



**North Shore Sustainable Communities Plan**  
**CPAC Meeting #10, Part 2 Minutes**  
**August 21, 2023, 6:00 PM – 8:30 PM**  
**Waialua Elementary School Cafeteria**

**Attendance**

**C&C Department of Planning & Permitting:**

- ✓ Brandon Soo (Project Manager) *Joined virtually*
- ✓ Dina Wong (Division Chief, Planning Division)
- ✓ Franz Krantz (Acting Branch Chief, Community Planning)
- ✓ Zachary Stoddard (Planner)

**SSFm:**

- ✓ Melissa May (Project Manager)
- ✓ Malachi Krishok (Planner)
- ✓ Keith Mattson (Facilitator)
- ✓ Ollie Gaskell (Planner)

**CPAC (7 of 31 members):**

CPAC Member	Attendance	CPAC Member	Attendance
Adam Borrello	<input type="checkbox"/>	Lynell DaMate	<input type="checkbox"/>
Calvin Mann	<input type="checkbox"/>	Maka Casson Fisher	✓
Christine Alexander	<input type="checkbox"/>	Manu Anana	<input type="checkbox"/>
Dana Sato	<input type="checkbox"/>	Mark Takemoto	<input type="checkbox"/>
Denise Antolini	✓	Mia Perkins	<input type="checkbox"/>
Devon Dailey	<input type="checkbox"/>	Mike Biechler	<input type="checkbox"/>
Diane Anderson	<input type="checkbox"/>	Mike Takahashi	<input type="checkbox"/>
Doug Cole	✓	Nick Farrant	<input type="checkbox"/>
Ed D’Ascoli	✓	Racquel Achiu	✓
Jodi Wilmott	<input type="checkbox"/>	SharLyn Foo	<input type="checkbox"/>
Joe Wilson	<input type="checkbox"/>	Tehani Louis-Perkins	<input type="checkbox"/>
Kalei Pollock	<input type="checkbox"/>	Tony Kelly	<input type="checkbox"/>
Kathleen Elliott-Pahinui	✓	Will Schoettle	<input type="checkbox"/>
Kevin Kelly	<input type="checkbox"/>	Yvonne Alexander	<input type="checkbox"/>
Kimo Lyman	<input type="checkbox"/>	Zoe Bryan	<input type="checkbox"/>
Leif Andersen	✓		

✓ = Present     = Absent

## AGENDA

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1. Welcome, wehena, Meeting Agenda & Purpose
2. Plan Development Process
3. Discussion of Goals, Policies, Actions
  - Housing & Development
  - Commercial Uses
  - Agriculture
  - Tourism Management
4. Next Steps

***The meeting ended after the Commercial Uses discussion due to time constraints and will be continued at a future meeting.***

## Meeting Minutes

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**(Q = Question; A = Answer by Project Team; C = Comment by CPAC Member)**

### **1. WELCOME, WEHENA, MEETING AGENDA & PURPOSE**

Keith Mattson opened the meeting with a moment of silence for the Lahaina families and community and all impacted by the wildfires on Maui and Hawai'i Island. Maka Casson-Fisher offered a wehena for the meeting sharing an *oli* (chant) honoring *wai* (water). Kathleen Pahinui shared opening words – sharing that a lot has changed since the process began and that the Maui fires have brought a lot into focus for the community. She asked that the community's input and strong sentiments be taken in the spirit of care for the community.

### **2. PLAN DEVELOPMENT PROCESS**

Melissa May provided an overview of the plan development process and spoke about implementation considerations for the CPAC members as they work in an advisory role in the North Shore Sustainable Communities Plan development. Lastly, Melissa shared the workshop approach and format for addressing priority topics identified based on CPAC input, noting that the objective of the discussions is to move toward consensus on policy direction for each of the priority topics.

### **PLAN DEVELOPMENT Q&A**

- **Q:** Do the goals/policies/actions shared today incorporate our comments from the CPAC review?
  - **A (SSFM):** The table handout is the same as the one reviewed in the module, so they do not incorporate the comments received in the CPAC review module. The discussion tonight will center around solidifying policy direction on a few key areas where the CPAC provided input.

- **Q:** Is the plan supposed to be reviewed every five years? For practical purposes and the time and effort given to the update process, that's a short time to have everything in the plan rewritten.
  - **A (DPP):** A lot of ordinances say every 5 years, but DPP moving more toward every 10 years, which is more realistic given that this is a 25-year plan.

### 3. PRIORITY TOPICS

#### HOUSING & DEVELOPMENT DISCUSSION

##### *Affordable Housing*

- **C:** Thinking about emergency preparedness, don't think the community has capacity for any more development. Still so much we need to do to catch up and take care of existing community – emergency routes, shelters, cesspool conversion, etc.
- **C:** Now that have the Mill Camp underway, don't see any other place on the North Shore given pressures on cesspools, infrastructure, roads, etc. to accommodate housing development.
  - Sept. 26<sup>th</sup> the Mill Camp EA will be presented to the Neighborhood Board.
- **C:** Difference between Mill Camp and others is that it is an affordable rental project directed at local families and a camp that already existed in past.
- **C:** Key is that it is rental – smaller scale can see benefit to families who need housing and also avoiding STR, 30-day rental problem.
  - **A (DPP):** Usually can put a minimum restriction of a 1-year lease for affordable rentals.
- **C:** If we support development that is affordable rentals, that will also limit outside buyers coming in as investors and displacing residents.
  - **Q:** Could we require that small scale subdivisions be long-term rentals?
    - **C:** Careful of death by one-thousand cuts – allowing small-scale development can add up to a lot over time.
- **Q:** Regarding the policy about directing new development to Hale'iwa and Waialua, is this discussion related to all development or just housing, and is the intent to limit development to these areas or limit development in these areas?
  - **A (DPP):** The policies direct new residential development to be within CGB and in Waialua and Hale'iwa, so it refers to limiting residential development to those areas. Some of the CPAC comments indicated that they would also like to limit development in these areas as well.
  - **C:** Community feels very differently about affordable housing vs. high-end development and residential development in general – would like a clearer distinction in this discussion.
  - **A (DPP):** We already know from the input that the desire is for affordable housing for local families. This discussion is focusing on what affordable housing looks like and where it should go.
- **C:** We should discuss language in the plan about where to direct housing for infill.
  - **A (DPP):** Right now the land use map only designates infill housing between Goodale Ave and Puuiki – do we want to keep that in the Plan?
    - **C:** Infill in the flood zone should not be allowed.

- **Q:** What about Dillingham Ranch? That's not designated for infill in the Plan.
  - **A (DPP):** That project occurred before [DPP's current project team] time – by designating infill areas we are trying to make sure something like that doesn't happen again.
  - **C:** This an example of why we want to be clear about the words we use in these plans – if we are going to call something infill, make sure it is good land and makes sense.
- **C (DPP):** If in the land use map, then hard to say no infill. The land use map is a key tool for designating where it should go.
- **C:** How does floodplain come into play when development is proposed?
  - **DPP:** Development has to meet more stringent standards.
- **C (SSFIM):** The Climate Change chapter has policies and actions related to limiting and discouraging development in floodplains and other vulnerable areas. This will help direct development away from these areas over time. The policy to develop an inventory of developable land can also use things like floodplains as a criteria for defining “developable” land.
  - **C:** The inventory will be very important for defining where development should occur going forward. That should be the next step.
- **C:** Any numbers in the plan regarding future housing development should be removed for now, and should be determined by the inventory.
- **C:** Concerned that state Rural land use designation will be used on North Shore and further allow residential development on large ag lots.
  - **A (DPP):** NSSCP Land Use Map designations include Rural and Rural Residential – has to do with density.
    - Rural corresponds to Country Zoning (2011 plan includes a definition on p. 3-43)
    - State Rural District is different from NSSCP Rural (Country zoning).
      - State Rural has not be designated on O'ahu and has mostly been used across the State in old plantation villages.
      - In this plan, we could define whether or not we want that designation at the State level.
    - **C:** Confusing, to have a “rural” land use designation in plan that does not correspond to the State Rural LUD.
  - **C:** Have heard is that there is pressure from state to expand Rural designation to unproductive ag lands – North Shore is vulnerable to this and including existing designations that sound similar (“rural residential” “rural”) could be dangerous. Would prefer to have a clear statement in the plan that the State Rural Land Use Designation is not appropriate for the North Shore. If housing is desired/appropriate in additional areas in the future, then should go though the process to change the zoning and land use to Urban.
  - **C (DPP):** Currently do not know what the end result of State Rural designation on O'ahu will be, or if legislature will modify definition of Rural – right now it allows one dwelling.
    - OK with including language saying we do not want state rural designation on North Shore.

- **C:** The overall idea is we do not want housing on Ag land, but there are things other than housing like giant renewable energy farms using productive ag land that are a concern.
- **C:** How do ADU's factor into the inventory of developable land?
  - **A (DPP):** ADU's factor into developable area of lots and # of developable units.
- **C:** Thinking of Lahaina, make sure houses are not so close together.
  - **A (DPP):** This is an LUO issue. LUO updates are occurring through a separate, island wide process.
- **C (DPP):** SMA process provides a layer of review and community input – requires a presentation to NB.
  - **C:** Issue is that people are coming in saying their development is less than \$500k to avoid a major permit. Then later they will come in with another <\$500K project, until over time the development builds up. Need to stop that practice.
- **Q:** In effort to properly guide people wanting develop these types of infill projects – is it possible to require presentation to NB similar to SMA's so that we can review each project and submit recommendation to DPP?
  - **A (DPP):** If you do not need a discretionary permit (i.e., zoning permit, SMA, etc.) and just a building permit, it does not need to be reviewed for consistency with NSSCP.
  - **Q:** What can we do/include in this plan to create criteria for individual developers who are otherwise building within LUO requirements?
    - **A (Team):** Difficult to require additional review for individual building permits if they are in areas where the zoning allows it. Land use map is a key lever for determining where future development and infill is allowed. Also policies about limiting development in floodplains and other hazardous areas.
      - **C:** Housing is being built quickly and they are dumping wastewater into flood prone areas.
- **C:** Biggest problem is on Ag land where people buy land and build big homes without permits.
  - **C:** This is a different issue – houses are going up and claiming they are exempt ag structures but have waste treatment, etc.
  - **C:** We have a developer in Waialua who has claimed affordable housing, claimed CPR, but the land is not CPR'd and no wastewater treatment. People there are living in squalor – it is a slum.
    - **C:** There's a disconnect because these types of developments are not coming before the NB.
    - **C:** A consequence is that there is no emergency service, no record of people living there.
    - **C:** The plan needs to have language/priority action so that community can make a statement that DPP can reference when these types of projects come up.
- **C:** Going back to affordable, it's usually not – who can afford \$500k? If affordable housing is sold, it will eventually be opened up to other people. People who buy it at affordable price turn around and sell it for profit.
  - **C:** Affordable rentals are more desirable – Mill Camp is saying rental will be a portion of the ag production. Need to make sure it won't eventually get taken advantage of and not help local people.

- **C:** Need to somehow control influx of people who want to live on the North Shore- need DPP to get more teeth in enforcing the rules.

#### **CPAC Proposed Policy Direction:**

- Update policies around housing to emphasize a preference for affordable rental housing for local residents.
  - *Example: RC1/1.3/P1 – REVISE LANGUAGE “...provide affordable rental housing to area residents.”*
- Remove language identifying a certain # of new homes to be developed. Instead, call for an inventory of developable land, factoring in constraints like floodplains, infrastructure, etc. to inform future development.
  - *Example: RC1/1.3/P1 – REVISE DESCRIPTION remove references to number of homes and strengthen reference to the inventory of developable land*
- Add a statement that the SLUD Rural designation is not appropriate/desired on the North Shore.
- Review Land Use Map to determine whether changes are needed to reflect input received.
- Add further clarity around infill – definition, where it can occur, what level of review is required.

#### **HOUSING & DEVELOPMENT DISCUSSION**

##### ***Expansion of Community Growth Boundary***

- **C:** Mill Camp change to CGB was common sense because it matches the existing/historic footprint. But otherwise need to be clear that we do not want to expand the growth boundary.
  - **C:** Like the wording currently included in the policy description – “rigorous vetting.”
- **C (SSFM):** Also some comments on the inventory of developable land within the CGB – can develop criteria of what constitutes developable:
  - **C:** This aligns with concerns earlier and supports enforcement against proposals in areas that are not in good location for development (i.e., in flood plain).
  - **C:** Talking about inundation related to climate change – good that the priority action includes other factors i.e., FEMA flood plains.

#### **CPAC Proposed Policy Direction:**

- Keep existing policies around retaining the CGB.

#### **COMMERCIAL USES**

##### ***Mobile Commercial Establishments***

##### *Hale'iwa MCEs*

- **C:** Some existing permitted MCEs and some that are allowed under the special ordinance but not permitted.

- **C:** How food trucks became part of Hale'iwa Special Design District is unclear. It goes against the intent of the SDD, and brick and mortar buildings have to abide by the Special Design District Guidelines (incl. signage, wastewater – no pass zone).
  - Tenants of brick and mortar are limited to how many food and retail establishments can be there.
  - Property owners are taking advantage of the loophole but putting 8 lunch wagons on a lot that otherwise would only allow 1 or 2 brick and mortar and get away with only paying property tax for vacant land.
  - No enforcement and feel it has no place in the SDD.
- **C:** Would be nice to include language in the plan that does not support the SDD Ordinance (Article 9).
  - **A (DPP):** We can put in the plan that we want to repeal the ordinance – will also guide LUO revisions.
- **Q:** Would the existing permitted MCEs be grandfathered in?
  - **A (DPP):** Special District Permits do not expire – but if they wanted to modify or expand and the ordinance is repealed then they wouldn't be able to modify.
  - **Q:** The permit is held by the property owner?
    - **A (DPP):** Yes – tied to the land/parcel.
- **C:** Maybe there needs to be additional statement that Special Design District restricts any MCE.
- **C:** Think the language related to SDD may be too gray – only applying to architectural features. Need to be more clear that these types of establishments are not allowed in the district.
  - **A (DPP):** Can add a statement in the plan that MCE's shall not be allowed in the Hale'iwa SDD.

#### *Pūpūkea MCEs*

- **C:** RCCC's only really apply to the one parcel that is currently the Halepohaku development. There's an alternative vision for that parcel as a first responders hub, starting to gain some traction but need to consider how that fits in with the plan and also the existing settlement.
  - Settlement allows 5 MCE's.
  - Issue is that the MCE's on the RCCC parcel are not mobile.
    - Supposed to move twice a month but have not documented this.
- **C:** The goal of this plan is for North Shore to retain rural character – we don't want to be like other parts of the island.
- **Q:** Is it possible to address the overall issue of MCE's on North Shore in another section of plan?
  - **A (SSFM):** See PR1/1.1/P1 (Parks)
    - **C:** Don't think that would address ones at Sunset which are outside of parks.
  - **C:** Bill 10 addressed this and removed as allowable use in Country zoning.
- **C:** If we state in this plan that we do not support MCE's anywhere on the North Shore, it's a statement that we can strive toward.
- **C:** Can we remove RCCC land use designation?

**CPAC Proposed Policy Direction:**

- Add policy to repeal Article 9 of LUO allowing mobile food establishments in Hale'iwa Special Design District (and edit or remove conflicting policies).
- Add language regarding requirement for MCE's to move twice a month (Example: RC/2.3)
- Add language about MCE's not being compatible with North Shore rural character in general (RC2/2.1/P3)

***Local Serving Businesses***

- **C:** Waialua Mill Industrial – important that not consistent with zoning, so expansion would require a zone change.
  - **C:** Add language that businesses should not cater to tourists.
- **C:** Not a lot going on at the Mill site but definitely want to make sure anything that goes there in future is consistent with what community wants – opportunities and ideas will grow with development of Mill Camp.
- **C:** Get that at sugar mill do not want tourist retail to open up, but need to be able to allow local business to manufacture and have some small scale retail attached to their production. This is important for their economic viability. Needs to be stated in a way that DPP can enforce.
  - **A (DPP):** Retail not allowed in I-1/I-2 but is allowable accessory use to principal use of manufacturing.
- **C:** Currently it's working but if we add more granular language then does that change things, or have unintended consequences?
- **C (DPP):** Existing Mill is not a tourist hub because not attracting that type of activity in current condition but can see the concern.
  - **C:** Concern is that a landowner could take the existing zoning and repurpose for tourist-focused business.
  - **C (DPP):** If fits in the current zoning than not a lot DPP can do. Difficult to enforce the type of products and clientele of a business.

**CPAC Proposed Policy Direction:**

- Remove expansion of Waialua industrial area from policies.
  - *RC3/3.1/P1 - REMOVE priority action re: expanding industrial area.*
  - *Land Use Map - REVISE Waialua industrial to remove expansion area*
- Ensure that existing regs support small scale manufacturers having some retail capability in their space.

- End of Meeting Minutes -