

PLANNING COMMITTEE

Council of the County of Maui

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Meeting Agenda

Thursday, August 15, 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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.

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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.

PC-17 ESTABLISHING A TIME LIMIT ON THE DURATION OF CONDITIONAL PERMITS

DESCRIPTION: The Committee is in receipt of County Communication 13-136, from the Planning Director, transmitting, in response to Resolution 12-111, a summary of the Maui, Molokai, and Lanai Planning Commissions' comments to a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.40, MAUI COUNTY CODE, RELATING TO THE DURATION OF CONDITIONAL PERMITS". The purpose of the proposed bill is to amend Chapter 19.40, Maui County Code, to limit the duration of Conditional Permits, including extensions, to a 5-year period.

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 13-136 and other related action.

PC-18 PROHIBITING NEW TIME SHARE UNITS OR TIME SHARE PLANS IN HOTEL AND SERVICE BUSINESS RESIDENTIAL DISTRICTS

DESCRIPTION: The Committee is in receipt of County Communication 13-137, from Councilmember G. Riki Hokama, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING SECTION 19.37.010, MAUI COUNTY CODE, RELATING TO TIME SHARE UNITS AND TIME SHARE PLANS". The purpose of the proposed resolution is to refer to the planning commissions a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.37.010, MAUI COUNTY CODE, RELATING TO TIME SHARE UNITS AND TIME SHARE PLANS". The purpose of the proposed bill is to prohibit any new time share units or time share plans in the Hotel District and Service Business Residential District.

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 13-137 and other related action.

PC-32 ANNUAL COMPLIANCE REPORT – CHANGE IN ZONING CONDITIONS (ORDINANCE 3559 (2008)) FOR MAUI BUSINESS PARK PHASE II

DESCRIPTION: The Committee is in receipt of County Communication 13-225, from Council Chair Gladys C. Baisa, transmitting correspondence dated July 9, 2013, from Grant Chun, Vice President, Maui, A&B Properties, Inc., transmitting an annual compliance report pursuant to Condition 19 of Ordinance 3559 (2008), Change in Zoning from Agricultural, M-2 Heavy Industrial and R-1 Residential Districts to M-1 Light Industrial District (Conditional Zoning) for the Maui Business Park Phase II Project, Kahului, Maui, Hawaii.

STATUS: The Committee may receive a presentation from A&B Properties, Inc., on the annual compliance report and discuss related policy matters. The Committee may also consider the filing of County Communication 13-225 and other related action.

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