

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

July 15, 2021

Director of Council Services
Traci N. T. Fujita, Esq.

RECEIVED
Deputy Director of Council Services
David M. Raatz, Jr., Esq.
2021 JUL 15 PM 3:26

OFFICE OF THE
COUNTY CLERK

The Honorable Alice L. Lee
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair Lee:

**SUBJECT: AMENDMENT TO BILL 62 (2021), RELATING TO
ZIPLINE, CANOPY, RAPPELLING, AND BUNGEE
JUMPING (PAF 21-196)**

May I request the attached proposed amendment to Bill 62 (2021), relating to zipline, canopy, rappelling, and bungee jumping, be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink that reads "Tamara M. Paltin".

TAMARA PALTIN
Councilmember

paf:dmr:21-196b

Enclosure

COUNTY COMMUNICATION NO. 21-345

July 23, 2021 Council meeting

MAUI COUNTY COUNCIL
Amendment Summary Form

Tamara A. M. Paltin

Legislation: Bill relating to zipline, canopy, rappelling, and bungee jumping activities.

Proposer: Tamara Paltin, Councilmember.

Description: Amend Bill 62 to clarify standards for commercial zipline and canopy tours, consistent with the legislative intent expressed in Planning and Sustainable Land Use Committee Report, which was considered at the Council meeting of June 18, 2021.

Motion: Move to:

(1) amend Bill 62 by:

- (a) amending the list of principal uses in the Agricultural Zoning District in SECTION 3 to exclude zipline, canopy, and bungee jumping commercial operations that may be incorporated into the restoration of a historic site; and
- (b) to amend transitional provisions in SECTION 8 to establish that the standards for commercial zipline or canopy tours that received approval as a principal use are the same as the standards for those that received approval as an accessory use; and

(2) waive Rule 19(C) of the Rules of the Council to allow the Council to pass Bill 62 on second and final reading, as amended.

Effect: If my motion to amend is approved, the bill's text will be amended as follows:

In SECTION 3, the underscored text will be added to the seventh numbered paragraph in Section 19.30A.050(A), Maui County Code:

"7. Retention, restoration, rehabilitation, or improvement of buildings, sites, or cultural landscapes of historical or archaeological significance; this does not include zipline, canopy, and bungee jumping

July 23, 2021 Council meeting

commercial operations that may be incorporated into the restoration of a historic site, which require a conditional permit under chapter 19.40.”

In SECTION 8, the underscored text will be added to second paragraph.

“A commercial zipline or canopy tour in the County Agricultural District that received approval from the County as a principal use or as an accessory use as of the effective date of this Ordinance and that is operated on a parcel or multiple contiguous parcels smaller than 50 acres must meet the requirements of Section 19.40.080(D), Maui County Code, within 30 days of the effective date of this Ordinance but may otherwise continue as a nonconforming use in accordance with Section 19.500.110(C), Maui County Code; except that no later than one year from the effective date of this Ordinance, the owner or operator of the commercial zipline or canopy tour must either obtain a Conditional Permit or cease operation of the nonconforming use.”

Reasons: The Planning Director has advised that these amendments to Bill 62 will ensure the bill fulfills the Council’s stated legislative intent for commercial zipline and canopy tours.

paf:dmr:21-196c