

# PLANNING COMMITTEE

Council of the County of Maui

## Meeting Agenda

December 2, 2008

9:00 a.m.

Council Chamber, 8<sup>th</sup> Floor  
200 South High Street, Wailuku, Hawaii

website: [www.mauicounty.gov/committees/PC/](http://www.mauicounty.gov/committees/PC/)

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

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### VOTING MEMBERS

Gladys C. Baisa, Chair

Jo Anne Johnson, Vice-Chair

G. Riki Hokama

Bill Kauakea Medeiros

Michael J. Molina

*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 Ratz or Clarita Balala) 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 at least 24 hours before 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-4

### SUPERSTORES

#### DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 07-34, from the Council Chair, transmitting a draft resolution entitled "REFERRING A BILL PERTAINING TO 'SUPERSTORES' TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS". The purpose of the draft resolution is to refer to the planning commissions the attached draft bill entitled "A BILL FOR AN ORDINANCE TO PROHIBIT 'SUPERSTORES' IN MAUI COUNTY". The purpose of the draft bill is to establish new definitions for retail establishments to set forth limits on retail use, through restrictions on operation, renovation or expansion of retail establishments that may be or become a superstore.
2. Correspondence dated February 11, 2008, from the Planning Director, transmitting comments on the draft bill from the Lanai, Maui, and Molokai Planning Commissions, the Maui County Cultural Resources Commission, and the Hana Advisory Committee, in response to Resolution No. 07-108, entitled "REFERRING A BILL PERTAINING TO 'SUPERSTORES' TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS, THE MAUI COUNTY CULTURAL RESOURCES COMMISSION, AND THE HANA ADVISORY COMMITTEE", adopted on September 7, 2007.

#### STATUS:

The Committee may consider whether to recommend the filing of County Communication No. 07-34.

MORE →

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**NOTE: THE COMMITTEE CHAIR HAS RECOMMENDED THAT THE FOLLOWING COMMUNICATIONS BE REFERRED TO THE COUNCIL CHAIR FOR THE TERM BEGINNING JANUARY 2, 2009, PURSUANT TO SECTION 19 OF THE RULES OF THE COUNCIL.**

**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            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.  
(Recommitted)

**PC-26                    AGRICULTURAL TOURISM**

Oct. 5/07            C.C. 07-285            Councilmember Baisa, relating to agricultural tourism.

**PC-30                    COASTAL EROSION AND SEA-LEVEL RISE**

Jan. 25/08        C.C. 08-23            Councilmember Baisa, pertaining to the matter of policy issues relating to coastal erosion and sea-level rise.

**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-34                    FOREST PESTS**

Mar. 7/08            C.C. 08-73            Mayor, transmitting a proposed resolution entitled "SUPPORTING SAFE, EFFECTIVE BIOLOGICAL CONTROL FOR MAUI COUNTY'S FOREST PESTS".

**PC-36                    TITLE TO REAL PROPERTY**

Apr. 4/08            C.C. 08-94            Councilmember Baisa, relating to the title to real property.

**PC-40                    TRANSIENT VACATION RENTALS LEGISLATION**

Feb. 22/08            C.C. 08-61            Planning Director, transmitting documentation relating to five draft bills entitled:

1.    "A BILL FOR AN ORDINANCE TO AMEND THE RURAL DISTRICT TO ALLOW THE ESTABLISHMENT OF BED AND BREAKFAST OPERATIONS";
2.    "A BILL FOR AN ORDINANCE TO AMEND THE CHAPTER 19.30A AGRICULTURAL DISTRICT";
3.    "A BILL FOR AN ORDINANCE RELATING TO THE PERMITTING OF TRANSIENT VACATION RENTALS";
4.    "A BILL FOR AN ORDINANCE TO AMEND THE CHAPTER 19.40 CONDITIONAL PERMITS"; and
5.    "A BILL FOR AN ORDINANCE TO AMEND THE BED AND BREAKFAST ORDINANCE".

**PC-43                    RURAL ZONING DISTRICTS**

Oct. 3/08            C.C. 08-225            Council Chair, transmitting a proposed resolution entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A DRAFT BILL PERTAINING TO RURAL DISTRICTS".

**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-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”.

Jan. 05/07 BILL 66 (2006) “A BILL FOR AN ORDINANCE TO ESTABLISH A FEE SCHEDULE FOR KIHEI-MAKENA TRAFFIC IMPACT FEES”.

Jan. 05/07 BILL 67 (2006) “A BILL FOR AN ORDINANCE TO ESTABLISH A FEE SCHEDULE FOR WEST MAUI TRAFFIC IMPACT FEES”.

Jan. 05/07	BILL 77 (2006)	“A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI, AS IT PERTAINS TO REVENUES – RATES, FEES AND ASSESSMENTS FOR TRAFFIC IMPACT FEES”.
Apr. 10/07	C.C. 07-116	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.62, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WEST MAUI, HAWAII”.
Apr. 10/07	C.C. 07-117	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.68, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN KIHEI AND MAKENA, MAUI, HAWAII”.
June 15/07	C.C. 07-185	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.70, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN HANA, MAUI, HAWAII”.
June 15/07	C.C. 07-186	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.74, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN MAKAWAO-PUKALANI-KULA, MAUI, HAWAII”.
June 15/07	C.C. 07-187	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.76, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN WAILUKU-KAHULUI, MAUI, HAWAII”.
June 15/07	C.C. 07-188	Director of Finance, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.78, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRAFFIC AND ROADWAY IMPROVEMENTS IN PAIA-HAIKU, MAUI, HAWAII”.

**PC-51            REPETITIVE LOSS PROPERTIES FLOODPLAIN MANAGEMENT PLAN**

Nov. 7/08            C.C. 08-254            Planning Director, transmitting the following documents:

1.    Resolution No. 01-141, entitled “ADOPTING THE COUNTY OF MAUI REPETITIVE LOSS PROPERTIES FLOODPLAIN MANAGEMENT PLAN”;
2.    County of Maui, Repetitive Loss Properties Floodplain Management Plan - Updated 2008; and
3.    County of Maui, Repetitive Loss Properties Floodplain Management Plan, Annual Evaluation Report, October 2008.

pc:081202:dmr

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