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COUNTY CLERK

PLANNING COMMITTEE

Council of the County of Maui

Meeting Agenda

Thursday, January 31, 2013

9:00 a.m.

MEETING SITE: **Council Chamber, 8th Floor, 200 South High Street, Wailuku, Hawaii**

REMOTE TESTIMONY SITES: **Hana Council District Office, Hana Community Center, 5091 Uakea Road, Hana, Hawaii**
Lanai Council District Office, Lanai Community Center, 8th Street, Lanai City, Hawaii
Molokai Council District Office, 100 Ainoa Street, Kaunakakai, Hawaii

website: www.mauicounty.gov/committees/PC

VOTING MEMBERS

Donald G. Couch, Jr., Chair

Michael P. Victorino, Vice-Chair

Gladys C. Baisa

Elle Cochran

Stacy Crivello

Don S. Guzman, Esq.

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 (Regina Gormley or Pauline Martins) 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 modified pursuant to the Rules of the Council, provided a modification 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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 site, 16 copies are requested to ensure distribution at the meeting.

REMOTE TESTIMONY SITES: Oral testimony may be received by telephone from each of the Council district offices noted above. If the audio connection between the meeting site in the Council Chamber and any of the remote testimony sites is lost, the meeting in the Council Chamber will still continue. Members of the public interested in information about offering testimony on an agenda item from a remote testimony site may contact the Office of Council Services prior to the meeting. While oral testimony is being received, the district offices cannot provide other services. The audio connection will be terminated after all oral testimony has been received.

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-25 REPETITIVE LOSS PROPERTIES FLOODPLAIN MANAGEMENT PLAN

- DESCRIPTION:** The Committee is in receipt of the following:
1. County Communication 11-271, from the Planning Director, transmitting the following reports in compliance with Resolution 01-141:
 - a. A report entitled “County of Maui Repetitive Loss Properties Floodplain Management Plan – Updated 2009”.
 - b. A report entitled “County of Maui Repetitive Loss Properties Floodplain Management Plan Annual Evaluation Report September 2011”.
 2. County Communication 12-224, from the Planning Director, transmitting the following reports in compliance with Resolution 01-141:
 - a. A report entitled “County of Maui Repetitive Loss Properties Floodplain Management Plan – Updated 2012”.
 - b. A report entitled “County of Maui Repetitive Loss Properties Floodplain Management Plan Annual Evaluation Report September 2012”.

STATUS: The Committee may receive a presentation from the Department of Planning relating to the County of Maui’s Repetitive Loss Properties Floodplain Management Plan. The Committee may also consider the filing of County Communications 11-271 and 12-224 and other related action.

PC-2 RESIDENTIAL DISTRICTS AND ACCESSORY DWELLINGS

- DESCRIPTION:** The Committee is in receipt of the following:
1. County Communication 09-82, from former Council Vice-Chair Michael J. Molina, transmitting the following:
 - a. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.08 MAUI COUNTY CODE, RELATING TO RESIDENTIAL DISTRICTS”. The purpose of the proposed bill is to permit affordable accessory dwelling units on lots of 6,000 to 7,499 square feet in residential districts.
 - b. A proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.35 RELATING TO ACCESSORY DWELLINGS”. The purposes of the proposed bill are to: (1) allow an accessory dwelling unit with a maximum gross floor area of 500 square feet on lots of 6,000 to 7,499 square feet; (2) increase the maximum gross square footage of accessory dwelling units when constructed on lots of 7,500 to 87,199 square feet; and (3) require that accessory dwelling units built on lots of 6,000 to 7,499 square feet remain affordable for the life of the unit.
 2. Correspondence dated February 9, 2010, from former Council Chair Danny A. Mateo, transmitting correspondence dated February 8, 2010, from the Planning Director, transmitting comments on the proposed bills from the Lanai, Maui, and Molokai Planning Commissions, and the Hana Advisory Committee, in response to Resolution 09-60.

STATUS: The Committee may consider whether to recommend passage of the proposed bills on first reading, with or without revisions. The Committee may also consider the filing of County Communication 09-82 and other related action.

PC-10 CULTURAL RESOURCES COMMISSION AND MAUI COUNTY HISTORIC DISTRICTS

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 11-142, from the Planning Director, transmitting, in response to Resolution 10-43, a summary of the Maui, Molokai, and Lanai Planning Commissions' comments on a proposed bill to protect and preserve Maui County's historic districts by (1) clarifying the authority of the Maui County Cultural Resources Commission, and (2) providing protection of view planes, historic buildings and structures, and large trees within historic districts.
2. A correspondence dated January 24, 2013, from Chair of the Planning Committee, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.88, MAUI COUNTY CODE, RELATING TO THE CULTURAL RESOURCES COMMISSION, AND TITLE 19, ARTICLE III, MAUI COUNTY CODE, RELATING TO MAUI COUNTY HISTORIC DISTRICTS". The revised proposed bill incorporates revisions made by the Council's Planning Committee (2011-2013 Council term).

STATUS: The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication 11-142 and other related action.

PC-45 ALLOWABLE NUMBER OF SHORT-TERM RENTAL HOMES IN THE KIHAI-MAKENA COMMUNITY PLAN AREA

DESCRIPTION: The Committee is in receipt of County Communication 12-187, from Councilmember Donald G. Couch, Jr., transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL AMENDING SECTION 19.65.030, MAUI COUNTY CODE, RELATING TO THE ALLOWABLE NUMBER OF SHORT-TERM RENTAL HOMES IN THE KIHAI-MAKENA COMMUNITY PLAN AREA". The purpose of the proposed resolution is to refer to the planning commissions a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.65.030, MAUI COUNTY CODE, RELATING TO THE ALLOWABLE NUMBER OF SHORT-TERM RENTAL HOMES IN THE KIHAI-MAKENA COMMUNITY PLAN AREA". The purpose of the proposed bill is to prohibit short-term rental homes in the area on the island of Maui known as Wailea.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication 12-187 and other related action.

PC-48 DEADLINE FOR A COMMUNITY PLAN ADVISORY COMMITTEE TO FORWARD ITS RECOMMENDED REVISIONS

DESCRIPTION: The Committee is in receipt of County Communication 12-235, from Councilmember G. Riki Hokama, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.80B.080, MAUI COUNTY CODE, RELATING TO DEADLINE FOR A COMMUNITY PLAN ADVISORY COMMITTEE TO FORWARD ITS RECOMMENDED REVISIONS". The purpose of the proposed bill is to authorize the Council to extend, by resolution, the time within which a community plan advisory committee shall forward its recommended revisions to the Planning Director.

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication 12-235 and other related action.

**PC-1 APPROVING THE ORDER OF THE NINE COMMUNITY PLANS FOR
THE 2030 GENERAL PLAN UPDATE**

DESCRIPTION: The Committee is in receipt of County Communication 13-39, from Councilmember Donald G. Couch, Jr., transmitting a proposed resolution entitled "APPROVING THE ORDER OF THE NINE COMMUNITY PLANS FOR THE 2030 GENERAL PLAN UPDATE". The purpose of the proposed resolution is to establish the order of the decennial updates to the nine community plans.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication 13-39 and other related action.

PC-20 MAXIMUM WALL HEIGHT IN AGRICULTURAL DISTRICTS

DESCRIPTION: The Committee is in receipt of County Communication 10-12, from former Council Chair Danny A. Mateo, transmitting correspondence dated December 11, 2009, from Jim Whitehead, relating to the interpretation and enforcement of the maximum wall height district standard contained in the Agricultural District zoning ordinance (Chapter 19.30A, Maui County Code).

STATUS: The Committee may consider policy issues relating to the interpretation and enforcement of the maximum wall height district standard contained in the Agricultural District zoning ordinance. The Committee may also consider the filing of County Communication 10-12 and other related action.