

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

February 18, 2005

**Committee**  
**Report No.**

05-6

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

Chair and Members:

Your Land Use Committee, having met on February 2, 2005, makes reference to County Communication No. 04-66, from the Planning Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM STATE AGRICULTURAL DISTRICT TO STATE URBAN DISTRICT FOR PROPERTY SITUATED ON THE EASTERLY SIDE OF MAUNALOA HIGHWAY AT KALUAKOI AND ILOLI, MOLOKAI, HAWAII".

The purpose of the proposed bill is to enact a District Boundary Amendment for the Maunaloa Manager's Row Subdivision on property located on the easterly side of Maunaloa Highway at Kaluakoi and Iloli, Molokai.

2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICT TO R3 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED ON THE EASTERLY SIDE OF MAUNALOA HIGHWAY AT KALUAKOI AND ILOLI, MOLOKAI, HAWAII".

The purpose of the proposed bill is to enact a Change in Zoning for the Maunaloa Manager's Row Subdivision on property located on the easterly side of Maunaloa Highway at Kaluakoi and Iloli, Molokai.

Your Committee notes that County Communication No. 04-66 was referred to the prior Council's Planning and Land Use Committee at the Council meeting of February 20, 2004.

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Your Committee notes that Molokai Properties, Ltd. has applied for the subject District Boundary Amendment and Change in Zoning to allow for the subdivision of the subject property into eight lots to be used for single-family homes.

Your Committee further notes that the Molokai Planning Commission held a public hearing on the application on December 10, 2003.

Your Committee further notes that the Molokai Planning Commission, on December 10, 2003, after reviewing the findings presented in the documents entitled "MAUI PLANNING DEPARTMENT'S REPORT TO THE MOLOKAI PLANNING COMMISSION NOVEMBER 12, 2003 MEETING" and "MAUI PLANNING DEPARTMENT'S RECOMMENDATION TO THE MOLOKAI PLANNING COMMISSION NOVEMBER 12, 2003 MEETING", voted to recommend approval of the proposed bills on December 10, 2003.

By correspondence dated June 28, 2004, the Chair of the Planning and Land Use Committee requested that the Planning Director provide minutes of the Molokai Planning Commission's meeting of December 10, 2003.

By correspondence dated July 12, 2004, the Council Chair transmitted correspondence dated July 7, 2004, from the Planning Director, transmitting minutes of the Molokai Planning Commission's meeting of December 10, 2003.

At its meeting of November 16, 2004, the Planning and Land Use Committee met with the Director of Water Supply; the Planning Director; the Planning Program Administrator, Department of Planning; a Planner, Department of Planning; the Deputy Director of Public Works and Environmental Management; a Sergeant, Department of Police; and a Deputy Corporation Counsel.

The Committee received public testimony in support of the proposed bills from Harold Edwards of Molokai Properties, Ltd. (the applicant) and Molokai resident DeGray Vanderbilt. Mr. Edwards noted that approval of the proposed bills would foster economic development by allowing for the subdivision and sale of eight homes. Mr. Vanderbilt noted that the proposed bills are consistent with the Molokai Community Plan.

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The Planner provided a brief overview of the application.

After a brief discussion, the Committee voted to recommend passage of the proposed bills, as revised, to incorporate technical revisions, and filing of the communication.

By correspondence dated November 18, 2004, the Chair of the Planning and Land Use Committee requested that the Corporation Counsel revise the proposed bills and a related map to correct tax map key numbers and acreage.

Your Committee notes that the revised proposed bills were not received in time for the last Council meeting of the 2003-2005 Council term (held on December 14, 2004). Therefore, the Planning and Land Use Committee was unable to issue a report recommending first reading of the revised proposed bills prior to the expiration of the Council term.

At its meeting of January 21, 2005, the Council referred County Communication No. 04-66 to your Land Use Committee (County Communication No. 05-13).

By correspondence dated January 26, 2005, the Council Chair transmitted correspondence dated January 20, 2005, from the Planning Director, transmitting revised maps and the following revised proposed bills, approved as to form and legality by the Department of the Corporation Counsel, incorporating technical revisions requested by the prior Council's Planning and Land Use Committee and the Department of Planning:

1. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM STATE AGRICULTURAL DISTRICT TO STATE URBAN DISTRICT FOR PROPERTY SITUATED ON THE EASTERLY SIDE OF MAUNALOA HIGHWAY AT KALUAKOI AND ILOLI, MOLOKAI, HAWAII".

The revised proposed bill clarifies that the District Boundary Amendment for the Maunaloa Manager's Row Subdivision pertains to approximately 0.799 acres on the easterly side of Maunaloa

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Highway at Kaluakoi and Iloli, Molokai, identified for real property tax purposes as TMK Nos. (2) 5-1-002: por. 025 and por. 029.

2. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICT TO R3 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED ON THE EASTERLY SIDE OF MAUNALOA HIGHWAY AT KALUAKOI AND ILOLI, MOLOKAI, HAWAII".

The revised proposed bill clarifies that the Change in Zoning for the Maunaloa Manager's Row Subdivision pertains to approximately 4.962 acres on the easterly side of Maunaloa Highway at Kaluakoi and Iloli, Molokai, identified for real property tax purposes as TMK Nos. (2) 5-1-002: por. 025 and por. 029.

At its meeting of February 2, 2005, your Committee met with the Planning Director; the Planning Program Administrator, Current Planning Division, Department of Planning; a Planner, Department of Planning; the Deputy Director of Public Works and Environmental Management; a Deputy Corporation Counsel; and Harold Edwards of Molokai Properties, Ltd.

There was no public testimony.

The Planner provided a brief overview of the application. She noted that the property is located outside of the Special Management Area and that approval of the request would allow the property to be subdivided into eight lots, with an existing dwelling on each of six lots.

Mr. Edwards confirmed that the landowner remains agreeable to first offering the houses for sale to their existing tenants.

Your Committee voted to recommend passage of the revised proposed bills and filing of the communication.

Your Committee is in receipt of a further revised change in zoning bill from the Department of the Corporation Counsel incorporating nonsubstantive revisions (hyphenating "R3" in the title and text of the bill).

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Your Land Use Committee RECOMMENDS the following:

1. That Bill No. \_\_\_\_\_ (2005), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM STATE AGRICULTURAL DISTRICT TO STATE URBAN DISTRICT FOR PROPERTY SITUATED ON THE EASTERLY SIDE OF MAUNALOA HIGHWAY AT KALUAKOI AND ILOLI, MOLOKAI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT;
  
2. That Bill No. \_\_\_\_\_ (2005), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM AND AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED ON THE EASTERLY SIDE OF MAUNALOA HIGHWAY AT KALUAKOI AND ILOLI, MOLOKAI, HAWAII", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
  
3. That County Communication No. 04-66 be FILED.

Adoption of this report is respectfully requested.

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**ROBERT CARROLL** Chair

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**DAIN P. KANE** Member

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**JOSEPH PONTANILLA** Vice-Chair

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**DANNY A. MATEO** Member

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**MICHELLE ANDERSON** Member

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**MICHAEL J. MOLINA** Member

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**G. RIKI HOKAMA** Member

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**CHARMAINE TAVARES** Member

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**JO ANNE JOHNSON** Member