MEETING NOTES

DATE	August 3, 2009
MEETING DATE	July 31, 2009
SUBJECT	**Līhu‘e Town Core Urban Design Plan (Town Core Plan) Citizens Advisory Committee (CAC) meeting to discuss the draft ordinance for the Town Core**
ATTENDEES	Pat Griffin / KHPRC, LBA, Griffin Noyes Assoc. Neil Clendeninn / Doctor, Līhu‘e Tomorrow Palmer Hafdahl / Palm’s Hawai‘i Barbara Curl / LBA Ed Nakaya / KIUC Stanley Doi / State DAGS Eric Agena / State DAGS Mike Dahilig / County Attorney Myles Hironaka / County Planning Marie Williams / County Planning Lea Kaiaokamalie / County Planning Imai Aiu / Deputy Director, County Planning Ian Costa / Director, County Planning
HANDOUTS DISTRIBUTED	“Draft Ordinance Establishing Regulations, Procedures, Zoning and Development Plans for the Līhu‘e Town Core Area…” “Chapter 2.0 Vision, Goals, Objectives for the Līhu‘e Town Core, *revised*”

MEETING PURPOSE
To discuss the Draft Ordinance in detail with members of the CAC.

Meeting began at 9:15 am.

MEETING SUMMARY

1. Marie Williams (staff planner) provided a PowerPoint presentation which summarized the implementing ordinance, highlighted sections and/or language in the draft ordinance that needed further discussion or clarification, reviewed revisions of Chapter 2.0 of the Plan, and provided a summary of the schedule for ordinance adoption.

   The staff planner explained that the resulting language of the ordinance should: (1) be consistent with the County Zoning Ordinance (CZO); (2) consider staff that will be responsible for administering new rules (regulatory planners and plan technicians); and (3) be straight-forward and as concise as possible. Furthermore, these considerations regarding the language of the ordinance should remain consistent with the vision and recommendations of the Town Core Plan and [for the purposes of this plan process] retain the language of the original plan as much as possible.

   Refer to PowerPoint notes appended to this meeting summary

2. Discussion ensued regarding the language used in the ordinance, specifically on the following:

   a. "Shoulds" vs. "Shalls" – *recommendations vs. requirements*

      "Shalls" – are direct and enforceable. They describe required standards or actions.
      "Shoulds" – will be treated as guidelines or recommendations.

      Staff revised language to reflect explicit standards to be enforced versus those that will serve to *guide* [applicants in] project developments.

      There was discussion on specific sections of the ordinance. CAC members were encouraged to send recommended language changes, if any, to staff. Otherwise, CAC agreed that staff should make changes to ordinance as deemed fitting/necessary.

   b. [Language] Redundancies

      There was some discussion on adding a provision regarding signage to allow for approval of exemptions by the Planning Director. Otherwise, CAC agreed that staff should make changes as deemed fitting/necessary.

   c. [Treatment of] Exemptions [to requirements by Planning Director or Commission]

      There was discussion on adding provision for approval of exemptions by the Planning Director or Planning Commission, specifically relating to setback and build-to lines. The

CAC agreed that staff should add "Planning Director exemption clause" where necessary to clarify process in which deviations from requirements could be considered.

d. Exemptions or Loopholes [inherent in the current language]

There was discussion regarding exemptions/loopholes in current language, specifically relating to roof styles. Recommended language change:

"For the sloped portion of the roof the use of more than one type of material is Prohibited… The Planning Director may grant an exemption if variations can be shown to be consistent with neighborhood character and/or improve energy-saving performance."

e. Vague guidelines [especially as it relates to design]

There was discussion regarding i) (9) on page 9 relating to "canopies, awnings, overhangs, or other building facades." P. Hafdahl defined canopies, awnings, and other building facades and recommended keeping each of these descriptions in the requirements. There was concern regarding requiring historic buildings to be fitted with these types of building projections. P. Griffin stated that adding facades to historic buildings, whether registered as historic or not, will impact its character and potential historic value. There was discussion on the original intent of requiring canopies, awnings, etc on buildings to improve upon the "pedestrian experience," specifically along Rice Street and to encourage walking.

No decision was made during this meeting on whether or not historic buildings will need to comply with this requirement. Further discussion and decision is needed.

f. Contradicting Statements

The following contradicting statements on page 33 relating to building density and mass in the SPA-G were discussed:

"The overall scale and massing of buildings within the neighborhood should not take precedence over the scale of any individual building. **No new building should <u>significantly change the overall scale of Civic Center buildings</u>**, particularly the historic buildings.

Potential conflict with:

<u>Civic buildings may be designed to be of a grander scale</u>. However, human-scale elements, such as windows, doors and ornamentation, should be used to break-up large surfaces."

Adding a preface to each Special Planning Area section to clarify the intent of guidelines

[toward the plan vision and goals] was suggested. The CAC agreed that staff should develop language for preface. Any further suggestions from the CAC should be mailed to the staff planner.

3. Special Planning Areas (SPA-) D, E and F, which will introduce three new sections to the CZO relating to design, were discussed. These sections are: "Enhance the Streetscape...;" "Architecture Context and Connectivity;" and "Building Density and Mass."

   It was suggested that a section on definitions should be added to the ordinance to clarify new terminology.

4. Details regarding design guidelines for building height, roofs, and design of off-street parking facilities in SPA-D, SPA-E, and SPA-F were discussed.

   There was a question about what types of development or building improvement projects would trigger need to comply with new regulations/guidelines. In particular, E. Nakaya asked whether, for example, minor structural improvements would trigger the necessity of a homeowner to relocate their utilities box away from the street if it is currently facing the street or in plain view of pedestrians. There was discussion on the intent of requiring utility boxes to face away from the street, to make it inconspicuous. However, E. Nakaya stated that utility boxes cannot be located to the back of the building or anywhere that utility workers cannot easily access them [from the street].

   Since the mixed-use district is an overlay zone, the current zoning still applies. Buildings that do not meet the standards of the overlay are not "nonconforming" if they comply with the current zoning for that parcel/area.

   There was no decision regarding thresholds that would trigger compliance with new rules (regarding the siting of utilities or thresholds for triggers for other proposed regulations) particularly in the Akuhi/Elua (Umi) Streets Neighborhood/ Mixed Use Area. Further discussion with Planning Department staff is needed.

5. Views, enhancing the streetscape, and building materials and colors were discussed for the Civic Center area (SPA-G).

   In particular, department staff suggested the following changes to 7.3 c) Views to:

   "(1) Structures should be oriented **to minimize intrusion into views of Waialeale, Haupu, and Kalepa**."

   Versus

   "… to minimize intrusion into mauka makai and north south views… and the ocean."

As this would seriously impede any structure from being built.

6. Changes to Section 8 of the ordinance relating to implementation of the Town Core Plan were discussed. The original language of this section tasked the Planning Department to create a Citizens Improvement Advisory Committee appointed by the Mayor and staffed by the Long Range Planning Division which would assist the County in carrying out the recommendations of the Plan. The new language provides that the Planning Department develop an outreach program to work with existing community organizations and interested individuals to implement the plan and shall report to the Planning Commission on an annual basis. In this way, the Planning Department, specially the Long Range Division staff, will be able to work more frequently and informally with agencies, public interest groups, and individuals to monitor the implementation of plan.

7. The staff planner provided a timeline for the adoption of the Town Core Ordinance as follows:

    - CAC approval of [draft] ordinance
    - County attorney review of ordinance
    - Planning Commission hearing date set
    - Public meeting date set
    - Public notice [including notice to landowners] set
    - Public meeting held hosted by the LBA
    - Planning Commission hearing (may be more than one meeting)
    - Council hearing (may be more than one meeting)

The meeting ended at approximately 12 noon.

Submitted 8/3/09 by L. Kaiaokamalie. Changes to meeting summary welcomed.