

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

December 11, 2018

**Committee**  
**Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Land Use Committee, having met on November 8, 2018, makes reference to County Communication 18-376, from the Planning Director, transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE LANAI COMMUNITY PLAN AND LAND USE MAP FROM PUBLIC/QUASI-PUBLIC TO SINGLE-FAMILY FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, TAX MAP KEY (2) 4-9-007:029" ("Community Plan Amendment bill"). The purpose of the proposed bill is to grant a Community Plan Amendment from Public/Quasi-Public to Single-Family for an 11,760-square-foot parcel at 337 Houston Street, Lanai City, Hawaii, identified for real property tax purposes as tax map key (2) 4-9-007:029 ("property").
2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM P-1 PUBLIC/QUASI-PUBLIC TO R-1 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, TAX MAP KEY (2) 4-9-007:029" ("Change in Zoning bill"). The purpose of the proposed bill is to grant a Change in Zoning from P-1 Public/Quasi-Public District to R-1 Residential District for the property.

Your Committee notes the proposed land use entitlements were initiated by the Planning Director to correct mapping errors.

At the request of the Chair of your Committee, the Department of Planning transmitted a revised Community Plan map and a revised Land Zoning map, incorporating nonsubstantive revisions.

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**LAND USE COMMITTEE**

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**Report No. \_\_\_\_\_**

According to the “Maui Planning Department’s Report to the Lanai Planning Commission August 15, 2018” (“Report”), the proposed bills will correct mapping oversights on the 2016 Lanai Community Plan Map and the applicable land zoning map. The Report states the existing single-family residential use is not permitted under the current land use designations. If enacted, the proposed bills will allow the property owners to make improvements or rebuild the two residential dwellings currently on the property in the event of a catastrophic loss.

The Report summarizes the history of the property and events leading to the incorrect Community Plan and zoning designations. In particular, by Ordinance 2738, the Lanai Community Plan Update was enacted. The ordinance contained a matrix changing the Community Plan designation of the parcel to Single Family; however, the Community Plan Map was not amended and the designation remained on the map as Public/Quasi-Public. By Ordinance 2852, Lanai was comprehensively rezoned, and zoning for the parcel was changed from Interim District to P-1 Public/Quasi-Public District based on the parcel’s erroneous Community Plan designation, as depicted on the Lanai Community Plan map.

The Deputy Planning Director informed your Committee that the properties adjacent to the subject parcel are zoned R-1 Residential District, so the requested Change in Zoning would also be consistent with neighboring properties.

Your Committee recommended the revised maps replace the maps attached as Exhibit “B” to each proposed bill.

Your Committee voted 7-0 to recommend passage of the revised proposed bills on first reading and filing of the communication. Committee Chair Carroll and members Atay, Crivello, Guzman, King, Sugimura, and White voted “aye.” Committee Vice-Chair Hokama and member Cochran were excused.

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Your Committee is in receipt of a revised proposed Community Plan Amendment bill, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revision and nonsubstantive revisions.

Your Committee is also in receipt of a revised proposed Change in Zoning bill, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM P-1 PUBLIC/QUASI-PUBLIC DISTRICT TO R-1 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, TAX MAP KEY (2) 4-9-007:029," incorporating your Committee's recommended revision and nonsubstantive revisions.

Your Land Use Committee RECOMMENDS the following:

1. That Bill \_\_\_\_\_ (2018), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO AMEND THE LANAI COMMUNITY PLAN AND LAND USE MAP FROM PUBLIC/QUASI-PUBLIC TO SINGLE-FAMILY FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, TAX MAP KEY (2) 4-9-007:029," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill \_\_\_\_\_ (2018), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM P-1 PUBLIC/QUASI-PUBLIC DISTRICT TO R-1 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, TAX MAP KEY (2) 4-9-007:029," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
3. That County Communication 18-376 be FILED.

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**LAND USE COMMITTEE**

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**Committee**  
**Report No.** \_\_\_\_\_

This report is submitted in accordance with Rule 8 of the Rules of the Council.



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ROBERT CARROLL, Chair

lu:cr:18074aa:cmn

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2018)

A BILL FOR AN ORDINANCE TO AMEND THE LANAI COMMUNITY PLAN  
AND LAND USE MAP FROM PUBLIC/QUASI-PUBLIC TO SINGLE-FAMILY  
FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII,  
TAX MAP KEY (2) 4-9-007:029

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

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the Lanai Community Plan and Land Use Map is hereby amended from Public/Quasi-Public to Single-Family for property situated at Lanai City, Lanai, Hawaii, and identified for real property tax purposes as tax map key (2) 4-9-007:029, comprising approximately 11,760 square feet, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Community Plan Map CP-208, attached hereto as Exhibit "B" and made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:



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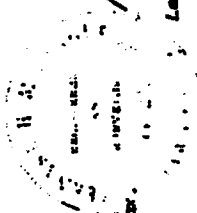
MIMI DESJARDINS  
Deputy Corporation Counsel  
County of Maui

LF 2017-0095 / 2018-1206  
2018-11-09 CPA Ordinance

**LAND COURT**  
TERRITORY OF HAWAII

**LAND COURT APPLICATION 802**

SUBDIVISION OF LOT 312  
AS SHOWN ON MAP 24  
INTO LOTS 312-A AND 312-B  
ISLAND OF LANAI, TERRITORY OF HAWAII

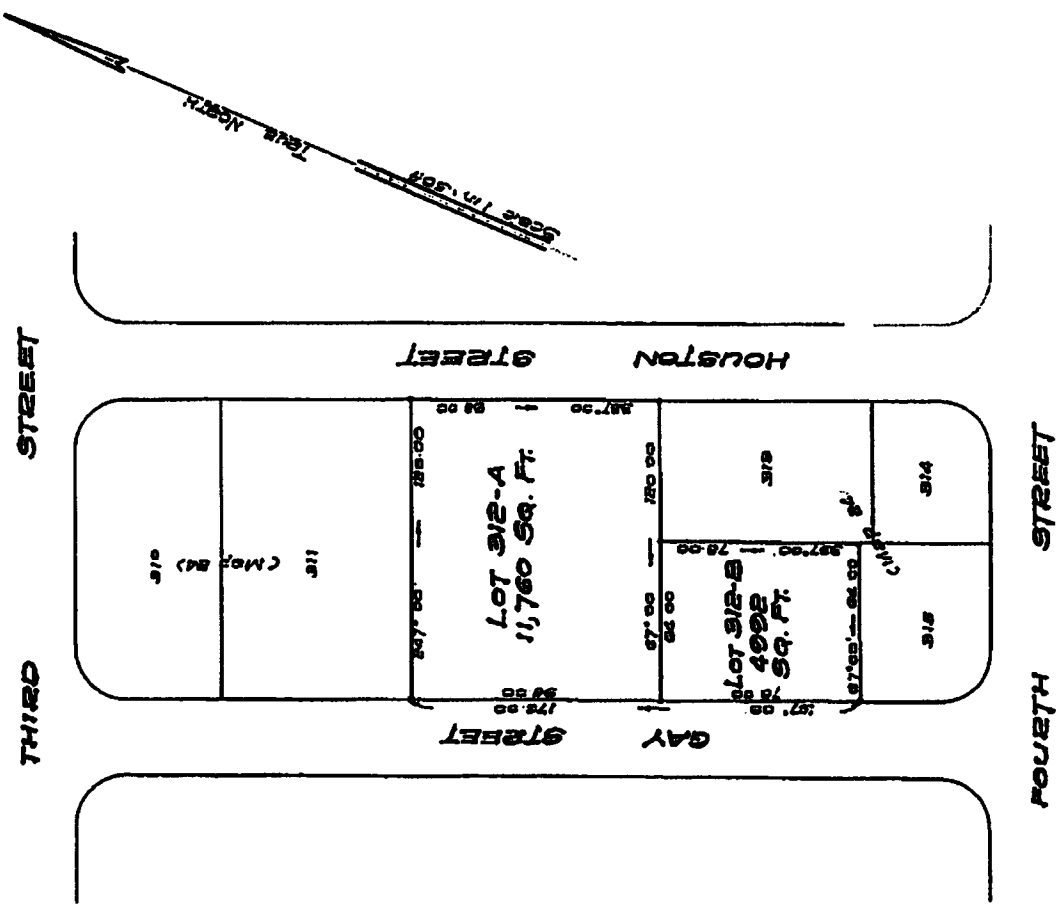


November 30, 1956  
26 D. (Highway) 258, Annex.  
Honolulu, T.H.  
*Samuel H. McKay*  
Registered Land Surveyor 238  
Land Court Surveyor Certificate 49

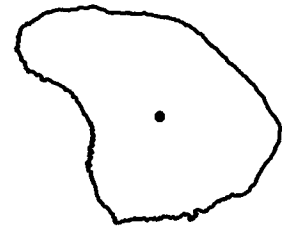
OWNER: *Hanilton Pineapple Company, Limited*  
OWNER'S CERTIFICATE OF TITLE: 11, 875

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE  
OF THE LAND COURT DATED DECEMBER 29, 1956  
BY ORDER OF THE COURT

*R. M. [Signature]*  
REGISTRAR OF THE LAND COURT  
Filed Dec. 19, 1956  
*Arthur H. Adams*  
Assistant Registrar



VICINITY MAP



T.M.K.: (2) 4 - 9 - 07: 28

To 4th Street

HOUSTON STREET

247° 00' → 120.00

T.M.K.: (2) 4 - 9 - 07: 29  
0.27 ACRES

GAY STREET

00:86 ← 157° 00'

00:86 →

337° 00' →

67° 00' ← 120.00

T.M.K.: (2) 4 - 9 - 07: 31

To 4th Street

T.M.K.: (2) 4 - 9 - 07: 32

TAX MAP KEY

T.M.K.: (2) 4 - 9 - 07: 29

AREA

0.27 ACRES

"EXHIBIT B"

# COMMUNITY PLAN MAP NO. CP-208

COMMUNITY PLAN AMENDMENT - LANAI CITY, LANAI, HAWAII

FROM PUBLIC/QUASI-PUBLIC (P/QP) TO SINGLE - FAMILY (SF)

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2018)

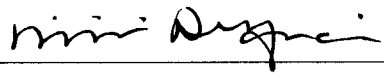
A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM  
P-1 PUBLIC/QUASI-PUBLIC DISTRICT TO R-1 RESIDENTIAL DISTRICT  
FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII,  
TAX MAP KEY (2) 4-9-007:029

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

SECTION 1. Pursuant to Chapters 19.08 and 19.510, Maui County Code, a change in zoning from P-1 Public/Quasi-Public District to R-1 Residential District is hereby granted for that certain parcel of land situated at Lanai City, Lanai, Hawaii, and identified for real property tax purposes as tax map key (2) 4-9-007:029, comprising approximately 11,760 square feet, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Land Zoning Map L-2622, attached hereto as Exhibit "B" and made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:



\_\_\_\_\_  
MIMI DESJARDINS  
Deputy Corporation Counsel  
County of Maui

LF 2017-0095 / 2018-1206  
2018-11-09 CIZ Ordinance

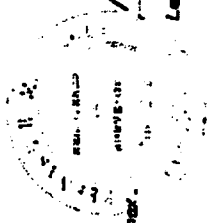


MAP 42

**LAND COURT**  
TERRITORY OF HAWAII

**LAND COURT APPLICATION 862**

SUBDIVISION OF LOT 312  
AS SHOWN ON MAP 24  
INTO LOTS 312-A AND 312-B  
ISLAND OF LANAI, TERRITORY OF HAWAII

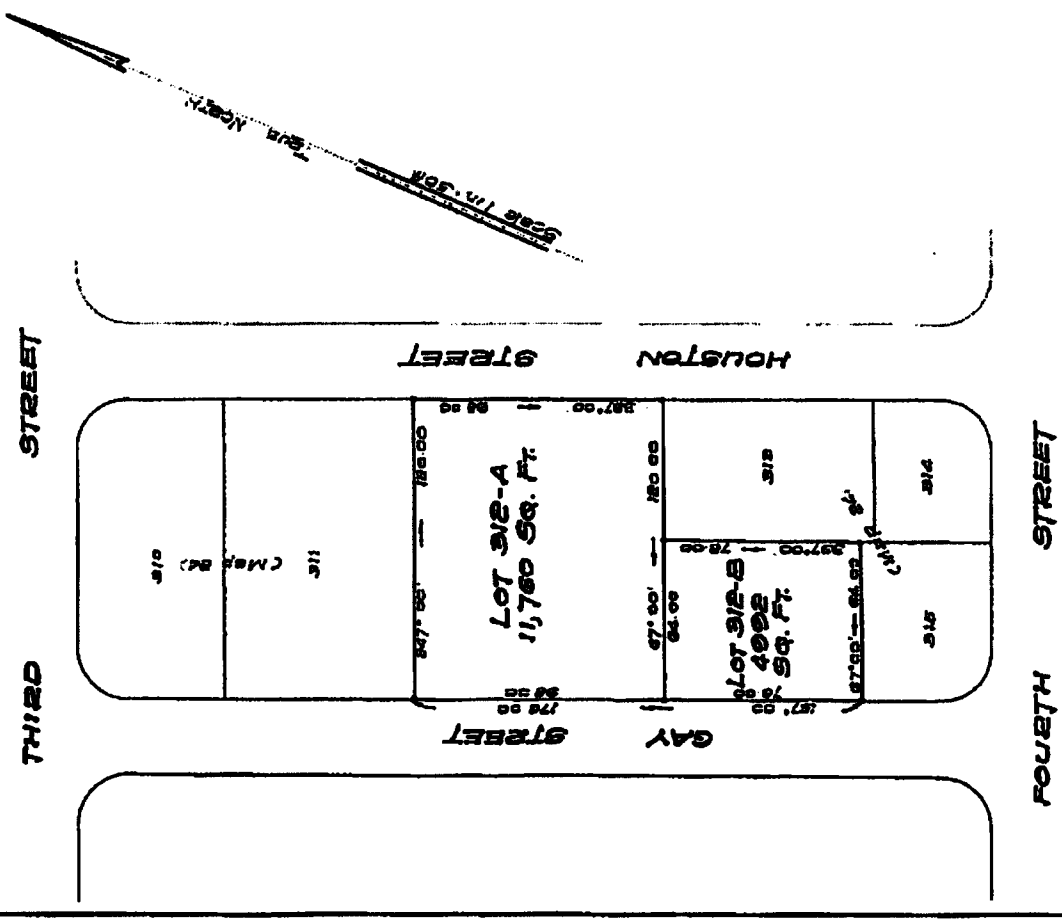


November 20, 1952  
20 C. 117, 118, 119  
Honolulu, T.H.  
*Samuel H. McKeague*  
Registered Land Surveyor 233  
Land Court Surveyor Certificate 48

OWNER: Hawaiian Pineapple Company, Limited  
OWNER'S CERTIFICATE OF TITLE: 11, 075

AUTHORIZED AND APPROVED BY ORDER OF THE JUDGE  
OF THE LAND COURT DATED DECEMBER 28, 1952  
BY ORDER OF THE COURT

*R. H. [Signature]*  
REGISTRAR OF THE LAND COURT  
Filed Dec. 18, 1952  
*Arthur H. Adams*  
Assistant Registrar

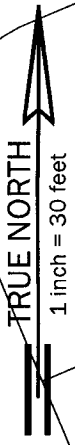
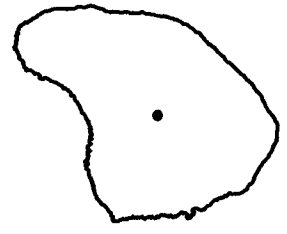


16" x 20" - 1 SA. FT

EXHIBIT "A"

Tax Map Key: 202 DV 4-9-57 28

VICINITY MAP



T.M.K.: (2) 4 - 9 - 07: 28

To 4th Street

247° 00' → 120.00

HOUSTON STREET

T.M.K.: (2) 4 - 9 - 07: 29  
0.27 ACRES

GAY STREET

98.00 ←  
157° 00'

00'88  
← 337° 00'

67° 00' ← 120.00

T.M.K.: (2) 4 - 9 - 07: 31

To 4th Street

T.M.K.: (2) 4 - 9 - 07: 32

TAX MAP KEY

T.M.K.: (2) 4 - 9 - 07: 29

AREA

0.27 ACRES

"EXHIBIT B"

# LAND ZONING MAP NO. L-2622

## CHANGE IN ZONING - LANAI CITY, LANAI, HAWAII

### FROM P-1 PUBLIC/QUASI-PUBLIC DISTRICT TO R-1 RESIDENTIAL DISTRICT