

COUNCIL OF THE COUNTY OF MAUI

# PLANNING AND LAND USE COMMITTEE

September 21, 2004

**Committee**  
**Report No.**

04-167

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Planning and Land Use Committee, having met on August 17, 2004, makes reference to County Communication No. 02-246, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 2730 (1998), AS AMENDED, PERTAINING TO THE GRANTING OF A CONDITIONAL PERMIT TO MAUI ECONOMIC OPPORTUNITY, INC., TO OPERATE A TRANSPORTATION FACILITY WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY SITUATED AT PULEHUNUI, PUUNENE, MAUI, HAWAII".

The purpose of the proposed bill is to grant a three-year extension to the Conditional Permit that was granted by Ordinance No. 2730, as amended by Ordinance No. 2896, for the Maui Economic Opportunity, Inc. (MEO) transportation facility at the former Puunene Airport Site, identified for real property tax purposes as Tax Map Key No. 3-8-008:portion of 001. Your Committee notes that the Conditional Permit granted in Ordinance No. 2730, as amended by Ordinance No. 2896, expired on December 3, 2002.

At its meeting of January 10, 2003, the Council referred County Communication No. 02-246 to your Planning and Land Use Committee (County Communication No. 03-6).

Your Committee further notes that the Maui Planning Commission held a public hearing and meeting on the Conditional Permit application on October 22, 2002. After reviewing the findings presented in the document entitled "MAUI PLANNING DEPARTMENT'S REPORT AND RECOMMENDATION TO THE MAUI PLANNING COMMISSION OCTOBER 22, 2002 MEETING", the Commission voted to recommend approval of a three-year Conditional Permit extension.

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By correspondence dated January 28, 2003, the Chair of your Committee requested that the Planning Director provide relevant minutes of the Maui Planning Commission meeting of October 22, 2002.

By correspondence dated February 13, 2003, the Planning Director advised that the requested minutes were scheduled to be approved at the Maui Planning Commission meeting of February 25, 2003.

By correspondence dated June 9, 2003, the Chair of your Committee requested that the Planning Director provide relevant minutes of the Maui Planning Commission meeting of October 22, 2002.

By correspondence dated June 10, 2003, the Planning Director transmitted minutes of the Maui Planning Commission meeting of October 22, 2002.

At its meeting, your Committee met with the Deputy Planning Director, a Staff Planner from the Department of Planning, the Director of Transportation, and a Deputy Corporation Counsel

Your Committee received written and oral testimony in support of the proposed bill from the MEO Transportation Administrator. He advised that MEO's receipt of Federal transportation grant funds is premised on the subject property's continued use as a transportation facility.

Your Committee voted to recommend passage of the proposed bill and filing of the communication.

Your Committee is in receipt of a revised proposed bill, incorporating nonsubstantive revisions.

Your Planning and Land Use Committee RECOMMENDS the following:

1. That Bill No. \_\_\_\_\_ (2004), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 2730 (1998), AS AMENDED, PERTAINING TO THE GRANTING OF A CONDITIONAL PERMIT TO MAUI ECONOMIC OPPORTUNITY, INC., TO OPERATE A

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TRANSPORTATION FACILITY WITHIN THE COUNTY  
AGRICULTURAL DISTRICT, FOR PROPERTY SITUATED AT  
PULEHUNUI, PUUNENE, MAUI, HAWAII", be PASSED ON FIRST  
READING and be ORDERED TO PRINT; and

2. That County Communication No. 02-246 be FILED.

Adoption of this report is respectfully requested.

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**WAYNE K. NISHIKI** **Chair**

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**DANNY A. MATEO** **Member**

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**G. RIKI HOKAMA** **Vice-Chair**

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**MICHAEL J. MOLINA** **Member**

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**ROBERT CARROLL** **Member**

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**JOSEPH PONTANILLA** **Member**

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**JO ANNE JOHNSON** **Member**

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**CHARMAINE TAVARES** **Member**

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**DAIN P. KANE** **Member**