	2016-2021	Mayor's Office (Environmental Coordinator)	TBD	County, Federal grant
Envir./NR	3.11	Work with the State to develop a quarantine and inspection process for imported plant species.	Project	2	2022-2030	Mayor's Office (Environmental Coordinator)	TBD	Federal, County, State, Private
Envir./NR	3.12	Work with Pūlama Lānaʻi to establish a feral animal control program.	Project	1	2016-2021	Mayor's Office (Environmental Coordinator)	TBD	Federal, County, State, Private
<del>Envir./NR</del>	<del>3.13</del>	<del>Native plant species which are found on Lānaʻi shall be utilized for public and quasi-public facilities.</del>	<del>Program/Project</del>	<del>2</del>	<del>Ongoing</del>	<del>Mayor's Office (Environmental Coordinator)</del>	<del>TBD</del>	<del>County, State</del>
<del>Envir./NR</del>	<del>3.14</del>	<del>Protect and enhance the island's native plant and animal species by prohibiting the importation of alien species.</del>	<del>Project</del>	<del>1</del>	<del>2016-2021</del>	<del>Department of Planning</del>	<del>TBD</del>	<del>State Department of Agriculture (DOA), Pūlama Lānaʻi</del>

# 13 | IMPLEMENTATION AND MONITORING

Community Plan Chapter	Action No.	Description	Type	Priority	Timing	Lead Agency*	Est. Cost (\$1,000)	Funding Source(s)
Land Use	9.05	Revise zoning and subdivision ordinances to permit clustering and conservation subdivision design within the Rural and Agricultural Districts.	Project	1	2016-2021	Department of Planning	0	N/A
Land Use	9.06	Develop and provide incentives to landowners to preserve and protect agricultural lands.	Project	2	2022-2035	Department of Planning	0	N/A
Land Use	9.07	Work with landowners to review PDs in Chapters 19.70 and 19.71, MCC, and subsequent ordinances to determine if actions are needed to fulfill outstanding requirements.	Project	2	2022-2035	Department of Planning	0	N/A
Land Use	9.08	<del>Designate all lands within the coastline Open Space, with the exception of existing and appropriately designated urban areas and kuleana landholdings. Regulate the coastline Open Space lands using special management area regulations.</del> A 50-100 year coastal erosion rate analysis shall be developed. Where new major waterfront structures or developments are to be approved, open space preservation should be assured by employing a shoreline setback based upon the erosion rate established by the coastal erosion rate analysis.	Project	2	2022-2035	Department of Planning	0	N/A
URBAN DESIGN								
Urban Design	10.01	Prepare a vision and master plan for Lānaʻi City through collaborative efforts that include historic preservation of structures in the B-CT District.	Project	2	2022-2035	Department of Planning	100	County
Urban Design	10.02	Revise and enhance the B-CT design guidelines for Lānaʻi City to provide more detailed guidance for new construction, as well as renovation and reconstruction of existing structures for adaptive reuse.	Project	1	2016-2021	Department of Planning	50	County
Urban Design	10.03	Develop design guidelines for structures in Lānaʻi City, but outside of the B-CT District, to provide guidance on appropriate form, scale, architectural character, details, and materials.	Project	2	2022-2035	Department of Planning	75	County

## 13 | IMPLEMENTATION AND MONITORING

Community Plan Chapter	Action No.	Description	Type	Priority	Timing	Lead Agency*	Est. Cost (\$1,000)	Funding Source(s)
Urban Design	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.	Project	2	2022-2035	Department of Planning	0	N/A
Urban Design	10.05	Develop an urban forestry management plan for County and public property throughout Lānaʻi City. Include options for the planting of native and non-invasive species, where appropriate, and consider replanting Cook Island Pines only where there is adequate space for the mature trees. Encourage Pūlama Lānaʻi to adopt a similar plan.	Project	2	2022-2035	Department of Parks and Recreation	50	County
Urban Design	10.06	Select options for implementing LED lighting to save energy and provide a more point-like light source.	Project	2	2022-2035	DPW	0	N/A
Urban Design	10.07	<del>Prohibit the removal of plant material necessary for water recharge. Plant material necessary for water recharge shall not be used as a source of landscape planting materials.</del>	Project	2	2022-2035	Department of Parks and Recreation	0	N/A
HOUSING								
Housing	11.01	Develop and implement a comprehensive affordable housing plan for Lānaʻi within one year of adoption of the community plan.	Project	1	2016-2021	DHHC	50	County
Housing	11.02	Implement a housing rehabilitation program including loans, grants, and/or technical assistance and community outreach.	Program	1	2016-2021	DHHC	TBD	County, State, Private, Nonprofit
Housing	11.03	Amend zoning codes to allow a greater variety of housing types, including mixed-use, mixed housing types, co-housing, prefabricated homes, and small lots.	Project	1	2016-2021	Department of Planning	0	N/A



# APPENDICES

## Appendix 9.3 Historical Planning Standards

The text below is excerpted from page numbers 62 and 63 of the 1998 Lāna`i Community Plan. The following is retained for historical purposes and does not have the force and effect of law.

1. Land Use Standards:

- a. Fifty percent of the 10-acre Light Industrial area above the Kaumālapa`u Quarry, identified as TMK 4-9-2:portion of 1, shall be sold in fee simple upon development.
- b. Fifty percent of the 10-acre Light Industrial area at the Shuttle Station, identified as TMK 4-9-2:portion of 1, shall be sold in fee simple upon development.
- c. Fifty percent of the 20-acre Heavy Industrial area at Miki Road, identified as TMK 4-9-2:portion of 1 and 50, shall be sold in fee simple upon development.
- d. Fifty percent of the 3.4-acre Business/Commercial area at the Lāna`i City shop area, identified as TMK 4-9-5:portion of 90, shall be sold in fee simple upon development.
- e. No trees shall be removed from the additional 1-acre Hotel area behind Hotel Lāna`i, identified as TMK 4-9-11: portion of 1, because of hotel or related use.