

PLANNING COMMITTEE

Council of the County of Maui

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Meeting Agenda

Thursday, August 1, 2013

9:00 a.m.

OFFICE OF THE
COUNTY CLERK

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

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 Yvette Bouthillier) 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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-15 GENERAL PLAN ADVISORY COMMITTEES AND COMMUNITY PLAN ADVISORY COMMITTEES

DESCRIPTION: The Committee is in receipt of County Communication 13-86, from Councilmember Donald G. Couch, Jr., transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.80B, MAUI COUNTY CODE, RELATING TO THE GENERAL PLAN ADVISORY COMMITTEES AND THE COMMUNITY PLAN ADVISORY COMMITTEES". The purpose of the proposed bill is to give the Mayor the authority to select and remove the chairs of each general plan advisory committee and each community plan advisory committee, subject to the approval of Council.

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 13-86 and other related action.

PC-22 TIME EXTENSION FOR LANAI COMMUNITY PLAN ADVISORY COMMITTEE TO REVIEW THE DRAFT LANAI COMMUNITY PLAN

DESCRIPTION: The Committee is in receipt of County Communication 13-205, from the Planning Director, transmitting a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE LANAI COMMUNITY PLAN ADVISORY COMMITTEE TO REVIEW THE DRAFT LANAI COMMUNITY PLAN". The purpose of the proposed resolution is to provide an extension until September 9, 2013, for the Lanai Community Plan Advisory Committee to complete its review of the draft Lanai Community Plan.

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 13-205 and other related action.

PC-16 SHORT-TERM RENTAL HOME RESTRICTIONS IN MAUI MEADOWS

DESCRIPTION: The Committee is in receipt of County Communication 13-90, from the Planning Director, providing notice that as of March 4, 2013, the cap of five short-term rental homes in Maui Meadows has been met.

STATUS: The Committee may review the short-term rental home restrictions for the Maui Meadows subdivision located in the Kihei-Makena Community Plan area. The Committee may also consider the filing of County Communication 13-90 and other related action.

PC-9 REQUIRING NOTIFICATION TO THE COUNCIL OF UNFULFILLED CONDITIONS OF ZONING

DESCRIPTION: The Committee is in receipt of County Communication 12-261, from former Council Chair Danny A. Mateo, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING SECTION 19.510.050, MAUI COUNTY CODE, TO REQUIRE NOTIFICATION TO THE COUNCIL OF UNFULFILLED CONDITIONS OF ZONING". The purpose of the proposed resolution is to refer to the planning commissions a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.510.050, MAUI COUNTY CODE, TO REQUIRE NOTIFICATION TO THE COUNCIL OF UNFULFILLED CONDITIONS OF ZONING". The purpose of the proposed bill is to require the Department of Planning to transmit a quarterly report to the Council on any unfulfilled conditions of zoning provisions as required by Section 19.510.050, Maui County Code, within the specified time limitations.

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 12-261 and other related action.

PC-11 CONDITIONS OF STATE LAND USE DISTRICT BOUNDARY AMENDMENTS

DESCRIPTION: The Committee is in receipt of County Communication 12-262, from former Council Chair Danny A. Mateo, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING SECTION 19.68.040, MAUI COUNTY CODE, RELATING TO CONDITIONS OF STATE LAND USE DISTRICT BOUNDARY AMENDMENTS". The purpose of the proposed resolution is to refer to the planning commissions a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.68.040, MAUI COUNTY CODE, RELATING TO CONDITIONS OF STATE LAND USE DISTRICT BOUNDARY AMENDMENTS". The purpose of the proposed bill is to require the Department of Planning to transmit a quarterly report to the Council on any unfulfilled conditions of State Land Use District Boundary amendments as required by Section 19.68.040, Maui County Code, within a maximum of three years if no time limitation is established by the Council.

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 12-262 and other related action.

PC-30 PERMITTING TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS APPROVED ON OR BEFORE APRIL 20, 1981

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication 12-17, from Councilmember Elle Cochran, transmitting a proposed resolution to refer to the planning commissions a proposed bill permitting transient vacation rentals in planned developments that were approved on or before April 20, 1981.
2. Correspondence dated March 6, 2013, from Council Chair Gladys C. Baisa, transmitting correspondence dated February 27, 2013, from the Planning Director, transmitting comments from the Maui Planning Commission in response to Resolution 12-99.
3. Correspondence dated July 18, 2013, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.32.040, MAUI COUNTY CODE, RELATING TO PLANNED DEVELOPMENTS, AND SECTION 19.37.010, MAUI COUNTY CODE, RELATING TO TRANSIENT VACATION RENTALS". The revised proposed bill incorporates a revision to change the year of the bill from 2012 to 2013.

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 12-17 and other related action.