

COUNCIL OF THE COUNTY OF MAUI
LAND USE 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 Land Use Committee, having met on December 1, 2010, makes reference to County Communication No. 08-60, from Councilmember Bill Kauakea Medeiros, transmitting a draft resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION BILLS TO, RESPECTIVELY, ENACT A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT, A COMMUNITY PLAN AMENDMENT, AND A CHANGE IN ZONING FOR PROPERTY SITUATED AT HANA, MAUI, HAWAII FOR THE PROPOSED EXPANSION AND IMPROVEMENTS TO PA'ANI MAI PARK".

The purpose of the draft resolution is to refer to the Maui Planning Commission draft bills for the following: (1) to amend the State Land Use District classification from Agricultural to Urban for approximately 2.946 acres located at Hana, Maui ("District Boundary Amendment bill"); (2) to amend the Hana Community Plan from Multi-Family to Park for approximately 1.907 acres located at Hana, Maui ("Community Plan Amendment bill"); and (3) to change the zoning from Interim District to PK-2 Community Park District for approximately 2.946 acres located at Hana, Maui ("Change in Zoning bill"). The purpose of the draft bills is to facilitate the proposed expansion of, and improvements to, Pa`ani Mai Park.

Your Committee notes that the Council's Land Use Committee (2007-2009 Council term) issued Committee Report No. 08-138, recommending that a proposed resolution, entitled "REFERRING TO THE MAUI PLANNING COMMISSION DRAFT BILLS TO, RESPECTIVELY, ENACT A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT, ENACT A COMMUNITY PLAN AMENDMENT, AND ESTABLISH ZONING FOR PROPERTY SITUATED AT HANA, MAUI, HAWAII FOR THE PROPOSED EXPANSION OF, AND IMPROVEMENTS TO, PA'ANI MAI PARK", be adopted. At its meeting of November 7, 2008, the Council adopted the proposed resolution (Resolution No. 08-92).

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Following receipt of the Maui Planning Commission's comments on the draft bills, your Committee recommended that a proposed Community Plan Amendment bill and a proposed District Boundary Amendment bill be passed on first reading (Committee Report No. 09-113). The bills were subsequently enacted as Ordinance Nos. 3692 (2009) and 3693 (2009), respectively.

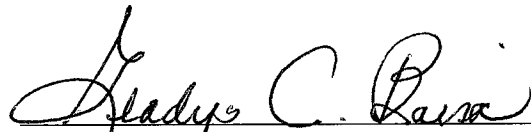
As noted in Committee Report No. 09-113, your Committee deferred a recommendation on the proposed Change in Zoning bill because the property did not meet the minimum lot area requirement for PK-2 Community Park District zoning. A representative of the Department of Planning noted that the Department would work with the Department of Parks and Recreation on amendments to Chapter 19.615, Maui County Code, to resolve this problem, and that the proposed project could proceed with the existing Interim District zoning.

By correspondence dated November 4, 2010, the Planning Director advised your Committee that draft legislation to revise the Parks District ordinance had yet to be transmitted to agencies or the planning commissions for review and comment. She further noted that the property currently has all entitlements needed to complete the desired improvements at Pa`ani Mai Park.

Your Committee voted 7-0 to recommend filing of the communication. Committee Chair Baisa, Vice-Chair Molina, and members Kaho`ohalahala, Mateo, Medeiros, Nishiki, and Victorino voted "aye". Committee members Johnson and Pontanilla were excused.

Your Land Use Committee RECOMMENDS that County Communication No. 08-60 be FILED.

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



GLADYS C. BAISA, Chair