

PLANNING COMMITTEE

Council of the County of Maui

MINUTES

Council Chamber

December 4, 2014

CONVENE: 9:00 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Donald G. Couch, Jr., Chair
Councilmember Michael P. Victorino, Vice-Chair
Councilmember Gladys C. Baisa
Councilmember Elle Cochran
Councilmember Stacy Crivello
Councilmember Don S. Guzman (arrived at 9:05 a.m.)
Councilmember Mike White

STAFF: Chancy Hopper, Legislative Analyst
Pauline Martins, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

Kim Willenbrink, Legislative Analyst, assisting at Lanai Council Office (via telephone conference bridge)

ADMIN.: Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Michele McLean, Deputy Director, Department of Planning

PRESS: *Akaku Maui Community Television, Inc.*

CHAIR COUCH: ... *(gavel)* ... Good morning. Will the Planning Committee meeting of Thursday, December 04, 2014, please come to order. It is now 9:00 a.m. My name is Don Couch. I'm the Chairman of the Committee, and I want to welcome our voting Members. First, the Vice-Chair of the Committee, Mr. Victorino.

VICE-CHAIR VICTORINO: Good morning, Chair.

CHAIR COUCH: And then, Council Chair Gladys Baisa.

COUNCILMEMBER BAISA: Good morning, Chair.

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CHAIR COUCH: Councilmember Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha. Good morning, Chair.

CHAIR COUCH: Good morning. And Stacy Crivello.

COUNCILMEMBER CRIVELLO: Aloha, and Good morning.

CHAIR COUCH: Good morning. And Councilmember Mike White.

COUNCILMEMBER WHITE: Morning, Chair

CHAIR COUCH: Morning. And excused at this point is Councilmember Don Guzman. With us today from the Administration is Deputy Planning Director Michele McLean.

MS. McLEAN: Good morning, Chair and Members.

CHAIR COUCH: Good morning. And Deputy Corporation Counsel Michael Hopper.

MR. HOPPER: Good morning.

CHAIR COUCH: Good morning. And Committee Staff, Legislative Analyst Chancy Hopper.

MS. HOPPER: Good morning.

CHAIR COUCH: Good morning. And Committee Secretary Pauline Martins.

MS. MARTINS: Good morning.

CHAIR COUCH: All right. We have one item on—well, we have a bunch of items on today's agenda, but it is referral for the term beginning January 2, 2015. I don't see anybody in here for public testimony, so we'll ask the District offices. Let's first go to Molokai.

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

CHAIR COUCH: Thank you. Lanai?

MS. WILLENBRINK: Good morning, Chair. This is Kim Willenbrink on Lanai, and there is no one here to testify.

CHAIR COUCH: Good morning. That's a new voice from Lanai. Enjoy your trip, Kim?

MS. WILLENBRINK: Yes, the ferry ride was beautiful.

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CHAIR COUCH: Good.

MS. WILLENBRINK: The sunrise amazing.

CHAIR COUCH: All right. Hana?

MS. LONO: Good morning, Chair. This is Dawn Lono in Hana, and there is no one waiting to testify.

CHAIR COUCH: Okay, Members. Seeing that no one's in the District offices and no one is in the Chambers, without objection, we'll close public testimony.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

CHAIR COUCH: Okay, thank you.

**PC COMMUNICATIONS FOR REFERRAL TO THE COUNCIL CHAIR FOR THE
TERM BEGINNING JANUARY 2, 2015, PURSUANT TO RULE 23 OF THE
RULES OF COUNCIL**

CHAIR COUCH: All right. Members, we have . . . the item on today's agenda is the referral, recommendations for referral of the communications to the Council Chair for the term beginning January 2, 2015, pursuant to Rule 23 of the Rules of the Council. What we'll do is we'll just go through the short list. I'm recommending that the following communications be referred to Council Chair for the term beginning January 2, 2015, pursuant to Rule 23 of the Rules of the Council.

PC-18 Prohibiting new time share units or time share plans in Hotel Districts. That one was per Member Hokama. We had a discussion on it, and we're looking to continue that discussion, and maybe have a panel. That was the last will of this Committee.

PC-21 Makena Resort Change in Zoning compliance with conditions relating to access for Parks and Recreation. That was the one we went out to Makena and took a look at where a park, what Council's intent was for the location of a one, and take the 1.5 acre addition to the park there.

PC-23 Establishing short-term rental homes as an agricultural tourism activity in Agricultural Districts. That will be, that is, we're waiting on Councilmember Guzman's Ag Tourism Bill to come up, so this kind of is in conjunction with that.

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- PC-27 Residential Districts. Because of the Home-Based Business bill, we put this on the side until we finished the Home Business bill because it had some issues in it. So this is the . . . once we get the Home Business bill finally passed and into law, it will be incorporated into this; and then, we'll make the same changes we made to Business and Industrial--all those changes we've been making in the last four years, actually.
- PC-31 Transfer of Development Rights. We're going to bring that across. It's getting to be time to discuss that again.
- PC-37 Two-Family (Duplex) District. That is, we had a change, you know, we were changing the format of all the different zoning districts. And this was one of them, and then we decided, after the change, we wanted to see, talk about, do we want to add triplexes and quadplexes because of the new density that we're trying to create with the Urban growth boundaries. I will recognize the presence of Councilmember Guzman. Good morning.

COUNCILMEMBER GUZMAN: Good morning, Chair.

CHAIR COUCH: And then lastly, PC-53, Family Child Care Homes Within The Agricultural District; and I believe we're waiting on the whole definition of Ag in there. I think there's some things in Mr. Guzman's committee that we have to deal with before we get to that. So . . .

COUNCILMEMBER GUZMAN: Is this, did this, Chair, did this come back from the Planning Commission?

CHAIR COUCH: I'm not sure.

MS. McLEAN: Yeah, I—thank you for asking the question. It has gone through the Planning Commissions, and we are putting the package together to send it back to you folks.

COUNCILMEMBER GUZMAN: Okay. Thank you.

MS. McLEAN: So that should be ready early next term, whenever you're ready to schedule.

CHAIR COUCH: Okay.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR COUCH: Thank you. So this will allow the new Council Chair to refer these items to the appropriate standing committee. They may or may not come back here. It looks like most of them will likely come back here. At this point, I'm opening the floor for other further discussion. Mr. Guzman had a comment. Anybody else? Any questions on any of these items. Okay. Seeing none, Members, may I have a motion to refer the matters to the next Council?

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VICE-CHAIR VICTORINO: Mr. Chair, I move that PC-18, Prohibiting new time share units and new time share plans in Hotel Districts; PC-28 *[sic]* Makena Resort Change of Zoning compliance conditioning relating to access for Parks and Recreation; PC-23, Establishing short-term rental homes as an agricultural tourism activity in Ag Districts; PC-27, Residential Districts; PC-31, Transfer of Development Rights; PC-37, Two-Family (Duplex) District; and PC-53, Family and child care homes within Agricultural Districts for referral.

COUNCILMEMBER WHITE: Second.

CHAIR COUCH: Okay. It's been moved by Mr. Victorino and seconded by Mr. White to forward those as listed to the new Council; and just because I think I heard it wrong, but I just want to clarify that the second one is PC-21.

CHAIR BAISA: I heard that too.

CHAIR COUCH: Okay. I just want to make sure it was PC-21. Is there any concern about that? Okay. Any other comments? All those in favor, please say "aye".

COUNCIL MEMBERS VOICED AYE.

CHAIR COUCH: Opposed? Let the record show that there are seven "ayes" and no "noes" and no "excused".

VOTE: AYES: Chair Couch, Vice-Chair Victorino, Councilmembers Baisa, Cochran, Crivello, Guzman and White.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: REFERRAL OF COMMUNICATIONS TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2, 2015.

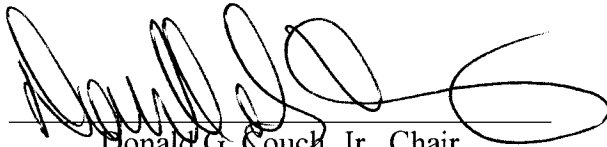
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CHAIR COUCH: Members, that's it for this term. I believe we've canceled our next meeting because there's no other. We just moved everything out. So I want to say thank you for all the hard work you've done this term. We got a lot accomplished. Hopefully, we'll get support for the second reading of the Home Business bill, and be ready to move forward on new and exciting projects. I want to wish everybody happy holidays. I want to thank Arthur for, on behalf of, Mr. Victorino wanted to do that yesterday and we did it, he did it off the air. So I want to add on his behalf as well, thank Arthur and staff for the wonderful decorations here; and thank you guys; and everybody have a Happy Holidays. So with that, the meeting is adjourned. . . . (*gavel*) . . .

ADJOURN: 9:09 a.m.

APPROVED BY:



Donald G. Couch, Jr., Chair
Planning Committee

pc:min:141204

Transcribed by: Pauline Martins