

LAND USE COMMITTEE
Council of the County of Maui

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Meeting Agenda

Wednesday, October 16, 2013
1:30 p.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/LU

VOTING MEMBERS

Robert Carroll, Chair

Don S. Guzman, Vice-Chair

Gladys C. Baisa

Elle Cochran

Donald G. Couch, Jr.

Stacy Crivello

G. Riki Hokama

Michael P. Victorino

Mike White

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 (Carla Nakata or Clarita Balala) 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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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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LU-14 COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR THE PROPOSED WAIKO BASEYARD LIGHT INDUSTRIAL 41-LOT SUBDIVISION PROJECT LOCATED AT EAST WAIKO ROAD (WAILUKU)

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication 13-263, from the Planning Director, transmitting the following:
 - a. A proposed bill to grant a request from Vince Bagoyo of Bagoyo Development Consulting Group, LLC, on behalf of Waiko Industrial Investment, LLC, for a Community Plan Amendment from Agricultural to Light Industrial to facilitate the development of the proposed Waiko Baseyard Light Industrial Subdivision Project, consisting of 41 lots ("project") on approximately 31.2 acres, located at East Waiko Road, Wailuku, Maui, Hawaii (TMK: (2) 3-8-007:102) ("property"); and
 - b. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO M-1 LIGHT INDUSTRIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII, TAX MAP KEY NUMBER: (2) 3-8-007:102". The purpose of the proposed bill is to grant a Change in Zoning from Agricultural District to M-1 Light Industrial District (Conditional Zoning) to facilitate the development of the proposed project on the property.
2. Correspondence dated September 3, 2013, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO LIGHT INDUSTRIAL FOR PROPERTY SITUATED AT WAILUKU, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 3-8-007:102". The revised proposed bill incorporates nonsubstantive revisions.

STATUS:

The Committee may consider whether to recommend passage of the revised proposed bill noted in paragraph 2 above on first reading, with or without further revisions; and the proposed bill noted in paragraph 1(b) above on first reading, with or without revisions. The Committee may also consider the filing of County Communication 13-263 and other related action.

LU-13 CONDITIONAL PERMIT FOR AMY WISTHOFF-MARTIN AND DAN MARTIN TO HOST AND CONDUCT WEDDINGS AT AN APPROVED BED AND BREAKFAST AT 138 AWAIKU STREET (LAHAINA)

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication 13-194, from the Deputy Planning Director, transmitting a proposed bill to grant a request from Amy Wisthoff-Martin and Dan Martin for a Conditional Permit through March 31, 2018, to host and conduct weddings at an approved bed and breakfast within the County Agricultural District for property located at 138 Awaiku Street, Lahaina, Maui, Hawaii.
2. Correspondence dated September 5, 2013, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING AMY WISTHOFF-MARTIN AND DAN MARTIN A CONDITIONAL PERMIT TO HOST AND CONDUCT WEDDINGS AT AN APPROVED BED AND BREAKFAST WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY LOCATED AT TAX MAP KEY (2) 4-7-009:058, 138 AWAIKU STREET, LAHAINA, MAUI, HAWAII". The revised proposed bill incorporates revisions to clarify the intent of the Maui Planning Commission and nonsubstantive revisions.

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 13-194 and other related action.

LU-15 UNFULFILLED CONDITIONS OF ZONING AND ANNUAL COMPLIANCE REPORTS

DESCRIPTION: The Committee is in receipt of County Communication 13-282, from Councilmember Donald G. Couch, Jr., relating to requiring notification to the Council of unfulfilled conditions of zoning and the imposition of annual compliance reports as a condition of zoning.

STATUS: The Committee may discuss the matter. The Committee may also consider the filing of County Communication 13-282 and other related action.

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