

COUNCIL OF THE COUNTY OF MAUI
GENERAL PLAN COMMITTEE

July 6, 2012

**Committee
Report No.** _____

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

Chair and Members:

Your General Plan Committee, having met on June 4, 2012, makes reference to County Communication 07-54, from Councilmember Gladys C. Baisa, relating to the matter of the General Plan Update.

By correspondence dated October 16, 2009, Council Chair Danny A. Mateo transmitted to your Committee, the draft Maui Island Plan submitted by the Department of Planning, pursuant to Chapter 2.80B, Maui County Code ("MCC").

Your Committee notes that pursuant to Section 2.80B.050(D)(2), MCC, the Council has one year after receipt of the Maui Island Plan to enact the plan by ordinance, unless the Council extends the time within which the ordinance must be enacted.

Your Committee further notes that by Resolution 11-35, adopted on April 1, 2011, the Council granted the first extension of the one-year deadline until December 30, 2011. By Resolution 11-129, adopted on December 2, 2011, the Council granted a second extension until August 3, 2012.

At the request of your Committee's Chair, the Department of the Corporation Counsel transmitted a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MAUI ISLAND PLAN". The purpose of the proposed resolution is to extend the time within which the Council must enact the Maui Island Plan by ordinance from August 3, 2012, to December 31, 2012.

Your Committee has been diligently reviewing the draft Maui Island Plan, and has completed its review of seven out of ten chapters. Your Committee is currently considering Chapter 8 of the draft Maui Island Plan, which proposes to establish, for the first time, a managed and directed growth plan for the island of Maui. Given the potential long-term impacts the proposed growth boundaries will have on future development, your Committee agreed that it is important to take additional time to conduct a thorough and careful review of Chapter 8, and the remaining chapters.

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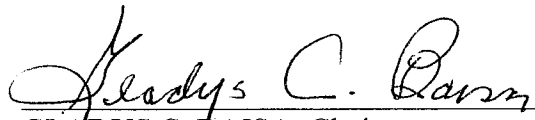
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Your Committee felt that an extension until December 31, 2012, is sufficient to allow your Committee to complete its review of the draft Maui Island Plan, make its final recommendation to the Council, and enable the Council to enact the draft Maui Island Plan by ordinance.

Your Committee voted 9-0 to recommend adoption of the proposed resolution. Committee Chair Baisa, Vice-Chair Couch, and members Carroll, Mateo, Cochran, Hokama, Victorino, White, and Pontanilla voted "aye".

Your General Plan Committee RECOMMENDS that Resolution _____, attached hereto, entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT THE MAUI ISLAND PLAN", be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



GLADYS C. BAISA, Chair

Resolution

No. _____

APPROVING A TIME EXTENSION FOR THE COUNCIL TO ENACT
THE MAUI ISLAND PLAN

WHEREAS, Section 2.80B.050(D)(2), Maui County Code, provides as follows:

"2. No later than one year after receipt of the Maui island plan pursuant to subsection C.2 of this section, the council shall adopt the Maui island plan by ordinance following a public hearing. The council may, by resolution, extend the time within which the ordinance must be enacted. Upon the adoption of the Maui island plan, the Maui general plan advisory committee shall be disbanded."; and

WHEREAS, Resolution 11-129 established that the Council shall be granted until August 3, 2012 to enact the Maui Island Plan by ordinance; and

WHEREAS, the Council's General Plan Committee has been diligently reviewing the 342-page draft Maui Island Plan; and

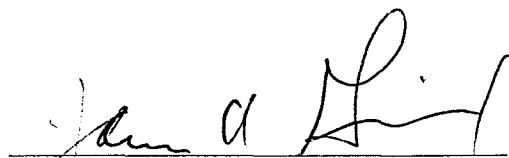
WHEREAS, the Council believes that the Maui Island Plan will be deficient unless additional time to complete a thorough review of the draft Maui Island Plan is granted; now, therefore,

Resolution No. _____

BE IT RESOLVED by the Council of the County of Maui:

1. That the Council be granted until December 31, 2012, to enact the Maui Island Plan by ordinance; and
2. That certified copies of this Resolution be transmitted to the Mayor and the Planning Director.

APPROVED AS TO FORM
AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui