

# PLANNING COMMITTEE

Council of the County of Maui

## Meeting Agenda

November 30, 2009

1:30 p.m.

Council Chamber, 8<sup>th</sup> Floor  
200 South High Street, Wailuku, Hawaii

website: [www.mauicounty.gov/committees/PC/](http://www.mauicounty.gov/committees/PC/)

e-mail: [pc.committee@mauicounty.us](mailto:pc.committee@mauicounty.us)

### 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-44

## AMENDMENT TO DEFINITION OF HEIGHT

### DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 06-104, from the Planning Director, transmitting a proposed bill to establish the finish grade as the point from which structural height shall be measured within projects that have received site-plan approval in association with a Special Management Area permit, Project District Phase II approval, or Planned Development approval.
2. A draft bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.04.040, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS", transmitted by the Planning Director to the Council's Planning Committee (2007-2009 Council Term) at its November 18, 2008 meeting. The purpose of the draft bill is to establish that the building height shall conform to the elevation as indicated on the approved site plan (which may use finish grade to measure height) for projects that received site plan approval in association with

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Project District Phase II approval, Step II Planned Development approval, or final subdivision approval after September 4, 1991; and (2) to establish the finish grade as the point from which structural height shall be measured within projects that have received Project District Phase II approval prior to September 4, 1991.

**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. 06-104 and other related action.

**NOTE:** With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

**PC-15                    SOLAR ENERGY FACILITIES AS PERMITTED USES IN THE AGRICULTURAL ZONING DISTRICT**

**DESCRIPTION:** The Committee is in receipt of County Communication No. 09-247, from the Planning Director, transmitting comments and recommendations from the Lanai Planning Commission, Maui Planning Commission, and Molokai Planning Commission on the draft bill entitled "A BILL FOR AN ORDINANCE TO ESTABLISH SOLAR ENERGY FACILITIES AS PERMITTED USES IN THE AGRICULTURAL ZONING DISTRICT", attached to Resolution No. 08-95. The purpose of the draft bill is to establish solar energy facilities as permitted uses in the Agricultural Zoning Ordinance by amending Sections 19.04.040 and 19.30A.050, Maui County Code.

**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. 09-247 and other related action.