

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

December 19, 2006

Committee
Report No.

06-168

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

Chair and Members:

Your Planning Committee, having met on November 13, 2006, makes reference to County Communication No. 06-276, from Councilmember Charmaine 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".

The purpose of the draft bill is to set forth a regulatory scheme for the assessment and collection of traffic impact fees in the Hana area.

2. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII".

The purpose of the draft bill is to set forth a regulatory scheme for the assessment and collection of traffic impact fees in the Paia-Haiku area.

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".

The purpose of the draft bill is to set forth a regulatory scheme for the assessment and collection of traffic impact fees in the Makawo-Pukalani-Kula area.

4. A draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHLUI, MAUI, HAWAII".

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The purpose of the draft bill is to set forth a regulatory scheme for the assessment and collection of traffic impact fees in the Wailuku-Kahului area.

Your Committee notes that the draft bills set forth a regulatory scheme for the assessment and collection of traffic impact fees consistent with Chapter 14.62, Maui County Code (MCC), relating to traffic impact fees in West Maui, and Chapter 14.68, MCC, relating to traffic impact fees in Kihei-Makena.

By correspondence dated November 9, 2006, the Planning Director transmitted a copy of a transportation model entitled "Maui Island Traffic Impact Fee Report and Comprehensive Roadway Master Plan, November, 2006".

At its meeting, your Committee met with the Planning Director; the Planning Program Administrator, Long Range Division, Department of Planning; and a Deputy Corporation Counsel.

There was no public testimony.

The Chair of your Committee noted that Sections 14.70.060, 14.72.060, 14.74.060, and 14.76.060, of the draft bills require that the regulatory schemes must be approved by the Council prior to the assessment of traffic impact fees.

Your Committee requested that the draft bills be revised to: (1) add reference to Part VIII, Chapter 46, Hawaii Revised Statutes, relating to impact fees; (2) require that impact fees shall be assessed and paid to the County upon issuance of a building permit; and (3) make nonsubstantive corrections.

Your Committee voted to recommend passage of the draft bills as revised.

Your Committee is in receipt of revised proposed bills, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's suggested revisions

Your Planning Committee RECOMMENDS the following:

1. That Bill No. _____ (2006), attached hereto, entitled "A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC

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AND ROADWAY IMPROVEMENTS IN HANA, MAUI, HAWAII”, be PASSED ON FIRST READING and be ORDERED TO PRINT;

2. That Bill No. _____ (2006), attached hereto, entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII”, be PASSED ON FIRST READING and be ORDERED TO PRINT;

3. That Bill No. _____ (2006), attached hereto, entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN MAKAWAO-PUKALANI-KULA, MAUI, HAWAII”, be PASSED ON FIRST READING and be ORDERED TO PRINT; and

4. That Bill No. _____ (2006), attached hereto, entitled “A BILL FOR AN ORDINANCE RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHULUI, MAUI, HAWAII”, be PASSED ON FIRST READING and be ORDERED TO PRINT.

Adoption of this report is respectfully requested.

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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**