

# Resolution

No 88-70  
As Amended

Introduced By

PATRICK S. KAWANO

Councilmember

PROPOSING AN AMENDMENT TO  
THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)  
RELATING TO ESTABLISHING PLANNING COMMISSIONS  
FOR MAUI AND MOLOKAI

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Article 8, Chapter 8 of the Revised Charter of the County of Maui be amended to provide for separate planning commissions for Maui and Molokai, to read as follows:

"CHAPTER 8

DEPARTMENT OF PLANNING

Section 8-8.1. Organization. There shall be a department of planning consisting of a Maui planning commission and a Molokai planning commission, a planning director and the necessary staff.

Section 8-8.2. Planning Director. The planning director shall be appointed and may be removed by the mayor. The planning director shall have had five years of experience in the field of planning, three of which shall have been in an administrative capacity.

Section 8-8.3. Powers, Duties and Functions. The planning director shall:

1. Be the administrative head of the department of planning.

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2. Serve as the chief planning officer of the county and as the technical advisor to the mayor, council and planning [commission] commissions on all planning and related matters.

3. Recommend revisions of the general plan at least every ten years to guide the development of the county.

4. Prepare proposed zoning ordinances, zoning maps and regulations and any amendments or modifications thereto.

5. Review the lists of proposed capital improvements projects contemplated by the county and recommend the order of their priority to the mayor.

6. Perform such other duties and functions as shall be required by law or as shall be assigned by the mayor.

Section 8-8.4. Planning [Commission] Commissions. [The] Each planning commission shall consist of nine members appointed by the mayor with the approval of the council. The director of the department of public works and the director of the department of water supply shall be non-voting ex-officio members of the commission.

Each planning commission shall exercise its powers, duties and functions as follows:

1. The Maui planning commission shall be concerned with the area encompassing the islands of Maui, Lanai, and Kahoolawe and all other islands lying within three nautical miles of the shores thereof, and the waters adjacent thereto.

2. The Molokai planning commission shall be concerned with the area encompassing the island of Molokai and all other islands lying within three nautical miles of the shores thereof, and the waters adjacent thereto, except that portion of the island known as Kalaupapa, Kalawao, and Waikolu and commonly known and designated as the Kalaupapa Settlement.

The appropriate planning commission shall:

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1. Advise the mayor, council and the planning director in matters concerning planning programs.

2. Review the general plan and revisions thereof prepared by the planning director or at the request of the council. The commission shall hold public hearings on such plans and revisions thereof and shall transmit them, with its findings and recommendations to the council for consideration and action.

3. Review other proposed land use ordinances and amendments thereto prepared by the director or the council and, after public hearings, transmit such ordinances with its findings and recommendations thereon to the council for consideration and action.

4. Act as the authority in all matters relating to the Coastal Zone Management law.

5. Adopt rules pursuant to land use ordinances or law.

6. Have such other powers and duties as may be provided by law.

Section 8-8.5. General Plan. The general plan shall recognize and state the major problems and opportunities concerning the needs and the development of the county and the social, economic and environmental effects of such development and shall set forth the desired sequence, patterns and characteristics of future development.

Section 8-8.6. Adoption of General Plan and Other Land Use Ordinances.

1. The county shall adopt revisions to the general plan by ordinance.

2. Any revisions of the general plan, zoning ordinance or other land use ordinance may be proposed by the council and shall be reviewed by the appropriate planning commission as if prepared by the planning director. Any such revision shall be referred to the appropriate planning commission by resolution. If the

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planning commission disapproves the proposed revision or recommends a modification thereof, not accepted by the council, or fails to make its report within a period of the hundred twenty (120) days after receipt of the referral, the council may nevertheless pass such revision, but only by the affirmative vote of at least two-thirds of the council's entire membership."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

4. That upon approval by a majority of the voters in favor of amending the above-cited chapter of the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendments proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

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**CERTIFICATION OF ADOPTION**

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 22nd day of August, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	No	Aye	Aye	Aye	No	Excused	Aye	Aye

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COUNTY CLERK