

# PLANNING COMMITTEE

Council of the County of Maui

## Meeting Agenda

February 14, 2011

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)

OFFICE OF THE  
COUNTY CLERK

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### VOTING MEMBERS

Donald G. Couch, Jr., Chair

Gladys C. Baisa, Vice-Chair

Elle Cochran

Danny A. Mateo

Joseph Pontanilla

Michael P. Victorino

Mike White

### NON-VOTING MEMBERS

Robert Carroll

G. Riki Hokama

*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 (Kimberley Willenbrink 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. Each testifier shall be allowed to speak for three minutes on each item. If additional time is requested, the testifier shall be allowed one minute to conclude the testimony on the item. These time limits may be suspended pursuant to the Rules of the Council, provided a suspension would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify. To ensure its distribution prior to the meeting, written testimony must be received in the Office of Council Services at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting. If written testimony is submitted at the meeting, 16 copies are requested.*

*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-1

### CONDITIONS OF ZONING FOR MAKENA RESORT PURSUANT TO ORDINANCE NO. 3613 (2008)

#### DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 11-28, from Council Chair Danny A. Mateo, transmitting correspondence dated January 5, 2011, from Don Fujimoto, Keaka LLC, submitting a copy of the "ANNUAL COMPLIANCE REPORT, CHANGE IN ZONING CONDITIONS FOR MAKENA RESORT AREA" in accordance with Condition No. 22 of Ordinance No. 3613 (2008).

MORE →

2. County Communication No. 11-29, from Council Chair Danny A. Mateo, transmitting correspondence dated January 7, 2011, from Gwen Ohashi Hiraga, Munekiyo & Hiraga, Inc., submitting on behalf of ATC, Makena Holdings, LLC, a copy of the "ANNUAL COMPLIANCE REPORT, CHANGE IN ZONING CONDITIONS FOR MAKENA RESORT AREA" in accordance with Condition No. 22 of Ordinance No. 3613 (2008).
3. County Communication No. 11-55, from Council Chair Danny A. Mateo, transmitting correspondence dated August 23, 2010, from the foreclosure commissioner, Christopher Lau, notifying of his intent, as required by Condition No. 21 of Ordinance No. 3613 (2008), to transfer the portion of parcels formerly owned by Makena Golf, LLC; Makena Hotel, LLC; Makena MF-2&3, LLC; and Makena Resort Services, LLC, pursuant to the confirmation order in the foreclosure action.

**STATUS:** The Committee may consider the filing of County Communication Nos. 11-28, 11-29, and 11-55 and other related action.

**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, Maui, and Molokai Planning Commissions 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 (adopted on November 7, 2008). The purpose of the draft bill is to establish solar energy facilities as permitted uses in the Agricultural Zoning District 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.