

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

July 12, 2023

Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

Mr. Jordan Molina, Director
Department of Public Works
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Molina:

SUBJECT: **BILL 42 (2023), AMENDING THE SUBDIVISION
ORDINANCE RELATING TO HISTORIC PROPERTY**
(WAI-8)

At its meeting of July 31, 2023, the Water and Infrastructure Committee intends to discuss Bill 42, CD1 (2023), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 18.04, MAUI COUNTY CODE, RELATING TO GENERAL PROVISIONS FOR SUBDIVISIONS."

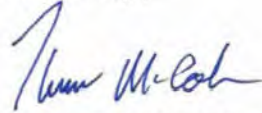
In preparation for the meeting, may I please request that you review Bill 42, CD1 (2023), which is attached for your convenience, and provide any suggested revisions. Please also confirm if the Department approves of Bill 42, CD1 (2023).

May I further request your written response by **July 17, 2023**. To ensure efficient processing, please transmit your response to wai.committee@mauicounty.us and include the relevant Committee item number in the subject line of your response.

Mr. Jordan Molina
July 12, 2023
Page 2

Should you have any questions, please contact me or the Committee staff (Jarret Pascual at ext. 7141, or Clarita Balala at ext. 7668).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Cook", written in a cursive style.

TOM COOK, Chair
Water and Infrastructure Committee

wai:ltr:008apw01:jpp

Attachment

cc: Mayor Richard T. Bissen, Jr.

ORDINANCE NO. _____

BILL NO. 42, CD1 (2023)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 18.04,
MAUI COUNTY CODE, RELATING TO GENERAL PROVISIONS
FOR SUBDIVISIONS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. This Ordinance's purpose is to support the creation of separate lots to further the preservation of historic properties as defined by chapter 6E, Hawaii Revised Statutes.

SECTION 2. Section 18.04.020, Maui County Code, is amended by adding a new subsection H to read as follows:

"H. The requirements of this title do not apply to a subdivision initiated by a landowner solely for the purpose of creating a separate lot designated for the preservation of significant historic property. The determination of the significance and preservation of the historic property must be in accordance with chapter 6E, Hawaii Revised Statutes. Reasonable access to the lot designated as significant historic property must be provided, except access may be limited or controlled for cultural and environmental resource protection and public safety. Ownership of the designated lot must be transferred to and placed under the control and management of a non-profit land conservation organization that complies with section 501(c) of the Internal Revenue Code and any other requirements under federal, state, and county law regulating the conduct of charitable or nonprofit organizations. All applicable provisions of this title apply to the subsequent development of any remaining lots in the subdivision not designated under chapter 6E, Hawaii Revised Statutes, as significant historic property."

SECTION 3. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 4. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

wai:misc:008abill01:jpp

INTRODUCED BY:



TOM COOK