

PLANNING COMMITTEE

Council of the County of Maui

Meeting Agenda

November 14, 2005

1:30 p.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

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

e-mail: 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.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

PC-1 UPDATES TO THE GENERAL PLAN

DESCRIPTION: The Committee is in receipt of County Communication No. 05-75, from the Planning Director, requesting the opportunity to periodically inform the Council on the Department of Planning's progress with the General Plan update.

STATUS: The Committee may receive an overview of the Department of Planning's progress in updating the General Plan. In addition, the Committee may receive a presentation on "New Urbanism" and related planning concepts that may be relevant to the General Plan. The Committee may also consider the filing of County Communication No. 05-75 and other related action.

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

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- 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.
 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 conduct a panel discussion, including representatives of interested organizations, on policy issues relating to transient vacation rentals. No legislative action will be taken.