

MINUTES

PLANNING COMMITTEE

June 7, 2017

A meeting of the Planning Committee of the County of Kaua'i, State of Hawai'i, was called to order by Mason K. Chock, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, June 7, 2017, at 11:42 a.m., after which the following Members answered the call of the roll:

Honorable Arthur Brun
Honorable Ross Kagawa
Honorable Derek S.K. Kawakami
Honorable JoAnn A. Yukimura
Honorable Mason K. Chock
Honorable Arryl Kaneshiro, Ex-Officio Member
Honorable Mel Rapozo, Ex-Officio Member

The Committee proceeded on its agenda item as follows:

Bill No. 2627, Draft 3 A BILL FOR AN ORDINANCE TO AMEND CHAPTER 10, KAUA'I COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW ARTICLE 5B, RELATING TO THE LIHU'E PLANNING DISTRICT (*County of Kaua'i, Applicant*) **(This item was Deferred to July 5, 2017.)**

Committee Chair Chock: Thank you. Committee members, I just wanted to give you a little bit of an update. The request for this item is for a deferral to July 5th. Since we last had this item on the agenda, the request from the Planning Department was to continue their research on the islandwide Additional Rental Unit (ARU) Bill, and they have done so at the last meeting with the Housing Task Force. They have put together a draft bill that they would like to move forward on introducing; however, in our last meeting, one (1) of the requests prior to them moving forward on anything was maps that would give us some indication of eligibility or the impact of eligibility. So because of that, they would like a little bit more time to complete that work and have requested this deferral with the anticipation that a bill would be introduced, sent to the Planning Commission, and then on to us so that we can have these two (2) bill side-by-side to look at together. That is the request at this point. I know that there were further requests, I think from Councilmember Yukimura, to have an update in writing on their process in terms of the research they have done. If that is so, I would encourage it and would just ask that is something that is put into writing so the specific things that you are looking for are met. You can make that request now, too, if you would like. Councilmember Yukimura.

Councilmember Yukimura: So the Planning Department will introduce a bill that is going to be here on July 5th?

Committee Chair Chock: No. We will defer this until July 5th.

Councilmember Yukimura: Yes. I think it is premature to have a bill until we hear the report.

Committee Chair Chock: Yes.

Councilmember Yukimura: I am just thinking that the Planning Department has embarked on this ambitious research, talking to communities, and so forth, and I would like to have a report in writing about what their process was, the outcomes, and the support of their conclusions. That is my request.

Committee Chair Chock: Great.

Councilmember Yukimura: I am sort of assuming it would happen.

Committee Chair Chock: Let me just verify, I think what I heard was that the Planning Department would be introducing it. But, in fact, I think the consideration is that Councilmember Brun and I will be introducing that islandwide bill when we get the final maps together if we feel comfortable moving forward. If there are no questions...do you have some questions for the Administration?

Councilmember Kagawa: No. I just wanted to also add that if there was any possibility that when the report comes out, that the Planning Department address the illegal situations where we have illegal structures that have been in existence from way back, and what is their plan in order to try and get compliance with those illegal ones should this bill pass. I think it is very important for me to see if it passes, that we get these people to comply with the new standards in reporting because I feel like if you are not going to do that, you may as well go the illegal route. I do not think you should have a legal route and an illegal route. I think it should all be legal. It should have never been illegal from way back. We cannot turn back the clock. This is not *Back to the Future*. We cannot go back to 1970 or 1980, but if you pass a law that significantly changes the maximum lot square footage for another structure to be built, we are cutting it in half from ten thousand (10,000) square feet to five thousand (5,000) square feet. I feel like that is a really significant change, and I would like to see the Planning Department come up with a plan to get as much people as possible in legal standing because I really feel it is unfair. It is really third-world to have an illegal category and a legal category. It all has to be legal. This is the United States. We live in a land of laws. I think laws should be abided by. Thank you, Committee Chair Chock.

Committee Chair Chock: Are there any other requests before this deferral? No. Would anyone like to testify on this item?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Committee Chair Chock: Is there further discussion? If not, I need a motion to defer to July 5th, please.

Councilmember Brun moved to defer Bill No. 2627, Draft 3 to July 5, 2017, seconded by Councilmember Yukimura, and unanimously carried.

There being no further business, the meeting was adjourned at 11:48 a.m.

Respectfully submitted,



Allison S. Arakaki
Council Services Assistant I

APPROVED at the Committee Meeting held on June 21, 2017:



MASON K. CHOCK
Chair, PL Committee