

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

December 19, 2006

**Committee
Report No.**

06-169

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Planning Committee, having met on November 27, 2006, makes reference to the referrals noted on Exhibit "A", attached hereto and incorporated herein.

At its meeting, there was no public testimony.

Your Committee noted that the end of the current Council term was approaching. In preparation for the new Council term, the Chair of your Committee recommended that certain pending matters be referred to the Council Chair for the term beginning January 2, 2007, pursuant to the following provision of the Rules of the Council:

Sec. 19. Filing of Items.

A. At the expiration of a Council term, all items pending before the Council and its committees shall be deemed filed and disposed of; provided that the following items shall be deemed referred to the Council Chair for the ensuing term, for consideration by the Council:

1. an item transmitted by another governmental agency to the Council, pursuant to a legal requirement, for Council action;
2. pending legislation that has passed only one of the required readings; and
3. subject to Council approval, items recommended for referral by the Council Chair for matters pending before the Council, and items recommended for referral by a committee chair with the approval of that committee for matters pending before that chair's committee.

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

December 19, 2006
Page 2

Committee
Report No. 06-169

B. This provision shall not prevent the resubmittal of any matter to the Council in a subsequent term, for consideration as a new item.

After due consideration, the recommendation of the Chair of your Committee was approved.

Your Planning Committee RECOMMENDS that all communications noted on Exhibit "A" be REFERRED to the Council Chair for the term beginning January 2, 2007.

Adoption of this report is respectfully requested.

pc:cr:06end:kcw

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

December 19, 2006
Page 3

Committee
Report No. 06-169

CHARMAINE TAVARES **Chair**

JO ANNE JOHNSON **Member**

DANNY A. MATEO **Vice-Chair**

DAIN P. KANE **Member**

MICHELLE ANDERSON **Member**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

JOSEPH PONTANILLA **Member**

G. RIKI HOKAMA **Member**

EXHIBIT “A”

PC-7 TRANSFER OF DEVELOPMENT RIGHTS

- Nov. 7/03 C.C. 03-275 Councilmember Johnson, transmitting the following:
1. Draft bill entitled “A BILL FOR AN ORDINANCE TO ENABLE THE TRANSFER OF DEVELOPMENT RIGHTS”; and
 2. Draft resolution entitled “REFERRING TO THE PLANNING COMMISSIONS A DRAFT BILL TO ENABLE THE TRANSFER OF DEVELOPMENT RIGHTS”.

PC-9 AGRICULTURAL SUBDIVISIONS

- May 3/02 C.C. 02-95 Councilmember Johnson, transmitting a draft bill entitled “A BILL FOR AN ORDINANCE AMENDING TITLE 18 OF THE MAUI COUNTY CODE, PERTAINING TO SUBDIVISIONS”, relating to a proposed temporary moratorium on Ag subdivisions (MCC Chapter 18.51), and requesting correction of flaws in the Agricultural District Zoning Ordinance (“Ag bill”).
- Feb. 18/05 C.C. 05-92 Council Chair, transmitting Bill No. 76 (2002), entitled “A BILL FOR AN ORDINANCE AMENDING TITLE 18, MAUI COUNTY CODE, PERTAINING TO PUBLIC REVIEW OF AGRICULTURAL SUBDIVISIONS”.
- Apr. 21/06 C.C. 06-117 Councilmember Johnson, transmitting a proposed resolution entitled “URGING THE ADMINISTRATION TO SUSPEND THE ISSUANCE OF BUILDING PERMITS FOR DWELLINGS ON AGRICULTURAL LANDS UNTIL THE GENERAL PLAN IS UPDATED”.

PC-10 MEO’S TRANSPORTATION FACILITY

- Aug. 24/04 C.C. 04-207 Council Chair, transmitting a letter from the Executive Director of Maui Economic Opportunity, Inc., (MEO) requesting an opportunity to brief the Council on the status of MEO’s transportation facility.

PC-16 CONTROLLING FOWL IN RESIDENTIAL AREAS

- Oct. 4/01 C.C. 01-277 Council Vice-Chair, relating to the matter of crowing roosters in or near residential areas.
- Sept. 15/06 C.R. 06-110
(Recommitted) Planning Committee, recommending adoption of resolution referring a draft bill relating to fowl in Residential, R-0 Zero Lot Line Residential, Two-Family (Duplex), and Apartment Districts to the Planning Commissions.

PC-17 PROJECT DISTRICT AMENDMENTS

- July 6/01 C.C. 01-190 Planning Director, transmitting the following:
1. Comments and recommendations from the Maui, Molokai, and Lanai Planning Commissions regarding proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.45 AND 19.510, MAUI COUNTY CODE, RELATING TO PROJECT DISTRICT AMENDMENTS AND REVISIONS" (transmitted via Resolution No. 00-181); and
 2. Other related documents.
- Mar. 1/02 C.R. 02-24
(Recommitted) Land Use Committee recommending the following:
1. FIRST READING of bill amending Chapters 19.45 and 19.510, Maui County Code, clarifying that project district amendments and revisions shall be processed pursuant to Chapter 19.45; and
 2. FILING of communication.
- May 18/04 C.C. 04-134 Councilmember Tavares, referring the matter relating to Project District Processing Regulations (Chapter 19.45, Maui County Code).
- Nov. 3/06 C.C. 06-275 Councilmember Tavares, transmitting a draft resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A DRAFT BILL AMENDING CHAPTER 19.45, MAUI COUNTY CODE, PERTAINING TO PROJECT DISTRICT APPROVALS".

PC-32 2003 PAIA BUSINESS CAPACITY STUDY AND PAIA STRATEGIC PLAN

Mar. 11/05 C.C. 05-112 Councilmember Anderson, transmitting copies of the 2003 Paia Business Capacity Study and the Paia Strategic Plan 2000-2020.

PC-33 PALI TO PUAMANA PARKWAY MASTER PLAN

Mar. 23/05 C.C. 05-123 Planning Director, transmitting the “Pali to Puamana Parkway Master Plan.”

PC-41 SUSTAINABLE AGRICULTURAL AND RURAL PLANNING

Oct. 21/05 C.C. 05-329 Councilmember Tavares, transmitting the following:

1. Act 183 (2005) entitled “A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS”; and
2. Act 205 (2005) entitled “A BILL FOR AN ACT RELATING TO LAND USE COMMISSION”.

PC-44 AMENDMENT TO DEFINITION OF HEIGHT

Apr. 7/06 C.C. 06-104 Planning Director, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 19.04.040, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS”, and related documents.

PC-45 ELIMINATING “STACKING” OF USES IN HOTEL AND LIGHT INDUSTRIAL ZONING DISTRICTS

June 23/06 C.C. 06-178 Council Chair, transmitting the following draft resolutions entitled:

1. “REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A DRAFT BILL TO AMEND SECTION 19.14.020, MAUI COUNTY CODE, RELATING TO PERMITTING USES IN HOTEL DISTRICTS”; and
2. “REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A DRAFT BILL TO AMEND SECTIONS 19.24.020 AND 19.26.020, MAUI COUNTY CODE, RELATING TO USE REGULATIONS IN LIGHT INDUSTRIAL DISTRICTS”.

PC-46 PARKING STANDARDS FOR RESIDENTIAL MIXED USE DEVELOPMENTS

Oct. 6/06 C.C. 06-250 Council Chair, transmitting the following:

1. A draft bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, AND AMENDING CHAPTER 19.36, MAUI COUNTY CODE, PERTAINING TO OFF-STREET PARKING AND LOADING”; and
2. A draft resolution entitled “REFERRING A BILL PERTAINING TO OFF-STREET PARKING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS”.

PC-47 TRAFFIC IMPACT FEES

Nov. 3/06 C.C. 06-276 Councilmember Tavares, transmitting the following:

1. A draft bill entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN HANA, MAUI, HAWAII”;
2. A draft bill entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII”;
3. A draft bill entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN MAKAWAO-PUKALANI-KULA, MAUI, HAWAII”; and
4. A draft bill entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHULUI, MAUI, HAWAII”;

END OF EXHIBIT “A”