

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

December 21, 2012

**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 January 31, 2011, and December 3, 2012, makes reference to County Communication 10-210, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 19.09, MAUI COUNTY CODE, AND AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO RESIDENTIAL DISTRICTS" ("residential districts bill").

The purposes of the proposed bill are to (1) establish definitions for "garage sale, rummage sale, or yard sale" and "home-based business"; (2) amend Chapter 19.08, Maui County Code, to add a new section allowing for certain accessory uses and structures to be permitted in residential districts; (3) permit home-based businesses as a special use in residential districts, and (4) establish development standards.

Your Committee notes that the Council's Planning Committee for the 2009-2011 Council term met on October 25, 2010 and October 27, 2010. The matter was carried over to the current Council term and was referred to your Committee for further consideration.

Meanwhile on April 10, 2012, the Council adopted Resolution 11-97 referring a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, AND SECTION 3.48.305, MAUI COUNTY CODE, RELATING TO HOME-BASED BUSINESSES" ("home-based business bill") to the Lanai, Maui, and Molokai Planning Commissions. By County Communication 12-74, the Department of Planning transmitted comments from the planning commissions relating to the proposed bill. Your Committee notes that the home-based business bill accomplishes a similar purpose as the residential districts bill. Therefore, the residential districts bill is no longer needed.

Your Committee voted 5-0 to recommend filing of the communication. Committee Chair Couch, Vice-Chair Baisa, and members Pontanilla, Victorino, and White voted "aye". Committee members Cochran and Mateo were excused.

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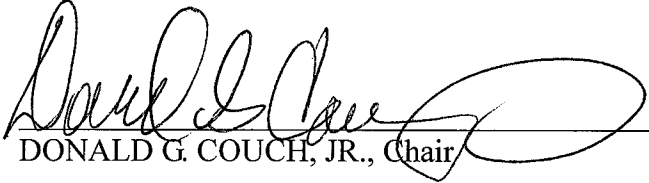
Your Planning Committee RECOMMENDS that County Communication 10-210
be FILED.

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



DONALD G. COUCH, JR., Chair

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