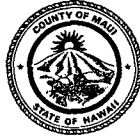


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Director of Council Services  
Maria E. Zielinski

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

April 3, 2019

Ms. Michele Chouteau McLean, Director  
Department of Planning  
County of Maui  
Wailuku, Hawaii 96793

Dear Ms. McLean:

**SUBJECT: REQUESTS/QUESTIONS FROM THE APRIL 2, 2019  
MEETING (PL-8) (EDB-1)**

At its meeting on April 2, 2019, the Economic Development and Budget Committee requested your Department's responses to the following requests/questions.

1. Regarding Appendix B, Department of Planning, General Fund, Table A (pages 28-29).
  - a. Please provide the basis for the current fee amounts. (YS)
  - b. Please provide an overview of the permit application process, noting when fees are charged and discounts are applied. (KK)
  - c. For the permit types listed, please provide a breakdown of the number of applicants. (TP)
  - d. Please comment on the FY 2009-10 User Fee (Cost of Services) Study conducted by the Matrix Consulting Group: (YS)
    - i. Are the processing costs noted in the study still accurate? (KK)
    - ii. Have efficiencies been introduced since the study was done? (KK)
    - iii. Does the Department think this study is a useful tool for setting permit fees? (KK)

Ms. Michele Chouteau McLean  
April 3, 2019  
Page 2

- e. Are these fees comparable to other counties in the State? (YS, KK)
  - f. What does the Department recommend regarding these fees? (YS)
2. Attached are the Committee Chair's proposed changes to the Department of Planning's fees. Please comment on the proposed changes. (RH) How would these changes impact the community? (SS)
  3. Regarding Change in Zoning applications:
    - a. Please provide a list of current applicants. (RH, KRF)
    - b. How many applications are submitted annually, and what percentage of applicants complete the Change in Zoning process? (KK)
  4. Please provide the consultant report on the status of illegal Short-Term Rental Homes and Bed & Breakfast Homes. (RH)

May I further request that you transmit your response **no later than April 10, 2019**, to enable the Committee to comprehensively review the FY 2020 Budget.

To ensure efficient processing, please duplicate the coding in the subject line above for easy reference.

Thank you for your attention to this request. Should you have any questions, please contact me or the Committee staff (Leslee Matthews at ext. 7662, Shelly Espeleta at ext. 7134, Christy Chung at ext. 7137, or Yvette Bouthillier at ext. 7758).

Sincerely,



KEANI RAWLINS-FERNANDEZ, Chair  
Economic Development and Budget  
Committee

edb:2020bgt:190403apl01:kmat/jgk  
Attachment

cc: Mayor Michael P. Victorino  
Budget Director

REVENUE SOURCE	FEE, RATE, ASSESSMENT OR TAX	HRS	COUNTY CODE	ORDINANCE
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DEPARTMENT OF PLANNING  
GENERAL FUND

CHARGES FOR CURRENT SERVICES:

Fees - Department of Planning

**Table A - Fee Schedule (Public Hearing Required)**

Geothermal Development Permit  
Maui Planning Commission Rules of Practice and Procedures  
12-201-102 (a)

Change of Zoning 19.510.010

**Conditional Permit** 19.40.030

Community Plan Amendment 2.80B.110

State Land Use District Boundary Amendment 19.68.020

Project District Zoning 19.45.040

BVA Variance and Appeals  
Variances - BVA Rules 12-801-69  
Appeals - BVA Rules 12-801-82

County Special Use Permit 19.510.010

Special Permit within State Land Use Agricultural and Rural Districts 205-6(a)

Project Master Plan Review 19.510.010

**Shoreline Setback Variances**

Maui Shoreline Setback Rules 12-203-14(a)(1)  
Molokai Shoreline Setback Rules 12-304-12(a)(1)  
Lanai Shoreline Setback Rules 12-403-18(a)(1)

Environmental Assessments (non-exempt)

**Special Management Area (SMA) Permits (non exempt)**

Maui SMA Rules 12-202-15(a)(3)  
Molokai SMA Rules 12-302-15(a)(3)  
Lanai SMA Rules 12-403-15(a)(3)

Nondecennial General Plan Amendment 2.80B.060

Total Valuation Fee Per Application (unless otherwise stated and subject to exceptions below)

\$0 to \$125,000 ..... \$550 **\$2100**

\$125,001 to \$500,000 ..... \$550 for the first \$125,001, plus \$11 for each additional \$5,000 or fraction thereof, to and including \$500,000

Additional review required by changes, additions, revisions, time extensions or renewals: ..... \$165

\$500,001 to \$1,000,000 ..... \$1,350 for the first \$500,001, plus \$11 for each additional \$5,000 or fraction thereof, to and including \$1,000,000

Additional review required by changes, additions, revisions, time extensions or renewal ..... \$275

RAISE BY 25% OF 2010 FEES  
(see attachment)  
**(20%)**

**\$2730**

**\$330 (20% increase)**



ACCOUNT	REVENUE SOURCE	FEE, RATE, ASSESSMENT OR TAX	HRS	COUNTY CODE
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DEPARTMENT OF PLANNING  
GENERAL FUND (Cont.)

\$3549

\$1,000,001 and up ..... ~~\$225~~ for the first \$1,000,001,  
plus \$11 for each additional  
\$5,000 or fraction thereof, to a  
maximum of \$4,950

Additional review required by changes, additions, revisions, time  
extensions or renewals ..... ~~\$550~~ \$660 (20% increase)  
Additional public hearing notice: \$550

Table B - 1a Schedule (No Public Hearing Required)

All other permits or reviews for which no public hearing is  
required, unless otherwise specified herein (such as Special  
Management Area Assessments for Exemptions, Minor Permits,  
Emergency Permits\*, Flood Development, Farm Plans,  
Landscaping Approval, and Comprehensive Signage  
Plans)..... ~~\$100~~ RAISE:  
\$210

Business - Country Town Design Appeal..... ~~\$100~~ \$210 19.510.130

Additional review required by changes, additions,  
or revisions..... ~~\$100~~ \$210

\*Maui SMA Rules 12-202-12(c)(2)(m), Molokai SMA Rules  
12-302-12(c)(2)(L), Maui County Code 19.36A.070,  
16.13.160(B)(1)(g)

Bed and Breakfast Permits 19.64.040(A)

15.8% of 2010 costs (current)

1 New Permit  
Application Fee ..... ~~\$500~~ RAISE TO 2010 COSTS  
\$600  
If Public Hearing Required..... Additional \$550  
If B&B Permit approved for:  
1 year ..... No Additional Charge  
2 years ..... Additional \$200  
3 years ..... Additional \$400

2 (Time Extension)  
Application Fee ..... ~~\$500~~ RAISE TO ALMOST MATCH 2010 COSTS  
\$500  
If B&B Extension approved for:  
1 year ..... No Additional Charge  
2 years ..... Additional \$200  
3 years ..... Additional \$400  
4 years ..... Additional \$600  
5 years ..... Additional \$800

Short Term Rental Home Permits 19.65.050(A)

1 New Permit  
Application Fee ..... ~~\$700~~ \$1090 60% increase  
If Public Hearing Required..... Additional \$550  
If Permit approved for:  
1 year ..... No Additional Charge  
2 years ..... Additional \$320  
3 years ..... Additional \$640

2 (Time Extension)  
Application Fee ..... ~~\$700~~  
If Extension approved for:  
1 year ..... No Additional Charge  
2 years ..... Additional \$320  
3 years ..... Additional \$640  
4 years ..... Additional \$960  
5 years ..... Additional \$1280

3 After the Fact Short Term Rental Home Permit  
Application Fee ..... ~~\$1250~~ 19.65.080  
(E)(1)(d)

DELETE OR INCREASE TO FINE FOR TIME VIOLATION.

COUNTY OF MAUI  
REVENUES - FEES, RATES, ASSESSMENTS AND TAXES

ACCOUNT	REVENUE SOURCE	FEE, RATE, ASSESSMENT OR TAX	HRS	COUNTY CODE	ORDINANCE
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DEPARTMENT OF PLANNING  
GENERAL FUND (Cont.)

**Other Permits and Approvals**

Building Permit Review Fees	49,04.050
Initial Review.....	No Charge
Review of First Resubmittal.....	\$250
Review of Second Resubmittal.....	\$500
Review of Additional Resubmittal.....	\$1,000 each

*Current fee = 4.55% of 2010 cost*

Sign Variance.....	<del>\$75</del> \$1456	(20% increase)	16.13.170(B)
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Other Sign Permits.....	\$55		16.13.160(B)(1)(g)
Other Promotional Signs.....	\$25		16.13.160(A)(3)
Parking Approvals (Non-Administrative) .....	\$110		19.510.010(B)
Parking Approvals (Administrative) .....	\$55		19.510.010(B)
Historic District Commission Applications.....	\$110		19.510.010(B)
Historic District Administrative Applications .....	\$55		19.510.010(B)
Historic District Signs.....	\$55		19.510.010(B)
Historic District Banners .....	\$25		19.510.010(B)

*1.52% of sep 3, 2010 cost*

Planned Development.....	<del>\$110</del> \$143	(20% increase)	19.510.010(B)
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Maui Redevelopment Agency Approval .....	\$110		19.510.010(B)
Existing Permit Review, Time Extension, etc .....	\$110		19.510.010(B)

EXCEPTIONS TO FEES

**Concurrent Processing**

Permit or development applications which are being processed concurrently with other permit or development applications processed by the Department of Planning shall be charged the full fee for the first application and 50% of the normal fee for each additional application to the extent processed at the same time as the first application.

DELETE

After-the-fact permit and assessment fees:

Minimum fee of \$1,000, in addition to other applicable application fees, plus up to 50% of project valuation as determined by the planning director.

Government Fees:

Filing fees for development or permit applications filed by or on behalf of any County agency may be waived by the planning director; County agencies shall pay for the direct costs of public notices for applications that require a public hearing.

Affordable Housing:

Projects built and offered for sale or rental in accordance with Chapter 2.96, Maui County Code, shall be exempt from the fees set forth in Table A and Table B by the percentage of fee waived per the percentage of affordable housing units above those required by Chapter 2.96, Maui County Code.

Other Fees (not subject to exceptions above):

*cost in 2010 = \$6,126*

Special Management Area Appeal of Director's Decision.....	<del>\$500</del> \$1232	(20% increase)	
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Maui SMA Rules 12-202-30  
Molokai SMA Rules 12-302-26(a)

ACCOUNT	REVENUE SOURCE	FEE, RATE, ASSESSMENT OR TAX	HRS	COUNTY CODE	ORDINANCE
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**DEPARTMENT OF PLANNING  
GENERAL FUND (Cont.)**

currently 4.06% of 2010 cost → 2 Shoreline Setback Appeal ..... ~~\$122~~ \$1232 (RAISE 28% OF 2010 COSTS)

Maui Shoreline Setback Rules 12-203-22  
Lanai Shoreline Setback Rules 12-403-24(2)(a)

currently 4.57% of 2010 cost → 3 Adoption, Amendment or Repeal of Planning Commission Rules and Regulations ..... ~~\$109~~ \$1094 (RAISE 20% OF 2010 COSTS)

Maui Planning Commission Rules of Practice and Procedures 12-201-92(c)(1)(D)

Molokai Planning Commission Rules of Practice and Procedures 12-301-63(c)(1)(D)

Lanai Planning Commission Rules of Practice and Procedures 12-401-92(c)(1)(D)

24% of 2010 cost → 4 Petition to Intervene ..... \$500 <sup>KEEP</sup>

Maui Planning Commission Rules of Practice and Procedures 12-201-40(b)

**DEPARTMENT OF POLICE  
GENERAL FUND**

**REVENUE FROM USE OF MONEY & PROPERTY:**

3612	Rental - Public Bldgs. and Rooms	Police Cottages:			
		For those officers permanently assigned to certain districts, the lesser of the fair market value rent or the following rent shall apply:			3.40.180.B (SHOPO Memorandum of Understanding)
		Lanai ..... 2 cottages at \$200 per month per cottage			
		Molokai ..... 2 cottages at \$200 per month per cottage			
		Hana ..... 1 cottage at \$200 per month per cottage			

**CHARGES FOR CURRENT SERVICES:**

3427	Fees - Permit to Carry Firearms	Renewable with an expiration of one year from the date of issue.....\$10			134-9
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**DEPARTMENT OF POLICE  
SPECIAL REVENUE/TRUST AND AGENCY FUND**

**MISCELLANEOUS:**

Fees - Alarms System Registration	Residential	Business			
	Registration.....	\$25.....	\$50		8.34.021
	Renewal (every 2 years).....	\$25.....	\$50		8.34.022
	Failure to Register.....	\$50.....	\$100		
Service Charge - False Alarms Response	Residential	Business			
	First Response.....	No Charge.....	No Charge		8.34.030
	Second*.....	\$25.....	\$50		
	Third*.....	\$50.....	\$100		
	All subsequent*.....	\$50.....	\$150		

(\*within a twelve-month period)