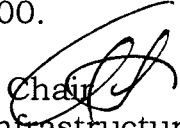


MAUI COUNTY COUNCIL
Amendment Summary Form

Legislation: Proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.040, MAUI COUNTY CODE, RELATING TO IMPROVEMENTS UPON EXISTING STREETS," attached to Water and Infrastructure Committee Report 19-100.

Proposer: Alice L. Lee,  Chair
Water and Infrastructure Committee

Description: The proposed bill would require improvements to existing streets for a subdivision creating two developable lots, except for an applicant on the priority list for the Upcountry water system who qualifies for the exemption from fire protection mainline infrastructure improvements. The amendment would allow subdivision applications submitted within 90 days after the effective date of the new ordinance to be governed by the existing ordinance.

Motion: Move to amend Section 4 of the bill by:

- Striking "a valid subdivision with construction plans approved by" and inserting in its place "an application for subdivision approval from".
- Striking "on" and inserting in its place "within ninety days after".

Effect: If the motion is approved, the revised version of Section 4 will read as follows:

SECTION 4. This ordinance shall take effect upon its approval, except that the version of Section 18.20.040, Maui County Code, in effect prior to this ordinance's enactment shall apply to an application for subdivision approval from the Department of Public Works that is valid within ninety days after the effective date of this ordinance.

RECEIVED AT WAH MEETING ON 9/16/2019
(King Kekaulike)
Committee Chair Lee

HOLD FOR MEETING

CR 19-100

September 16, 2019 Water and Infrastructure Committee meeting

Reasons: Subdivision applicants in the queue and those about to submit subdivision applications have been preparing their plans according to the existing ordinance. This amendment recognizes the time and resources already invested in following current requirements.

wai:ltr:038aasf01:ckc

ORDINANCE NO. _____

BILL NO. _____ (2019)

A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.040, MAUI COUNTY
CODE, RELATING TO EXISTING STREETS

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

SECTION 1. This ordinance's purpose is to remove a current exemption, and thus require improvements to existing streets by a subdivision into two developable lots.

SECTION 2. Section 18.20.040, Maui County Code, is amended by amending subsection A to read as follows:

“A. No improvements shall be required upon existing streets for a consolidation of lots; for a subdivision creating only road widening lots; for a consolidation of three developable lots or less which is resubdivided without creating additional developable lots; [for a subdivision into two developable lots] or for a subdivided parcel used for a church. Churches shall dedicate land necessary for road widening purposes to comply with the requirements of this chapter. [Parcels that have undergone a subdivision into two developable lots under this subsection shall not qualify for this exemption with respect to any subsequent resubdivision of any of the parcel which creates additional developable lots.]”

SECTION 3. Material to be repealed is bracketed. In printing this bill, the County Clerk need not include the brackets or the bracketed material.

SECTION 4. This ordinance shall not apply to subdivisions that receive preliminary approval within ninety days after the effective date of the ordinance.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

wai:misc:038abill01