

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

December 21, 2018

Committee

Report No. 18-242

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

Chair and Members:

Your Land Use Committee, having met on January 3, 2018, and December 5, 2018, makes reference to County Communication 17-129, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04 AND 19.30A, MAUI COUNTY CODE, TO AUTHORIZE CERTAIN SUBDIVISIONS AND USES." The purposes of the proposed bill are to exempt roadway lots and restricted use lots from complying with certain subdivision requirements, and to permit filming and temporary commercial events in all zoning districts.

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted the following:

1. A revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04 AND 19.30A, MAUI COUNTY CODE, RELATING TO ROADWAY LOT AND RESTRICTED USE LOT SUBDIVISIONS, AND AUTHORIZING FEES AND ADMINISTRATIVE RULES." The purposes of the revised proposed bill are to authorize certain subdivisions and uses that are not detrimental to public health, safety, or welfare; allow the Department of Planning to collect fees; and exempt roadway lots and restricted use lots from complying with minimum lot area, lot width, and lot coverage requirements.
2. A revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, TO AUTHORIZE COMMERCIAL FILMING AND PHOTOGRAPHY ACTIVITY, TEMPORARY COMMERCIAL EVENTS, AND TEMPORARY SALES OFFICES IN ALL ZONING DISTRICTS, SUBJECT TO CERTAIN LIMITATIONS" ("film bill"). The purposes of the revised proposed bill are to allow in all zoning

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districts, unless expressly prohibited, the following activities: commercial filming and photography, temporary commercial events such as bazaars, fairs, receptions, or festivals, and temporary sales offices.

Your Committee notes it previously reported on this matter through Committee Report 17-92, which recommended that the proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04 AND 19.30A, MAUI COUNTY CODE, RELATING TO ROADWAY LOTS AND RESTRICTED USE LOTS, AND AUTHORIZING FEES AND ADMINISTRATIVE RULES," be passed on first reading and ordered to print. At its meeting of July 28, 2017, the Council passed the proposed bill on second and final reading (Ordinance 4464 (2017)).

Your Committee deferred the revised proposed film bill at its meeting of June 14, 2017.

Your Committee received testimony that filming has been disruptive to neighborhoods. Your Committee also received testimony about the benefits of promoting the film industry in the County.

Your Committee received two further revised versions of the film bill incorporating revisions relating to notification of residents, event start and end times, handling of complaints, event frequency, and other issues. However, your Committee was unable to agree to a version of the film bill that it could support.

Your Committee voted 6-0 to recommend filing of the communication. Committee Chair Carroll and members Atay, Cochran, Crivello, King, and Sugimura voted "aye." Committee Vice-Chair Hokama and members Guzman and White were excused.

Your Land Use Committee **RECOMMENDS** that County Communication 17-129 be FILED.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



ROBERT CARROLL, Chair

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