

## PC Committee

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**From:** Michele McLean <Michele.McLean@co.maui.hi.us>  
**Sent:** Wednesday, October 19, 2016 8:14 AM  
**To:** PC Committee  
**Cc:** John Rapacz; Joseph Alueta; William Spence; Don Couch; Greg J. Garneau  
**Subject:** Proposed PC-28 amendments  
**Attachments:** Proposed amendments for October 2016 PC meeting.docx

Aloha Chair Couch and Members of the Planning Committee,

Attached please find some minor proposed amendments to Chapter 19.35, Maui County Code, to be considered as you review the two proposed bills offered by Councilmember Carroll and the Mayor relating to accessory dwellings (ohanas).

Mahalo for your consideration,  
Michele.

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PC-28

**Proposed amendments to the Mayor's proposed bill to amend  
Chapter 19.35, Maui County Code, relating to accessory dwellings**

19.35.010.E (page 3) should read:

"E. No accessory dwelling shall be used for occupancy for periods of less than ~~six~~  
~~months~~ 180 days and shall not be used as a bed and breakfast home, short-term rental home  
or transient vacation rental unit unless such use ~~has already been~~ was lawfully established  
prior to the enactment of this ordinance."

19.35.020 (page 3) should read:

"\* (Including any enclosed storage, [covered decks, walkways, patios, lanais] and similar  
structures but excluding a carport or parking space ~~and excluding areas located beneath eaves  
that extend no more than three feet~~)."\*

19.35.060.B (page 4) should read:

"B. Covered decks, walkways, patios, lanais or similar structures shall not exceed the  
following respective cumulative total areas excluding areas located beneath eaves that  
extend no more than three feet."

**One additional proposed amendment to Chapter 19.35, Maui County Code**

19.35.090.D (page 5 of Councilmember Carroll's proposed bill) should read:

"D. Adequacy of street. The lot must have direct access to a street which has a minimum  
paved roadway width of sixteen feet ~~and/or~~ which the director of public works determines to be  
adequate for the proposed construction."