

COUNCIL OF THE COUNTY OF MAUI

PLANNING AND SUSTAINABLE LAND USE COMMITTEE

June 21, 2022

**Committee
Report No.** _____

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

Chair and Members:

Your Planning and Sustainable Land Use Committee, having met on June 2, 2022, makes reference to Bill 82 (2022), entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.26, MAUI COUNTY CODE, RELATING TO PERMITTED USES IN THE M-2 HEAVY INDUSTRIAL DISTRICT.”

Bill 82’s purpose is to amend Chapter 19.26, Maui County Code, to include Apartments as permitted uses in the M-2 Heavy Industrial District when all of the following criteria are met: (1) the Apartments are located on the same lot as business or industrial uses; (2) an existing business or industrial use is located within 500 feet of any existing residential use; (3) appropriate physical or spatial buffers are provided between residential and noxious uses, such as dense landscaping or walls that match existing or proposed architecture; (4) the site undergoes appropriate environmental tests and remediation if prior industrial activity involved the use or handling of materials that remain on the site or in the soil; (5) Transient Vacation Rental use is prohibited; and (6) the Apartments are on Maui or Lāna‘i.

Your Committee received oral and written testimony in opposition of Bill 82 relating to concerns of living in close proximity to an industrial area subject to noxious fumes, loud noises, and possible unsafe living conditions.

Your Committee received a computer-generated presentation from a representative of the Department of Planning.

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The Planning Director said the proposed bill would help to create housing in areas with existing infrastructure.

The Deputy Director of Public Works said the Department has received complaints from existing property owners who live next to baseyards around Maui Island citing equipment noise and fumes.

Your Committee discussed considering a Change in Zoning for each parcel separately instead of creating a blanket exemption for residential use in the M-2 Heavy Industrial District.

Your Committee voted 5-4 to recommend filing of Bill 82 (2022). Committee Chair Paltin, Vice-Chair King, and members Molina, Rawlins-Fernandez, and Sinenci voted “aye.” Committee members Johnson, Kama, Lee, and Sugimura voted “no.”

Your Planning and Sustainable Land Use Committee RECOMMENDS that Bill 82 (2022), entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.26, MAUI COUNTY CODE, RELATING TO PERMITTED USES IN THE M-2 HEAVY INDUSTRIAL DISTRICT,” be FILED.

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



TAMARA PALTIN, Chair