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

September 28, 2021

MEMO TO: Moana M. Lutey  
Corporation Counsel

Handwritten signature of Tamara Paltin in black ink.

F R O M: Tamara Paltin, Chair  
Planning and Sustainable Land Use Committee

SUBJECT: **WAILUKU REDEVELOPMENT AREA AND VARIANCES** (PSLU-24)

At its reconvened meeting of September 22, 2021, the Planning and Sustainable Land Use Committee discussed the Maui Redevelopment Agency's authority to zone land and issue variances within the Wailuku Redevelopment Area.

The following questions arose as a result of the discussion:

- Whether the Revised Charter of the County of Maui (1983), as amended ("Charter") requires the Maui Planning Commission to review all land use and zoning changes made within the 68 acres that comprise the Wailuku Redevelopment Area.
- Whether the Charter requires Council to approve by ordinance zoning changes made by the Maui Redevelopment Agency within the Wailuku Redevelopment Area.
- Whether Council has the discretionary authority to delegate certain land use and zoning decisions to other County agencies.

May I please request your legal opinion on each of the above questions? I would appreciate receiving a response being sent to [pslu.committee@mauicounty.us](mailto:pslu.committee@mauicounty.us) by **October 5, 2021**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Moana M. Lutey  
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Should you have any questions, please contact me or the Committee staff (Wilton Leauanae at ext. 7761, or Clarita Balala at ext. 7668).

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