

# PLANNING COMMITTEE

Council of the County of Maui

## Meeting Agenda

January 11, 2006

6:00 p.m.

Mitchell Paule Center

90 Aiona Street

Kaunakakai, Hawaii

website: <http://www.co.maui.hi.us/committees/PC/>

e-mail: [pc.committee@mauicounty.us](mailto:pc.committee@mauicounty.us)

### COMMITTEE MEMBERS

Charmaine Tavares, Chair

Danny A. Mateo, Vice-Chair

Michelle Anderson

Robert Carroll

G. Riki Hokama

Jo Anne Johnson

Dain P. Kane

Michael J. Molina

Joseph Pontanilla

*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 (David Raatz or Jo-Ann Sato) 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. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit by 12 noon on the business day preceding the meeting so that copies can be provided to Council members in a timely manner.*

*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-12

### TRANSIENT VACATION RENTALS

#### DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 01-150, from former Councilmember Alan M. Arakawa, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE MODIFYING THE DEFINITION AND APPLICATION OF THE TERM 'LONG TERM RESIDENTIAL'". The purpose of the draft bill is to designate transient vacation rentals as permitted uses within the Apartment District, with "transient vacation rentals" newly defined to mean occupancy of less than 30 consecutive days.
2. Land Use Committee Report No. 02-94, recommending adoption of a proposed resolution entitled "URGING THE ADMINISTRATION TO REASSESS ITS ENFORCEMENT PRACTICES WITH RESPECT TO VACATION RENTALS". The purpose of the proposed resolution is to urge the Administration to ensure that enforcement action is only taken against vacation rentals for which community complaints have been received and that enforcement action is deferred during the pendency of the permitting process for any property owner seeking the appropriate permit(s). The Council recommitted Land Use Committee Report No. 02-94, with a revised proposed resolution, on August 20, 2002.

MORE →

3. Correspondence dated August 5, 2005, from Council Vice-Chair Robert Carroll, transmitting the following:
  - a. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE PERMITTING OF TRANSIENT VACATION RENTALS". The purposes of the draft bill are to identify the instances in which transient vacation rentals will be allowed and to expand the scope of eligibility for bed and breakfast home permits under Chapter 19.64, Maui County Code.
  - b. A draft resolution entitled "REFERRING A BILL RELATING TO THE PERMITTING OF TRANSIENT VACATION RENTALS TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS". The purpose of the draft resolution is to transmit the draft bill to the Planning Commissions.
4. Correspondence dated November 2, 2005, from Councilmember Jo Anne Johnson, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, TO REVISE LAND USE POLICIES RELATING TO SHORT-TERM RENTALS, INCLUDING BED AND BREAKFAST HOMES", from the Maui Vacation Rental Association. The purposes of the draft bill are to: (1) establish an enforceable permitting process and appropriate restrictions and standards for the short-term rental of single-family and farm dwellings and of rooms within; (2) allow residents and homeowners an opportunity to participate directly in and benefit from tourism; (3) provide a visitor experience and accommodations as an alternative to traditional resort and hotel accommodations; and (4) recognize and regulate a common home occupation.

**STATUS:** The Committee may consider policy issues relating to transient vacation rentals. No legislative action will be taken

## PC-16

### CONTROLLING FOWL IN RESIDENTIAL AREAS

**DESCRIPTION:**

The Committee is in receipt of the following:

1. County Communication No. 01-277, from then-Council Vice-Chair Dain P. Kane, relating to the matter of crowing roosters in or near residential areas.
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO FOWL IN RESIDENTIAL, R-0 ZERO LOT LINE RESIDENTIAL, TWO-FAMILY (DUPLEX), AND APARTMENT DISTRICTS", transmitted by correspondence dated May 28, 2003, from Councilmember Robert Carroll. The purpose of the proposed bill is to prohibit the keeping of chickens and other specified fowl in various residentially oriented zoning districts.
3. A draft resolution entitled "REFERRING A PROPOSED BILL RELATING TO FOWL IN RESIDENTIAL, R-0 ZERO LOT LINE RESIDENTIAL, TWO-FAMILY (DUPLEX), AND APARTMENT DISTRICTS TO THE PLANNING COMMISSIONS", transmitted by correspondence dated May 28, 2003, from Councilmember Carroll. The purpose of the draft resolution is to refer the proposed bill to the planning commissions, pursuant to Sections 8-8.4 and 8-8.6 of the Charter of the County of Maui.
4. A draft bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO FOWL IN RESIDENTIAL, R-0 ZERO LOT LINE RESIDENTIAL, TWO-FAMILY (DUPLEX), AND APARTMENT DISTRICTS", transmitted by correspondence dated November 28, 2003, from Councilmember Carroll. The purpose of the draft bill is to amend the proposed bill by: (1) revising the definition of "fowl" to include only roosters, geese, and peacocks; (2) authorizing animal control officers to enforce the ordinance; and (3) providing rule-making authority to the Mayor to implement the fowl prohibition.

**STATUS:** The Committee may consider policy issues relating to controlling fowl in residential areas. No legislative action will be taken.