

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

December 17, 2010

Committee
Report No. _____

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

Chair and Members:

Your Planning Committee, having met on November 29, 2010, makes reference to the referrals noted on Exhibit "A", attached hereto and incorporated herein.

Your Committee noted that the end of the current Council term was approaching. In preparation for the new Council term, the Chair of your Committee recommended that certain pending matters be referred to the Council Chair for the term beginning January 2, 2011, pursuant to the following provision of the Rules of the Council:

Rule 21. Filing of Items.

A. End-of-term filings; exceptions. At the expiration of a Council term, all items pending before the Council and its committees shall be deemed filed and disposed of; provided, that the following items shall be deemed referred to the Council Chair for the ensuing term, for consideration by the Council:

1. An item transmitted by another governmental agency to the Council, pursuant to a legal requirement, for Council action;
2. Pending legislation that has passed only one of two required readings; and
3. Subject to Council approval, items recommended for referral by the Council Chair for matters pending before the Council, and items recommended for referral by the chair of a committee with the approval of that committee for matters pending before that committee.

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B. Resubmittal not prohibited. This provision shall not prevent the resubmittal of any matter to the Council in a subsequent term, for consideration as a new item.

Accordingly, your Committee voted 5-0 to approve the recommendation of the Chair of your Committee. Committee Chair Kaho`ohalahala, Vice-Chair Johnson, and members Baisa, Molina, and Victorino voted "aye". Committee members Medeiros and Nishiki were excused.

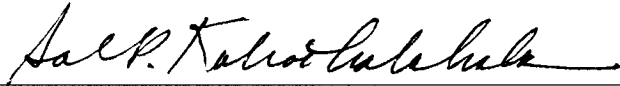
Your Planning Committee RECOMMENDS that the communications noted on Exhibit "A" be REFERRED to the Council Chair for the term beginning January 2, 2011.

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This report is submitted in accordance with Rule 7 of the Rules of the Council.



SOL P. KAHO'OHALAHALA, Chair

pc:cr:10end:dmr

EXHIBIT "A"

PC-14 SPECIAL MANAGEMENT AREA PERMIT COMPLIANCE

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
08/25/2009	CC 09-235	Councilmember Jo Anne Johnson, relating to Special Management Area permit compliance.

PC-16 CONTROLLING FOWL IN RESIDENTIAL AREAS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/04/2001	CC 01-277	Council Vice-Chair Dain P. Kane, relating to the matter of crowing roosters in or near residential areas.
09/15/2006	CR 06-110 (Recommitted)	Planning Committee, recommending adoption of resolution referring a draft bill relating to fowl in Residential, R-0 Zero Lot Line Residential, Two-Family (Duplex), and Apartment Districts to the Planning Commissions.

PC-17 DEFERRAL AGREEMENTS FOR SUBDIVISION IMPROVEMENTS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
10/02/2009	CC 09-276	Councilmember Jo Anne Johnson, relating to County practices concerning deferral agreements, including agreements that provide for the deferred delivery of improvements or collection of in-lieu fees under Title 18, Maui County Code, relating to subdivisions.

PC-20 MAXIMUM WALL HEIGHT IN AGRICULTURAL DISTRICT

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
01/15/2010	CC 10-12	Council Chair Danny A. Mateo, transmitting a letter from Jim Whitehead, relating to Maui County Code, Section 19.30A.030(F), maximum wall height.

PC-31 TRANSFER OF DEVELOPMENT RIGHTS

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/09/2010	CC 10-253	Councilmember Jo Anne Johnson, transmitting Resolution No. 03-189, entitled "REFERRING A PROPOSED BILL PERTAINING TO THE TRANSFER OF DEVELOPMENT RIGHTS TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS".

PC-47 TRAFFIC IMPACT FEES

<u>DATE REFERRED</u>	<u>REFERENCE</u>	<u>SUBJECT</u>
11/03/2006	CC 06-276	Councilmember Charmaine Tavares, transmitting the following: <ol style="list-style-type: none">1. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN HANA, MAUI, HAWAII";2. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII";3. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN MAKAWAO-PUKALANI-KULA, MAUI, HAWAII"; and4. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHULUI, MAUI, HAWAII".
01/05/2007	BILL 66 (2006)	"A BILL FOR AN ORDINANCE TO ESTABLISH A FEE SCHEDULE FOR KIHEI-MAKENA TRAFFIC IMPACT FEES".

01/05/2007	BILL 67 (2006)	“A BILL FOR AN ORDINANCE TO ESTABLISH A FEE SCHEDULE FOR WEST MAUI TRAFFIC IMPACT FEES”.
01/05/2007	BILL 77 (2006)	“A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI, AS IT PERTAINS TO REVENUES – RATES, FEES AND ASSESSMENTS FOR TRAFFIC IMPACT FEES”.
04/10/2007	CC 07-116	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.62, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WEST MAUI, HAWAII”.
04/10/2007	CC 07-117	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.68, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN KIHEI AND MAKENA, MAUI, HAWAII”.
06/15/2007	CC 07-185	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.70, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN HANA, MAUI, HAWAII”.
06/15/2007	CC 07-186	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.74, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN MAKAWAO-PUKALANI-KULA, MAUI, HAWAII”.
06/15/2007	CC 07-187	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.76, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHULUI, MAUI, HAWAII”.

06/15/2007

CC 07-188

Director of Finance, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.78, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII".

END OF EXHIBIT "A"