

LAND USE COMMITTEE

Council of the County of Maui

Meeting Agenda

Wednesday, November 13, 2013

1:30 p.m.

OFFICE OF THE
COUNTY CLERK

2013 NOV - 6 AM 11:42

RECEIVED

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 An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify.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

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

MORE →

LU-19 CONDITIONAL PERMIT TO REESTABLISH A HOT MIX ASPHALT PLANT OPERATION WITHIN THE COUNTY AGRICULTURAL DISTRICT (HOOLEHUA, MOLOKAI)

DESCRIPTION: The Committee is in receipt of County Communication 13-347, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING GRACE PACIFIC LLC A CONDITIONAL PERMIT TO REESTABLISH A HOT MIX ASPHALT PLANT OPERATION WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY LOCATED AT TAX MAP KEY NUMBER (2) 5-2-011:030 (POR.), HOOLEHUA, MOLOKAI, HAWAII". The purpose of the proposed bill is to grant Grace Pacific LLC a 20-year Conditional Permit to reestablish a hot mix asphalt plant operation within the County Agricultural District on approximately 3.0 acres within a 264-acre parcel which has been used for quarry operations since 1948 (TMK: (2) 5-2-011:030 (por.)).

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 13-347 and other related action.

LU-16 AMENDING CHAPTER 19.52, MAUI COUNTY CODE, RELATING TO PROTECTION OF TREES WITHIN HISTORIC DISTRICTS

DESCRIPTION: The Committee is in receipt of the following:

1. Miscellaneous Communication, dated September 9, 2013, from the County Clerk, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.52, MAUI COUNTY CODE, RELATING TO REGULATIONS ON BUILDINGS AND USES WITHIN HISTORIC DISTRICTS". The purpose of the proposed bill is to enhance the protection of significant trees within historic districts 1 and 2, in Lahaina, and historic district 3, in Wailuku, Maui.
2. Correspondence dated September 27, 2013, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO AMEND CHAPTER 19.52, MAUI COUNTY CODE, RELATING TO PROTECTION OF TREES WITHIN HISTORIC DISTRICTS 1, 2, AND 3". The purpose of the proposed resolution is to refer to the Maui Planning Commission a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.52, MAUI COUNTY CODE, RELATING TO PROTECTION OF TREES WITHIN HISTORIC DISTRICTS 1, 2, AND 3". The purpose of the proposed bill is to enhance the protection of significant trees (trees with a trunk circumference of 36 inches or more) within historic districts 1, 2, and 3.
3. Correspondence dated November 6, 2013, from Councilmember Elle Cochran, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.52.090, MAUI COUNTY CODE, AND SECTION 19.52.100, MAUI COUNTY CODE, RELATING TO FINE TREES". The purpose of the proposed bill is to enhance the protection of fine trees within historic districts 1 and 2, in Lahaina, and historic district 3, in Wailuku, Maui.

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 the Miscellaneous Communication and other related action.

LU-17 AMENDING SECTION 19.36A.070, MAUI COUNTY CODE, RELATING TO LANDSCAPING REQUIREMENTS UNDER THE OFF-STREET PARKING AND LOADING ORDINANCE

DESCRIPTION: The Committee is in receipt of the following:

1. Miscellaneous Communication, dated September 9, 2013, from the County Clerk, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.36A.070,

MAUI COUNTY CODE, RELATING TO LANDSCAPING REQUIREMENTS UNDER THE OFF-STREET PARKING AND LOADING ORDINANCE". The purpose of the proposed bill is to require additional shade trees in parking areas under Subsection 19.36A.070(A), Maui County Code, and to establish criteria for such shade trees.

2. Correspondence dated October 2, 2013, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND SECTION 19.36A.070, MAUI COUNTY CODE, RELATING TO LANDSCAPING REQUIREMENTS UNDER THE OFF-STREET PARKING AND LOADING ORDINANCE". The purpose of the proposed resolution is to refer to the Lanai, Maui, and Molokai Planning Commissions a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.36A.070, MAUI COUNTY CODE, RELATING TO LANDSCAPING REQUIREMENTS UNDER THE OFF-STREET PARKING AND LOADING ORDINANCE". The purpose of the proposed bill is to require additional shade trees in parking areas under Subsection 19.36A.070(A), Maui County Code, and to establish criteria for such shade trees.

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 the Miscellaneous Communication and other related action.

lu:131113:cmn