

PLANNING COMMITTEE
Council of the County of Maui

Meeting Agenda

February 23, 2009
1:30 p.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/PC/
e-mail: pc.committee@mauicounty.us

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VOTING MEMBERS

Sol P. Kaho'ohalahala, Chair

Jo Anne Johnson, Vice-Chair

Gladys C. Baisa

Bill Kauakea Medeiros

Michael J. Molina

Wayne K. Nishiki

Michael P. Victorino

NON-VOTING MEMBERS

Danny A. Mateo

Joseph Pontanilla

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (David Raatz or Clarita Balala) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit by 12 noon on the business day preceding the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

PC-4

SUPERSTORES

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 07-34, from the Council Chair, transmitting a draft resolution entitled "REFERRING A BILL PERTAINING TO 'SUPERSTORES' TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS". The purpose of the draft resolution is to refer to the planning commissions the attached draft bill entitled "A BILL FOR AN ORDINANCE TO PROHIBIT 'SUPERSTORES' IN MAUI COUNTY". The purpose of the draft bill is to establish new definitions for retail establishments to set forth limits on retail use, through restrictions on operation, renovation or expansion of retail establishments that may be or become a superstore.
2. Correspondence dated February 11, 2008, from the Planning Director, transmitting comments on the draft bill from the Lanai, Maui, and Molokai Planning Commissions, the Maui County Cultural Resources Commission, and the Hana Advisory Committee, in response to Resolution

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No. 07-108, entitled "REFERRING A BILL PERTAINING TO 'SUPERSTORES' TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS, THE MAUI COUNTY CULTURAL RESOURCES COMMISSION, AND THE HANA ADVISORY COMMITTEE", adopted on September 7, 2007.

STATUS: The Committee may consider whether to recommend passage of the draft bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 07-34 and other related action.

PC-45 ELIMINATING "STACKING" OF USES IN HOTEL AND LIGHT INDUSTRIAL ZONING DISTRICTS

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 06-178, from the Council Chair, transmitting two draft resolutions respectively attaching as exhibits draft bills relating to the elimination of "stacking" uses in the Hotel and Light Industrial Zoning Districts.
2. Correspondence dated June 28, 2006, from the Council Chair, transmitting the following:
 - a. A proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A DRAFT BILL TO AMEND SECTION 19.14.020, MAUI COUNTY CODE, RELATING TO PERMITTED USES IN HOTEL DISTRICTS", attaching as an exhibit the draft bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.14.020, MAUI COUNTY CODE, RELATING TO PERMITTED USES IN HOTEL DISTRICTS". The purpose of the draft bill is to amend Section 19.14.020, Maui County Code (MCC), to eliminate the wholesale "stacking" of permitted uses in the Hotel Districts (sometimes referred to as "pyramid zoning"), by deleting the reference to uses in other, disparate districts. The proposed amendments would eliminate from the list of permitted uses the catch-all allowance for "[a]ny use permitted in residential and apartment districts" and allow the following accessory uses: qualified accessory buildings; day care nurseries; and greenhouses, flower and truck gardens, and nurseries.
 - b. A proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A DRAFT BILL TO AMEND SECTIONS 19.24.020 AND 19.26.020, MAUI COUNTY CODE, RELATING TO USE REGULATIONS IN LIGHT INDUSTRIAL DISTRICTS", attaching as an exhibit the draft bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 19.24.020 AND 19.26.020, MAUI COUNTY CODE, RELATING TO USE REGULATIONS IN LIGHT INDUSTRIAL DISTRICTS". The purpose of the draft bill is to amend Sections 19.24.020 and 19.26.020, MCC, to delete from the M-1 and M-2 Light Industrial Districts those uses permitted in the B-1, B-2, or B-3 districts. The proposed amendments would also eliminate "apartment houses" from the list of uses in the Light Industrial Districts and allow accessory uses and structures necessary to facilitate the establishment of the enumerated principal permitted uses.

STATUS: The Committee may consider whether to recommend adoption of either or both of the proposed resolutions, with or without revisions. The Committee may also consider the filing of County Communication No. 06-178 and other related action.