

COUNCIL OF THE COUNTY OF MAUI
PLANNING AND SUSTAINABLE LAND
USE COMMITTEE

October 18, 2019

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 September 18, 2019 and October 2, 2019, makes reference to County Communication 19-346, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING DIGITAL ZONING MAP (2) AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI."

The purpose of the proposed bill is to adopt Digital Zoning Map (2) as the current official zoning map for the island of Maui. Map (2) includes 13 corrections to the first digital zoning map.

Your Committee notes that Ordinance 4883 adopted a digital zoning map as the official zoning map for the island of Maui on October 10, 2018.

Since the adoption of the original zoning map, the Department of Planning identified 13 errors, which are corrected in Map (2).

A representative from the Department of Planning said the Department updates the digital zoning map after a Change in Zoning occurs. However, with this bill, the Department seeks to assign a new map number as the map is changed to correct errors identified by the Department.

Several corrections in Map (2) are to change the zoning of parcels with zoning districts not defined in Title 19, Maui County Code, to defined zoning districts. A representative from the Department said

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undefined zoning districts are not being corrected if doing so would be inconsistent with the parcel's community plan designation.

The representative explained those kinds of corrections would be proposed to the Council at a later phase of the digital zoning map project.

Your Committee voted 7-0 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Paltin, Vice-Chair Sinenci, and members King, Lee, Molina, Rawlins-Fernandez, and Sugimura voted "aye."

Your Planning and Sustainable Land Use Committee RECOMMENDS the following:

1. That Bill _____ (2019), attached hereto, entitled "A BILL FOR AN ORDINANCE ADOPTING DIGITAL ZONING MAP (2) AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 19-346 be FILED.

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



TAMARA PALTIN, Chair

ORDINANCE NO. _____

BILL NO. _____ (2019)

**A BILL FOR AN ORDINANCE ADOPTING DIGITAL ZONING MAP (2) AS
THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI**

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

SECTION 1. Purpose. The purpose of this ordinance is to adopt the most recently amended digital zoning map (2) as the official zoning map for the Island of Maui. The map shall provide a graphical portrayal of zoning designations established by ordinance.

SECTION 2. Section 19.06.020, Maui County Code, is amended to read as follows:

"19.06.020 Maps. A. Pursuant to section 8-8.3(6) of the revised charter of the County of Maui (1983), as amended, the planning director shall prepare and administer the County's zoning maps.

B. For the island of Maui, one zoning map shall be prepared and administered in a digital format, such as within a geographic information system and made available for public use on the County website. The digital zoning map is incorporated herein by reference and is located online at the department of planning, implementation division's website at <https://www.mauicounty.gov/2159/Digital-Zoning-Map-Update-Project>. The most recently adopted digital map on file (2) shall be in addition to the original "land zoning maps" on file in the office of the county clerk; however, the digital zoning map (2) shall be used to determine zoning boundaries and designations in the event of a conflict. Whenever an amended zoning map is adopted and the ordinance is filed with the county clerk, the digital zoning map shall be amended to reflect the amended zoning map.

C. The areas of the islands of Kaho'olawe, Lana'i, and Moloka'i shown on original maps entitled "Land Zoning Maps," on file in the office of the county clerk with certified copies being placed on file in the planning department, and the digital zoning map for the island of Maui, together with all explanatory materials thereon, are part of this title."

SECTION 3. Notwithstanding enactment of this ordinance, zoning conditions previously enacted by ordinance shall remain in effect, unless repealed by ordinance or operation of law.

SECTION 4. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY



MICHAEL J. HOPPER
Department of Corporation Counsel
County of Maui

2019-1125
2019-07-26 Ordinance