

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE AMENDING SECTIONS 14.01.040 AND 14.12.030,
MAUI COUNTY CODE, RELATING TO INFILL DEVELOPMENT

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 14.01.040, Maui County Code, is amended by amending
the definition of “infill development” to read as follows:

““Infill development” means a [project] development composed of ten or fewer residential dwelling units, including accessory dwellings, on one or more contiguous vacant parcels [within already developed areas in the service area of the department’s central Maui water system or west Maui water system.] of land that meet the following requirements:

1. A minimum of seventy-five percent of the parcel’s or combined parcels’ perimeter is bordered by already developed land;
2. The development is located in the service area of the department’s central Maui water system or west Maui water system;
3. Infrastructure for public services and facilities is already in place and immediately available; and
4. The proposed development is consistent with the general plan, community plans, and zoning requirements.

For purposes of this definition:

1. “Already developed land” shall mean all State and County parks, public or private schools, and in any fiscal year, all parcels of taxable property with a residential dwelling or commercial structure that has been cleared for habitation or occupancy before March 1 of the preceding fiscal year.
2. Conservation lands, agricultural lands, beaches, and the ocean shall not be considered “already developed land” regardless of the presence of any structure.
3. If the development’s parcel or combined parcels are bordered by a roadway, stream, or gulch, then the parcel or parcels across the roadway, stream, or gulch shall be considered in determining whether the development’s parcel or combined parcel’s perimeter is bordered by already developed land for purposes of the seventy-five percent determination.”

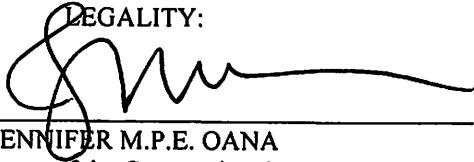
SECTION 2. Section 14.12.030, Maui County Code, is amended by amending subsection D to read as follows:

"D. Infill development[;], provided, that this exemption shall not apply to any subsequent development or subdivision of any resulting parcels;"

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND
LEGALITY:



JENNIFER M.P.E. OANA
Department of the Corporation Counsel
County of Maui

S:\ALL\MO\Water\Ords\Infill\01\abil\01 (JO 2014-06-25).doc
wr:misc:01\abil\01:kcw