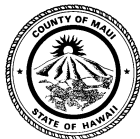


Council Chair  
Alice L. Lee

Vice-Chair  
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Tom Cook  
Gabe Johnson  
Tamara Paltin  
Keani N.W. Rawlins-Fernandez  
Shane M. Sinenci  
Nohelani U'u-Hodgins



Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

May 7, 2024

Ms. Tessa Munekiyo Ng  
Munekiyo Hiraga  
305 High Street, Suite 104  
Wailuku, Hawaii 96793  
*Email: tessa@munekiyohiraga.com*

Dear Ms. Ng:

**SUBJECT: BILL 27 (2024), CHANGE IN ZONING FOR MIKI 200  
INDUSTRIAL PARK (LĀNA'I) (HLU-25)**

At its meeting of March 13, 2024, the Maui County Council's Housing and Land Use Committee recommended Bill 27, CD1 (2024), be passed on first reading. A copy of the bill without the required unilateral agreement is enclosed for your reference.

May I please request that you provide three hard copy originals of a unilateral agreement, signed by the appropriate individual or individuals on behalf of the landowner, agreeing to the conditions of zoning recommended by the Committee. For your ease of reference, I am enclosing a form for the unilateral agreement that you may wish to consider using.

Bill 27, CD1 (2024), contains Exhibits "A" through "G", as follows:

- A Metes and bounds description for 95.848-acre portion changing from Agricultural District to M-2 Heavy Industrial District
- B Land Zoning Map L-2634 for the 95.848 acres
- C Metes and bounds description for 4.152-acre portion changing from Interim District to M-2 Heavy Industrial District
- D Land Zoning Map L-2635 for the 4.152 acres
- E Metes and bounds descriptions for the 65-acre and 35-acre portions, respectively, cumulatively representing the 100 acres changing from Agricultural District to M-1 Light Industrial District

Ms. Tessa Munekiyo Ng  
May 7, 2024  
Page 2

F Land Zoning Map L-2636 for the 100 acres  
G Conditions of Zoning

You may wish to consider using numeric exhibit references (“1” through “7”) to attach the otherwise identical exhibits to your unilateral agreement, as the unilateral agreement will be both a stand-alone document and an Exhibit “H” to the bill. You may also wish to revise the form as needed to accommodate the different changes in zoning being requested through this application.

May I please request your response by **May 17, 2024**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Paige Greco at (808) 270-7660, Carla Nakata at (808) 270-5519, or Pauline Martins at (808) 270-8039).

Sincerely,

A handwritten signature in black ink, appearing to read 'Tasha Kama', with a long horizontal flourish extending to the right.

TASHA KAMA, Chair  
Housing and Land Use Committee

hlu:ltr:025a01:cmn

Enclosures

cc: Keiki Pua Dancil, Pūlama Lānaʻi  
Michael Hopper, Deputy Corporation Counsel

LAND COURT SYSTEM

REGULAR SYSTEM

---

Return By Mail ( X ) Pickup ( ): To:

Office of the County Clerk  
County of Maui  
200 South High Street  
Wailuku, Hawai'i 96793

Total Number of Pages: \_\_\_\_\_

(Including exhibits, notary certification pages, and all other components)

---

Affects Tax Map Key (Maui) **TMK**

**UNILATERAL AGREEMENT AND DECLARATION OF CONDITIONS FOR STATE LAND  
USE DISTRICT BOUNDARY AMENDMENT**

THIS INDENTURE, referred to as “***Declaration***” or “***Unilateral Agreement***,” is made this, \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, by the following “Declarant,” who is the owner of real property located at **PROPERTY ADDRESS**, Hawaii, referred to as “***the Property***,” comprised of **SIZE** acres, and identified for real property tax purposes as Tax Map Key: **TMK**.

The Declarant is **NAME OF DECLARANT**, whose principal address is at **DECLARANT’S ADDRESS**, Hawaii, and whose authorized contact person is **ENTITY’S AUTHORIZED OFFICER, IF APPLICABLE**, who is currently **PERSON’S NAME, IF APPLICABLE**, and any of their successors.

**WITNESSETH:**

WHEREAS, the Council is considering the Declarant’s Petition (“***Petition***”) for a State Land Use District Boundary Amendment for the Property, described in **Exhibit “1”** and more particularly identified in **Exhibit “2,”** State Land Use District Boundary Amendment Map No. **MAP NO.**; and

WHEREAS, the Council's Housing and Land Use Committee recommended passage on first reading of a State Land Use District Boundary Amendment bill for the Property in accordance with Section 19.68.040, Maui County Code; and

WHEREAS, the Declarant has agreed to execute this Unilateral Agreement in accordance with Section 19.68.040, Maui County Code;

NOW, THEREFORE, the Declarant makes the following Declaration:

1. In accordance with Maui County Code. That this Declaration is made in accordance with the provisions of Section 19.68.040, Maui County Code, relating to State Land Use District Boundary Amendments;

2. Binding until Maui County written release. That until written release by the County of Maui, (a) the Property, and all its parts, are held subject to this Declaration's covenants, conditions, and restrictions, which are effective as to and run with the Property, from and after the recording of this Declaration with the Bureau of Conveyances or the Land Court of the State of Hawaii, without the execution, delivery, or recordation of any further deed, instrument, document, agreement, declaration, covenant, or the like with respect to the Property by the Declarant, the County of Maui, or any successor or assign; (b) the acquisition of any right, title or interest in or with respect to the Property by any person or entity constitute acceptance of all of the covenants, conditions, and restrictions of this Declaration by the person or entity; and (c) upon any transfer of any right, title, or interest in or with respect to the Property, the transferee assumes, is bound by, and is obligated to observe and perform all of the covenants, conditions, and restrictions of this Declaration;

3. Running with the Land. That this Declaration and all of its covenants, conditions, and restrictions contained are effective as to and run with the land in perpetuity, or until the Declarant notifies the County Department of Planning that any of the covenants, conditions, and restrictions are satisfied by the Declarant, and the Department verifies the satisfaction and provides a written release of the covenant, condition, or restriction;

4. NAME OF DECLARANT as Declarant. That the term "Declarant" and any pronoun in reference to it, wherever used in this Declaration, means the singular or the plural, the masculine or the feminine, or the neuter, and vice versa, and includes any corporation or any other entity, and means and includes NAME OF DECLARANT, as Declarant and the Declarant's successors, and assigns;

5. Effective as of date State Land Use District Boundary Amendment ordinance approved. That this Declaration is fully effective on the effective date of the State Land Use District Boundary Amendment ordinance approving the establishment of a State Land Use reclassification from the EXISTING District to the PROPOSED District for the Property;

6. Develop consistent with State Land Use District Boundary Amendment conditions. That the Declarant agrees to develop the Property in conformance with the conditions stated in Exhibit "3" and in the State Land Use District Boundary Amendment ordinance;

7. Conditions reasonable and rationally related to public health, safety and welfare. That the conditions imposed are reasonable and rationally related to the objective of preserving the public health, safety, and general welfare and fulfill the need for the public service demands created by the Property's proposed use;

8. Conditions enforceable by County of Maui. AND IT IS EXPRESSLY UNDERSTOOD AND AGREED that until released in writing by the County of Maui, the conditions imposed in this Declaration run with the land identified in this Declaration and bind and constitute notice to all subsequent owners, lessees, grantees, assignees, mortgagees, lienors, and any other persons who claim an interest in the Property. The Declarant further understands and agrees that the County of Maui has the right to enforce this Declaration by appropriate action at law or suit in equity against all such persons, with the understanding the Declarant or its successors and assigns may at any time file a petition with the County Department of Planning for the removal of the conditions and termination of this Unilateral Agreement, which will be processed in the same manner as petitions for State Land Use District Boundary amendments.

This Declaration may be executed in counterparts, each of which will be deemed to be an original, but all of which, taken together, constitute one and the same Declaration.

Any persons signing this Unilateral Agreement represent that they are duly authorized and have legal capacity to execute and deliver this Unilateral Agreement. Each party represents to the other that the execution and delivery of this Unilateral Agreement and the performance of the party's obligations have been duly authorized and that this Unilateral Agreement is a valid and legal agreement binding on the party and enforceable in accordance with its terms.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the undersigned has executed this Declaration on the day and year indicated on the following notary public certification pages.

DECLARANT:

**NAME OF DECLARANT**

By: \_\_\_\_\_

**NAME**

**POSITION, IF APPLICABLE**

Approved as to Form and Legality:

By: \_\_\_\_\_

**Print name:**

Deputy Corporation Counsel  
County of Maui



**EXHIBIT "1"**

**Description of the Property**



EXHIBIT "2"

STATE LAND USE DISTRICT BOUNDARY AMENDMENT MAP

EXHIBIT "3"

CONDITIONS OF STATE LAND USE DISTRICT BOUNDARY AMENDMENT

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

BILL NO. 27, CD1 (2024)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL AND INTERIM DISTRICTS TO M-1 LIGHT INDUSTRIAL AND M-2 HEAVY INDUSTRIAL DISTRICTS (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, PORTIONS OF TAX MAP KEY (2) 4-9-002:061 (MIKI 200 INDUSTRIAL PARK)

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

SECTION 1. In accordance with Chapters 19.26 and 19.510, Maui County Code, a change in zoning from Agricultural District to M-2 Heavy Industrial District is granted for that certain real property situated at Lanai City, Lanai, Hawaii, identified for real property tax purposes as a portion of tax map key (2) 4-9-002:061, comprising 95.848 acres, and more particularly described in and attached as Exhibit “A,” and in Land Zoning Map L-2634, attached as Exhibit “B.”

SECTION 2. In accordance with Chapters 19.26 and 19.510, Maui County Code, a change in zoning from Interim District to M-2 Heavy Industrial District is granted for that certain real property situated at Lanai City, Lanai, Hawaii, identified for real property tax purposes as a portion of tax map key (2) 4-9-002:061, comprising 4.152 acres, and more particularly described in and attached as Exhibit “C,” and in Land Zoning Map L-2635, attached as Exhibit “D.”

SECTION 3. In accordance with Chapters 19.24 and 19.510, Maui County Code, a change in zoning from Agricultural District to M-1 Light Industrial

District is granted for that certain real property situated at Lanai City, Lanai, Hawaii, identified for real property tax purposes as a portion of tax map key (2) 4-9-002:061, comprising 100.000 acres, and more particularly described in and attached as Exhibit “E,” and in Land Zoning Map L-2636, attached as Exhibit “F.”

SECTION 4. In accordance with Section 19.510.050, Maui County Code, the zoning granted by this Ordinance is subject to the conditions established in Exhibit “G,” and the Unilateral Agreement and Declaration for Conditional Zoning attached as Exhibit “H.”

SECTION 5. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



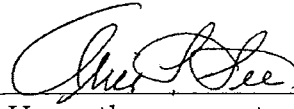
---

Kristin K. Tarnstrom

Department of the Corporation Counsel  
County of Maui

hlu:misc:025abill01:cmn

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", is written over a horizontal line.

Upon the request of the Mayor.

**HEAVY, LIGHT INDUSTRIAL PARCELS  
MIKI BASIN**

**M-2 Heavy Industrial  
Area 1**

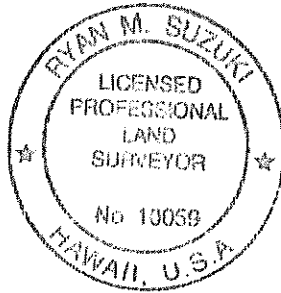
Being a Portion of Lot 13-A-1-A-1-A-1 (Subdivision File No. 6.185)  
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

Situated on the Island of Lanai, State of Hawaii

Beginning at the Northeast corner of this piece of land, being the North corner of Lot 12 (Map 5) of Land Court Consolidation 170, the coordinates referred to Government Survey Triangulation Station "POHOULA" being 19,767.16 feet South and 4,274.56 feet West and thence running by azimuths measured clockwise from true South:

- |     |          |   |
|-----|----------|---|
| 1.  | 59° 42'  | 615.20 feet along Lot 12 (Map 5) of Ld. Ct. Cons. 170;                        |
| 2.  | 298° 44' | 530.63 feet along Lot 12 (Map 5) of Ld. Ct. Cons. 170;                        |
| 3.  | 59° 42'  | 707.83 feet along Lot 13-A-1-A-2 (Subdivision File No. 6.180);                |
| 4.  | 329° 42' | 865.75 feet along Lot 13-A-1-A-2 (Subdivision File No. 6.180);                |
| 5.  | 76° 20'  | 1471.05 feet;   |
| 6.  | 119° 30' | 189.09 feet;  |
| 7.  | 149° 30' | 1435.88 feet;   |
| 8.  | 231° 15' | 1954.36 feet;   |
| 9.  | 240° 12' | 635.07 feet;  |
| 10. | 330° 12' | 981.31 feet to the point of beginning and containing an area of 95.350 Acres. |





R. M. TOWILL CORPORATION

Description Prepared by:

A handwritten signature in black ink, appearing to read "Ryan M. Suzuki", written over a horizontal line.

Ryan M. Suzuki Exp: 4/30/2024  
Licensed Professional Land Surveyor  
Certificate Number 10059

February 22, 2024

Note:

Tax Map Key: (2) 4-9-002: Por. 061

Reference: Map No. L-2634

-2-

2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail [rmtowill@rmtowill.com](mailto:rmtowill@rmtowill.com)



R. M. TOWILL CORPORATION  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

**HEAVY, LIGHT INDUSTRIAL PARCELS  
MIKI BASIN**

**M-2 Heavy Industrial  
Area 2**

Being a Portion of Lot 13-A-1-A-1-A-1 (Subdivision File No. 6.185)  
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

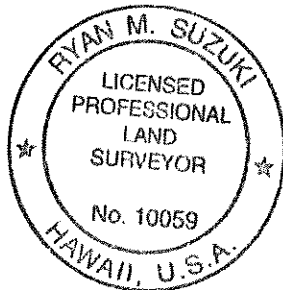
Situated on the Island of Lanai, State of Hawaii

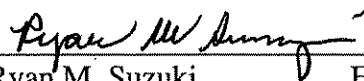
Beginning at the Northeast corner of this piece of land, being 329° 42', 231.43 feet from the East corner of Lot 13-A-1-A-2 (Subdivision File No. 6.180), the coordinates referred to Government Survey Triangulation Station "POHOULA" being 21,076.17 feet South and 3,509.63 feet West and thence running by azimuths measured clockwise from true South:

1. 329° 42' 118.31 feet;
2. 76° 20' 382.41 feet;
3. 238° 19' 366.51 feet to the point of beginning and containing an area of 0.498 Acre.

R. M. TOWILL CORPORATION

Description Prepared by:



  
Ryan M. Suzuki Exp: 4/30/2024  
Licensed Professional Land Surveyor  
Certificate Number 10059

February 22, 2024

2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail rmtowill@rmtowill.com



**R. M. TOWILL CORPORATION**  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management



Note:

Tax Map Key: (2) 4-9-002: Por. 061

Reference: Map No. L-2634

-2-

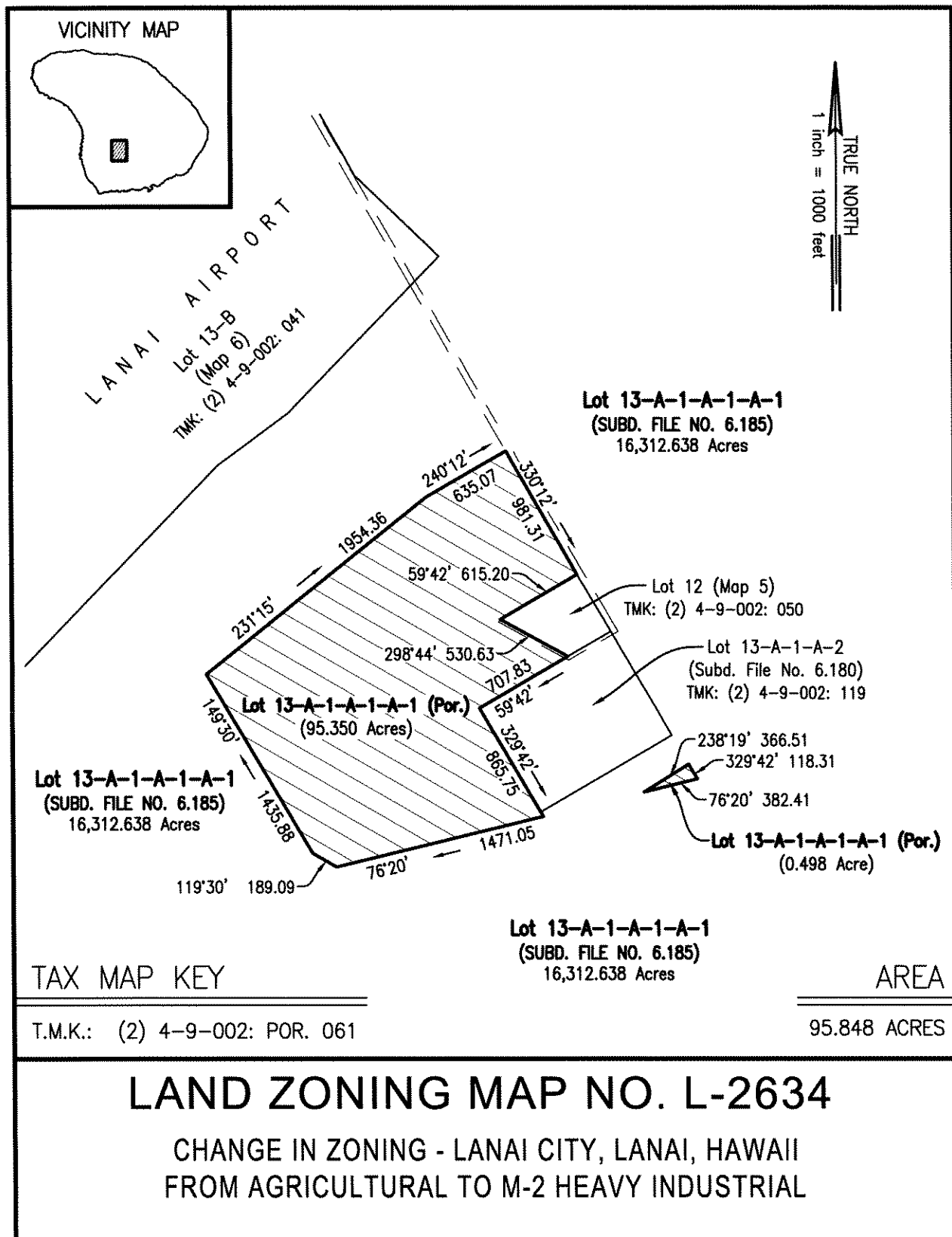
2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail [rmtowill@rmtowill.com](mailto:rmtowill@rmtowill.com)



R. M. TOWILL CORPORATION  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

# EXHIBIT "B"



**HEAVY, LIGHT INDUSTRIAL PARCELS  
MIKI BASIN**

**M-2 Heavy Industrial  
Area 3**

Being a Portion of Lot 13-A-1-A-1-A-1 (Subdivision File No. 6.185)  
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

Situated on the Island of Lanai, State of Hawaii

Beginning at the Northeast corner of this piece of land, being the East corner of Lot 13-A-1-A-2 (Subdivision File No. 6.180), the coordinates referred to Government Survey Triangulation Station "POHOULA" being 20,876.36 feet South and 3,626.39 feet West and thence running by azimuths measured clockwise from true South:

- |    |          |   |
|----|----------|---|
| 1. | 329° 42' | 231.43 feet;  |
| 2. | 58° 19'  | 366.51 feet;  |
| 3. | 76° 20'  | 713.44 feet;  |
| 4. | 149° 42' | 36.05 feet;   |
| 5. | 239° 42' | 1050.00 feet along Lot 13-A-1-A-2 (Subdivision File No. 6.180),<br>to the point of beginning and containing an area of 4.152 Acres. |



R. M. TOWILL CORPORATION

Description Prepared by:

Ryan M. Suzuki Exp: 4/30/2024  
Licensed Professional Land Surveyor  
Certificate Number 10059

February 22, 2024

Note:

Tax Map Key: (2) 4-9-002: Por. 061

Reference: Map No. L-2635

-2-

2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail [rmtowill@rmtowill.com](mailto:rmtowill@rmtowill.com)



R. M. TOWILL CORPORATION  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

EXHIBIT "D"

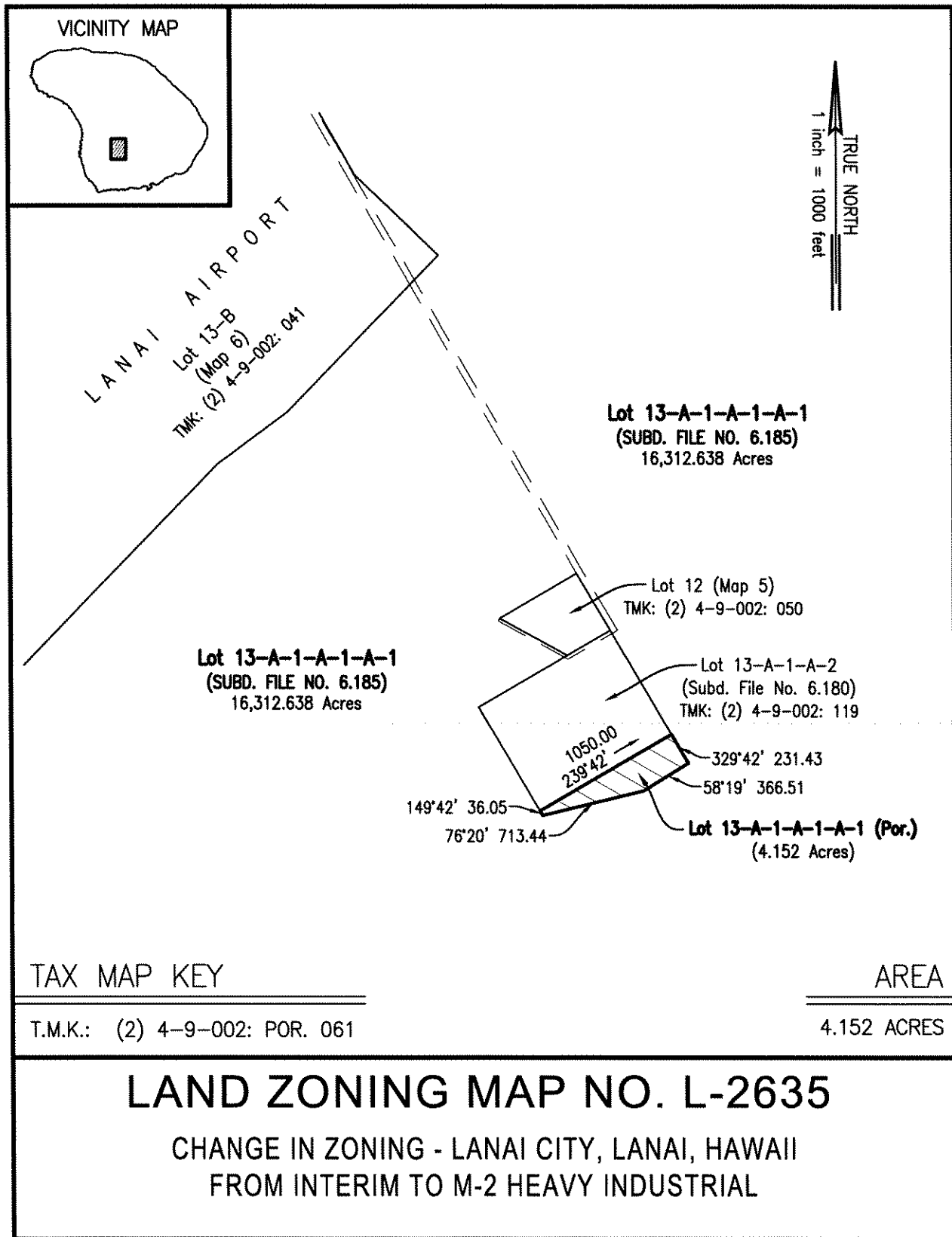


EXHIBIT "E"

HEAVY, LIGHT INDUSTRIAL PARCELS  
MIKI BASIN

M-1 Light Industrial  
Area 1

Being a Portion of Lot 13-A-1-A-1-A-1 (Subdivision File No. 6.185)  
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

Situated on the Island of Lanai, State of Hawaii

Beginning at the Northeast corner of this piece of land, being 282.46 feet from the Northeast corner of Lot 13-B (Map 6) of Land Court Consolidation 170, the coordinates referred to Government Survey Triangulation Station "POHOULA" being 17,775.36 feet South and 5,415.27 feet West and thence running by azimuths measured clockwise from true South:

- |    |          |  |
|----|----------|--|
| 1. | 330° 12' | 1314.01 feet;  |
| 2. | 60° 12'  | 635.07 feet;   |
| 3. | 51° 15'  | 1954.36 feet;  |
| 4. | 149° 30' | 975.83 feet;   |
| 5. | 224° 03' | 836.95 feet along Lanai Airport, being Lot 13-B (Map 6) of Ld. Ct. Cons. 170;  |
| 6. | 233° 31' | 608.00 feet along Lanai Airport, being Lot 13-B (Map 6) of Ld. Ct. Cons. 170;  |
| 7. | 224° 03' | 1217.82 feet along Lanai Airport, being Lot 13-B (Map 6) of Ld. Ct. Cons. 170, to the point of beginning and containing an area of 65.000 Acres. |





R. M. TOWILL CORPORATION

Description Prepared by:

Ryan M. Suzuki

Exp: 4/30/2024

Licensed Professional Land Surveyor

Certificate Number 10059

February 22, 2024

Note:

Tax Map Key: (2) 4-9-002: Por. 061

Reference: Map No. L-2636

- 2 -

2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail [rmtowill@rmtowill.com](mailto:rmtowill@rmtowill.com)



R. M. TOWILL CORPORATION  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

**HEAVY, LIGHT INDUSTRIAL PARCELS  
MIKI BASIN**

**M-1 Light Industrial  
Area 2**

Being a Portion of Lot 13-A-1-A-1-A-1 (Subdivision File No. 6.185)  
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

Situated on the Island of Lanai, State of Hawaii

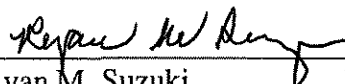
Beginning at the West corner of this piece of land, being 323° 54' 28", 435.99 feet from the East corner of Lot 12 (Map 5) of Land Court Consolidation 170, the coordinates referred to Government Survey Triangulation Station "POHOULA" being 20,512.31 feet South and 3,788.16 feet West and thence running by azimuths measured clockwise from true South:

1. 239° 42' 1662.28 feet;
2. 345° 20' 1280.42 feet;
3. 79° 30' 1400.00 feet;
4. 149° 42' 758.82 feet to the point of beginning and containing an area of 35.000 Acres.

R. M. TOWILL CORPORATION

Description Prepared by:



  
Ryan M. Suzuki Exp: 4/30/2024  
Licensed Professional Land Surveyor  
Certificate Number 10059

February 22, 2024

2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail rmtowill@rmtowill.com



**R. M. TOWILL CORPORATION**  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management



Note:

Tax Map Key: (2) 4-9-002: Por. 061

Reference: Map No. L-2636

-2-

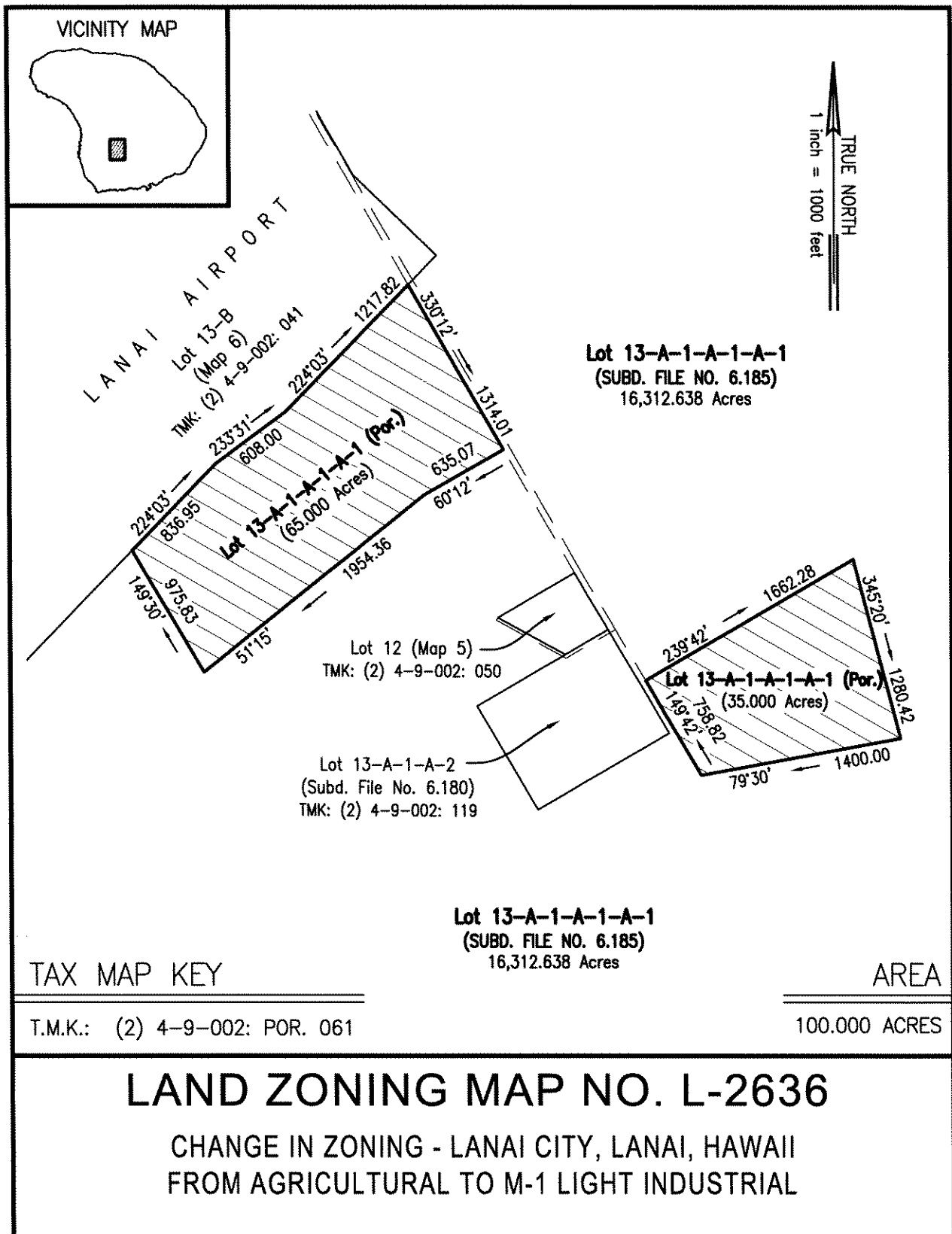
2024 North King Street,  
Suite 200  
Honolulu, HI 96819-3470  
Telephone 808 842-1133  
Fax 808 842-1937  
eMail [rmtowill@rmtowill.com](mailto:rmtowill@rmtowill.com)



R. M. TOWILL CORPORATION  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

# EXHIBIT "F"



## EXHIBIT “G”

### **CONDITIONS OF ZONING**

1. The permitted uses for the 100.000 acres zoned M-1 Light Industrial District under section 3 of this Ordinance are limited to the uses outlined in the following table:

<b>M-1 Light Industrial Permitted Uses</b>
Any use permitted in a B-1, B-2, or B-3 business district except single-family dwellings, duplexes, bungalow courts, short-term rental homes, and transient vacation rentals
Dwelling units located in the same building as any non-dwelling permitted use
Assembly of electrical appliances, radios and phonographs including the manufacture of small parts such as coils, condensers crystal holders and the like
Carpet cleaning plants
Cold storage plants
Commercial laundries
Craft cabinet and furniture manufacturing
Education, specialized
Farm implement sales and service
General food, fruit and vegetable processing and manufacturing plants
Ice cream and milk producing, manufacturing and storage
Laboratories – experimental, photo or motion picture, film or testing
Light and heavy equipment and product display rooms, storage and service
Machine shop or other metal working shop
Manufacture, compounding or treatment of articles or merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, shell, tobacco and wood
Manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceutical, toiletries, and food products. (except the rendering or refining of fats and oils)
Manufacture, dyeing and printing of cloth fabrics and wearing apparel
Manufacture of musical instruments, toys, novelties and rubber and metal stamps
Manufacture of pottery and figurines or other similar ceramic products
Milk bottling or central distribution stations
Plumbing shops
Production facility, multimedia
Radio transmitting and television stations; provided, that towers are of the self-sustaining type without guys
Replating shop
Retail lumberyard including mill and sash work (Mill and sash work shall be conducted within a completely enclosed building)
Small boat building
Soda water and soft drink bottling and distribution plants
Solar energy facilities
Tire repair operation including recapping and retreading
Utility facilities, minor, and substations up to, and including 69 kV transmission
Warehouse, storage and loft buildings
Wearing apparel manufacturing
Wholesale business, storage buildings, nonexplosive goods and warehouses

2. The permitted uses and special uses for the 100.000 acres zoned M-2 Heavy Industrial District under sections 1 and 2 of this Ordinance are limited to the permitted uses and special uses outlined in the following table:

<b>M-2 Heavy Industrial Permitted Uses</b>	
Any use permitted in a B-1, B-2, and B-3 business district and M-1 light industrial district except single-family dwellings, duplexes, bungalow courts, short-term rental homes, and transient vacation rentals and apartments (Except for living quarters used by security/watchmen or custodians of an industrially-used property)	
Automobile wrecking, if conducted within a building	
Boiler and steel works	
Concrete or cement products manufacture	
Factories	
Junk establishment used for storing depositing, or keeping junk or similar goods for business purposes (Such establishment shall not be nearer than 8 feet from any other property line for the storage of the junk or similar goods except in buildings entirely enclosed with walls)	
Lumber yard	
Machine shops	
Material recycling and recovery facilities	
Oil storage plants	
Petroleum products manufacture or wholesale storage of petroleum	
Planing mill	
Utility facilities, major	
In general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration and the like and not allowed in any other district; provided, however, that any use not specified in this condition shall not be permitted unless approved by the planning director as conforming to the intent of this condition	
<b>M-2 Heavy Industrial Special Uses</b>	
Asphalt manufacture of refueling and asphaltic concrete plant	
Rock, sand, gravel, or earth excavation, crushing or distribution	

3. The conditions associated with the Decision & Order for Docket No. A19-809 approved by the State Land Use Commission apply to the portions of tax map key (2) 4-9-002:061 that are the subject of this Ordinance.
4. Lāna‘i Resorts, LLC must provide the State Land Use Commission and Department of Planning with an annual report regarding occupancy of the Miki 200 Industrial Park. Information must include the number of inquiries and number of executed leases. Without disclosing private and proprietary information, Lāna‘i Resorts, LLC should include whether the inquiry was made or the executed lease is held by a resident of Lāna‘i. Annual reports must be provided as long as the State Land Use Commission deems necessary.
5. Lāna‘i Resorts, LLC must provide the State Land Use Commission and Department of Planning with semi-annual water usage reports for each category of water, including drinking, brackish, and R-1, for the Miki 200 Industrial Park for as long as the State Land Use Commission deems necessary.

## **CONDITIONS OF ZONING**

1. The permitted uses for the 100.000 acres zoned M-1 Light Industrial District under section 3 of this Ordinance are limited to the uses outlined in the following table:

<b>M-1 Light Industrial Permitted Uses</b>
Any use permitted in a B-1, B-2, or B-3 business district except single-family dwellings, duplexes, bungalow courts, short-term rental homes, and transient vacation rentals
Dwelling units located in the same building as any non-dwelling permitted use
Assembly of electrical appliances, radios and phonographs including the manufacture of small parts such as coils, condensers crystal holders and the like
Carpet cleaning plants
Cold storage plants
Commercial laundries
Craft cabinet and furniture manufacturing
Education, specialized
Farm implement sales and service
General food, fruit and vegetable processing and manufacturing plants
Ice cream and milk producing, manufacturing and storage
Laboratories – experimental, photo or motion picture, film or testing
Light and heavy equipment and product display rooms, storage and service
Machine shop or other metal working shop
Manufacture, compounding or treatment of articles or merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, shell, tobacco and wood
Manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceutical, toiletries, and food products. (except the rendering or refining of fats and oils)
Manufacture, dyeing and printing of cloth fabrics and wearing apparel
Manufacture of musical instruments, toys, novelties and rubber and metal stamps
Manufacture of pottery and figurines or other similar ceramic products
Milk bottling or central distribution stations
Plumbing shops
Production facility, multimedia
Radio transmitting and television stations; provided, that towers are of the self-sustaining type without guys
Replating shop
Retail lumberyard including mill and sash work (Mill and sash work shall be conducted within a completely enclosed building)
Small boat building

Soda water and soft drink bottling and distribution plants
Solar energy facilities
Tire repair operation including recapping and retreading
Utility facilities, minor, and substations up to, and including 69 kV transmission
Warehouse, storage and loft buildings
Wearing apparel manufacturing
Wholesale business, storage buildings, nonexplosive goods and warehouses

2. The permitted uses and special uses for the 100.000 acres zoned M-2 Heavy Industrial District under sections 1 and 2 of this Ordinance are limited to the permitted uses and special uses outlined in the following table:

<b>M-2 Heavy Industrial Permitted Uses</b>
Any use permitted in a B-1, B-2, and B-3 business district and M-1 light industrial district except single-family dwellings, duplexes, bungalow courts, short-term rental homes, and transient vacation rentals and apartments (Except for living quarters used by security/watchmen or custodians of an industrially-used property)
Automobile wrecking, if conducted within a building
Boiler and steel works
Concrete or cement products manufacture
Factories
Junk establishment used for storing depositing, or keeping junk or similar goods for business purposes (Such establishment shall not be nearer than 8 feet from any other property line for the storage of the junk or similar goods except in buildings entirely enclosed with walls)
Lumber yard
Machine shops
Material recycling and recovery facilities
Oil storage plants
Petroleum products manufacture or wholesale storage of petroleum
Planing mill
Utility facilities, major
In general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration and the like and not allowed in any other district; provided, however, that any use not specified in this condition shall not be permitted unless approved by the planning director as conforming to the intent of this condition
<b>M-2 Heavy Industrial Special Uses</b>
Asphalt manufacture of refueling and asphaltic concrete plant
Rock, sand, gravel, or earth excavation, crushing or distribution

3. The conditions associated with the Decision & Order for Docket No. A19-809 approved by the State Land Use Commission apply to the portions of tax map key (2) 4-9-002:061 that are the subject of this Ordinance.
4. Lānaʻi Resorts, LLC must provide the State Land Use Commission and Department of Planning with an annual report regarding occupancy of the Miki 200 Industrial Park. Information must include the number of inquiries and number of executed leases. Without disclosing private and proprietary information, Lānaʻi Resorts, LLC should include whether the inquiry was made or the executed lease is held by a resident of Lānaʻi. Annual reports must be provided as long as the State Land Use Commission deems necessary.
5. Lānaʻi Resorts, LLC must provide the State Land Use Commission and Department of Planning with semi-annual water usage reports for each category of water, including drinking, brackish, and R-1, for the Miki 200 Industrial Park for as long as the State Land Use Commission deems necessary.

## HLU Committee

---

**From:** HLU Committee  
**Sent:** Tuesday, May 7, 2024 2:25 PM  
**To:** Tessa Munekiyo Ng  
**Subject:** BILL 27 (2024), CHANGE IN ZONING FOR MIKI 200 INDUSTRIAL PARK (LĀNA'I)  
(HLU-25)  
**Attachments:** Correspondence to Munekiyo 05-07-2024 HLU-25\_TK.pdf; DBA UA - blank.docx  
**Importance:** High