

LU Committee

From: Jim or Belinda <2jbhome@hawaiiantel.net>
Sent: Tuesday, March 21, 2017 8:32 PM
To: LU Committee
Subject: Testmony related to LU 26 - considered on 03_22_17
Attachments: TESTIMONY LU 26 mtg 03 22 17.pdf

Please find attached testimony related to LU item 26 to be considered Wednesday meeting at 1:30 p.m.

thank you so much

Jim Smith

Jim Smith
99 Kapuai Road
Haiku, Maui, Hawaii 96708

March 22, 2017

Chairperson Robert Carroll and
Members of the Land Use Committee
of the Maui County Council
200 S. High Street
Wailuku, Maui, Hawaii 96732

TESTIMONY: Item LU – 26 RE: amending Chapters 19.04 and 19.30A
Maui County Code

Dear Chairperson Carroll and Members of the Committee,

In the Description part of this Item listed for this meeting dated March 22, 2017, it states this Ordinance has two purposes: 1 It authorizes certain subdivisions and uses and 2. Its purpose is to “allow” the department to collect fees. These two purpose should be separated and considered independently because they impact the community in significantly different ways.

1. The complexity of qualifying lots that are exempt from designation as a lot and the record reflects that neither the numbers or potential misuse are examined by planning commissions. This Committee is asked to do this.
2. The Director is charged with the duty and responsibility to administer policy, and that includes collection of fees. This particular part of the proposed ordinance appears on its face unnecessary, and the Director doesn't know this. The department collects fees for the permits it issues. It does not need to be “allowed” to do that which it has a responsibility to do.

It appears in this proposal the executive branch abdicates its responsibility.

Further, this ordinance should be considered in greater depth because it empowers this Director, at its discretion, to penalize applicants by charging for applications it determines inadequate or incorrect without Council

oversight.

The ordinance should be amended to include reports to the Council of all application of the power this ordinance conveys. I request that this and other problems be worked out in this Committee after Budget.

Thank you

Signed: Jim Smith
03_22_17