

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

October 4, 2019

Committee
Report No. 19-119

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, makes reference to County Communication 19-345, from Councilmember Shane M. Sinenci, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP, AND TO CHANGE THE ZONING FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032 (DOOR OF FAITH CHURCH)."

The purpose of the proposed resolution is to transmit to the Maui Planning Commission the following

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032."

The purpose of the proposed bill is to grant a District Boundary Amendment from Agricultural to Rural for 0.933 acre in Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032 ("property"), for Door of Faith Church.

2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC

COUNCIL OF THE COUNTY OF MAUI
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Committee
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FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII, TAX MAP KEY
(2) 2-9-007:032.

The purpose of the proposed bill is to grant a Community Plan Amendment from Agriculture to Public/Quasi-Public for the property for Door of Faith Church.

3. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032."

The purpose of the proposed bill is to grant a Change in Zoning from Agricultural District to P-1 Public/Quasi-Public District for the property for Door of Faith Church.

Your Committee notes Section 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require the appropriate planning commission to review proposed land use ordinances and amendments thereto, and provide findings and recommendations to the Council. Because the property is located on Maui, the appropriate planning commission in this case is the Maui Planning Commission.

A representative from Door of Faith Church said the church is requesting the land use entitlements for building purposes. The church intends to rebuild its church building in the same location as the existing one.

Your Committee voted 7-0 to recommend adoption of the proposed resolution. Committee Chair Paltin, Vice-Chair Sinenci, and members King, Lee, Molina, Rawlins-Fernandez, and Sugimura voted "aye."

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

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**Committee
Report No. 19-119**

Your Planning and Sustainable Land Use Committee RECOMMENDS that Resolution 19-172, attached hereto, entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP, AND TO CHANGE THE ZONING FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032 (DOOR OF FAITH CHURCH)," be ADOPTED.

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



TAMARA PALTIN, Chair

pslu:cr:19039aa:jgk

Resolution

No. 19-172

REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP, AND TO CHANGE THE ZONING FOR PROPERTY SITUATED AT HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032 (DOOR OF FAITH CHURCH)

WHEREAS, the Council is considering a proposed bill to amend the State Land Use District classification from Agricultural to Rural, a proposed bill to amend the Paia-Haiku Community Plan and Land Use Map from Agriculture to Public/Quasi-Public, and a proposed bill to change the zoning from Agricultural District to P-1 Public/Quasi-Public District, for that certain real property situated at Haiku, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre ("Property"); and

WHEREAS, the Door of Faith Church, whose street address is 11 Door of Faith Road, Haiku, Maui, Hawaii, is located on the Property; and

WHEREAS, because of the deteriorated condition of the church, the congregation wishes to reconstruct it to provide a safer, more comfortable building; and

WHEREAS, the congregation anticipates that the modestly reconstructed church will be of similar architecture and within the same footprint as the existing structure; and

WHEREAS, the proposed land use changes would bring consistency between the Property's land use designations and its existing use for church purposes; and

Resolution No. _____

WHEREAS, the Council, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, may propose amendments to land use ordinances and revisions to the General Plan, including community Plans; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commissions review proposed land use ordinances and amendments thereto, and provide findings and recommendations to the Council; now, therefore,


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

1. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032," a copy of which is attached hereto as Exhibit "1" and made a part hereof, to the Maui Planning Commission for appropriate action, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended; and
2. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO AMEND THE PAIA-HAIKU COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032," a copy of which is attached hereto as Exhibit "2" and made a part hereof, to the Maui Planning Commission for appropriate action, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended; and
3. That it hereby refers the proposed bill, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII, TAX MAP KEY (2) 2-9-007:032," a copy of which is attached hereto as Exhibit "3" and made a part hereof, to the Maui Planning Commission for appropriate action, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended; and

Resolution No. _____

4. That it respectfully requests the Maui Planning Commission transmit its findings and recommendations to the Council as expeditiously as possible; and
5. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, and the Maui Planning Commission.

APPROVED AS TO FORM
AND LEGALITY:



DAVID A. GALAZIN
Deputy Corporation Counsel
County of Maui
2019-1199
PAF 19-154 2019-08-02 Reso Door of Faith Church

ORDINANCE NO. _____

BILL NO. _____ (2019)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE
DISTRICT CLASSIFICATION FROM AGRICULTURAL TO RURAL
FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII,
TAX MAP KEY (2) 2-9-007:032

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

SECTION 1. In accordance with Chapter 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District classification is reclassified from Agricultural to Rural for that certain real property situated at Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in District Boundary Amendment Map DB-____, 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:

DAVID A. GALAZIN

Department of the Corporation Counsel
County of Maui

paf:cmn:19-154a

EXHIBIT " 1 "

LAND DESCRIPTION

All that certain parcel of land known as a portion of Grant 3214 to Papaiakea.

Situate at
Puolua, Hamakualoa, Maui, Hawaii
Tax Map Key:(2)2-9-07:32

Beginning at the Northeasterly corner of this parcel of land, being the Northerly corner of a portion of the Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18, being also a point on the Southwesterly right-of-way line of Door of Faith Road, the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "KAPUAI" being 653.48 feet North and 17,607.03 feet West and running by azimuths measured clockwise from True South; thence,

- 1. 36° 01' 00" 223.52 feet along the Northwesterly property boundary line of Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18] to a point; thence,
- 2. 99° 36' 00" 110.70 feet along the remainder of Grant 3214 to Papaiakea [Tax Map Key:(2)2-9-07:32] to a point; thence,
- 3. 133° 51' 00" 66.10 feet along the same, to a point; thence,
- 4. 225° 17' 00" 348.28 feet along the same, to a point; thence,
- 5. 356° 05' 00" 30.20 feet along the Southwesterly right-of-way line of the Door of Faith Road, to a point; thence,
- 6. 343° 38' 00" 43.47 feet along the same, to a point; thence,
- 7. 334° 59' 00" 62.55 feet along the same, to the point of beginning and containing an area of 0.933 acre.

This work was done by me or under my direct supervision.

AKAMAI LAND SURVEYING, INC.

Sherman Dudley DePonte

Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
219138 (5/13/19 WN)

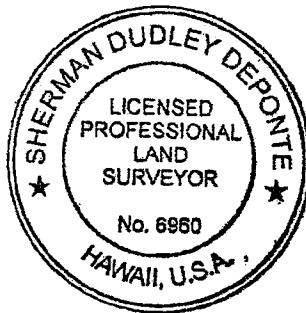
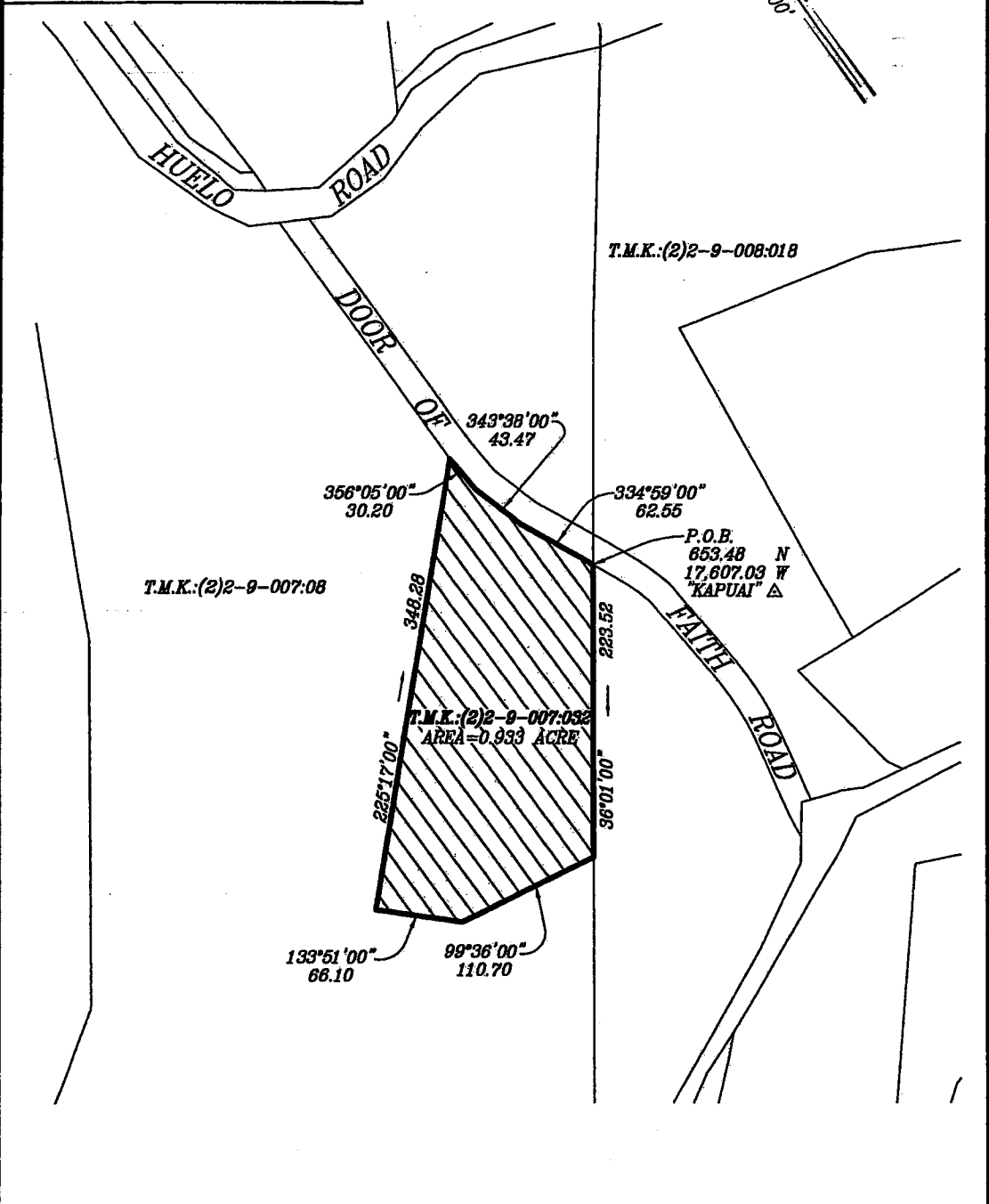
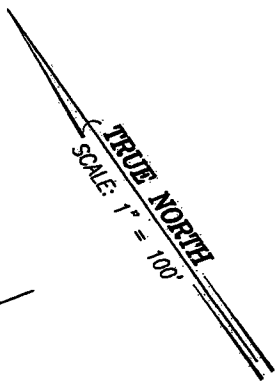
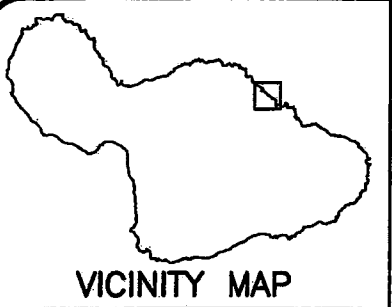


EXHIBIT "A"



<u>TAX MAP KEY</u>	<u>AREA</u>
T.M.K: (2)2-9-007:032	0.933 ACRE

LAND USE DISTRICT BOUNDARY AMENDMENT MAP NO. _____
 DISTRICT BOUNDARY AMENDMENT - PUOLUA, HAMAKUALOA, MAUI, HAWAII
 FROM AGRICULTURAL TO RURAL

EXHIBIT "B"

ORDINANCE NO. _____

BILL NO. _____ (2019)

A BILL FOR AN ORDINANCE TO AMEND THE PAIA-HAIKU COMMUNITY PLAN
AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC
FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII,
TAX MAP KEY (2) 2-9-007:032

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

SECTION 1. In accordance with Chapter 2.80B, Maui County Code, the Paia-Haiku Community Plan and Land Use Map is hereby amended from Agriculture to Public/Quasi-Public for that certain real property situated at Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in Community Plan Map CP-____, 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:

DAVID A. GALAZIN

Department of the Corporation Counsel
County of Maui

paf:cmn:19-154b

EXHIBIT " 2 "

LAND DESCRIPTION

All that certain parcel of land known as a portion of Grant 3214 to Papaiakea.

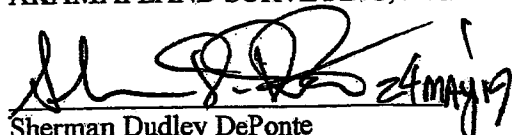
Situate at
Puolua, Hamakualoa, Maui, Hawaii
Tax Map Key:(2)2-9-07:32

Beginning at the Northeasterly corner of this parcel of land, being the Northerly corner of a portion of the Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18, being also a point on the Southwesterly right-of-way line of Door of Faith Road, the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "KAPUAI" being 653.48 feet North and 17,607.03 feet West and running by azimuths measured clockwise from True South; thence,

1. 36° 01' 00" 223.52 feet along the Northwesterly property boundary line of Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18] to a point; thence,
2. 99° 36' 00" 110.70 feet along the remainder of Grant 3214 to Papaiakea [Tax Map Key:(2)2-9-07:32] to a point; thence,
3. 133° 51' 00" 66.10 feet along the same, to a point; thence,
4. 225° 17' 00" 348.28 feet along the same, to a point; thence,
5. 356° 05' 00" 30.20 feet along the Southwesterly right-of-way line of the Door of Faith Road, to a point; thence,
6. 343° 38' 00" 43.47 feet along the same, to a point; thence,
7. 334° 59' 00" 62.55 feet along the same, to the point of beginning and containing an area of 0.933 acre.

This work was done by me or under my direct supervision.

AKAMAI LAND SURVEYING, INC.



Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
219138 (5/13/19 WN)

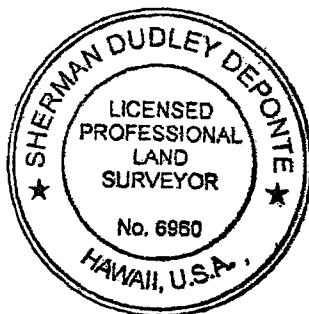
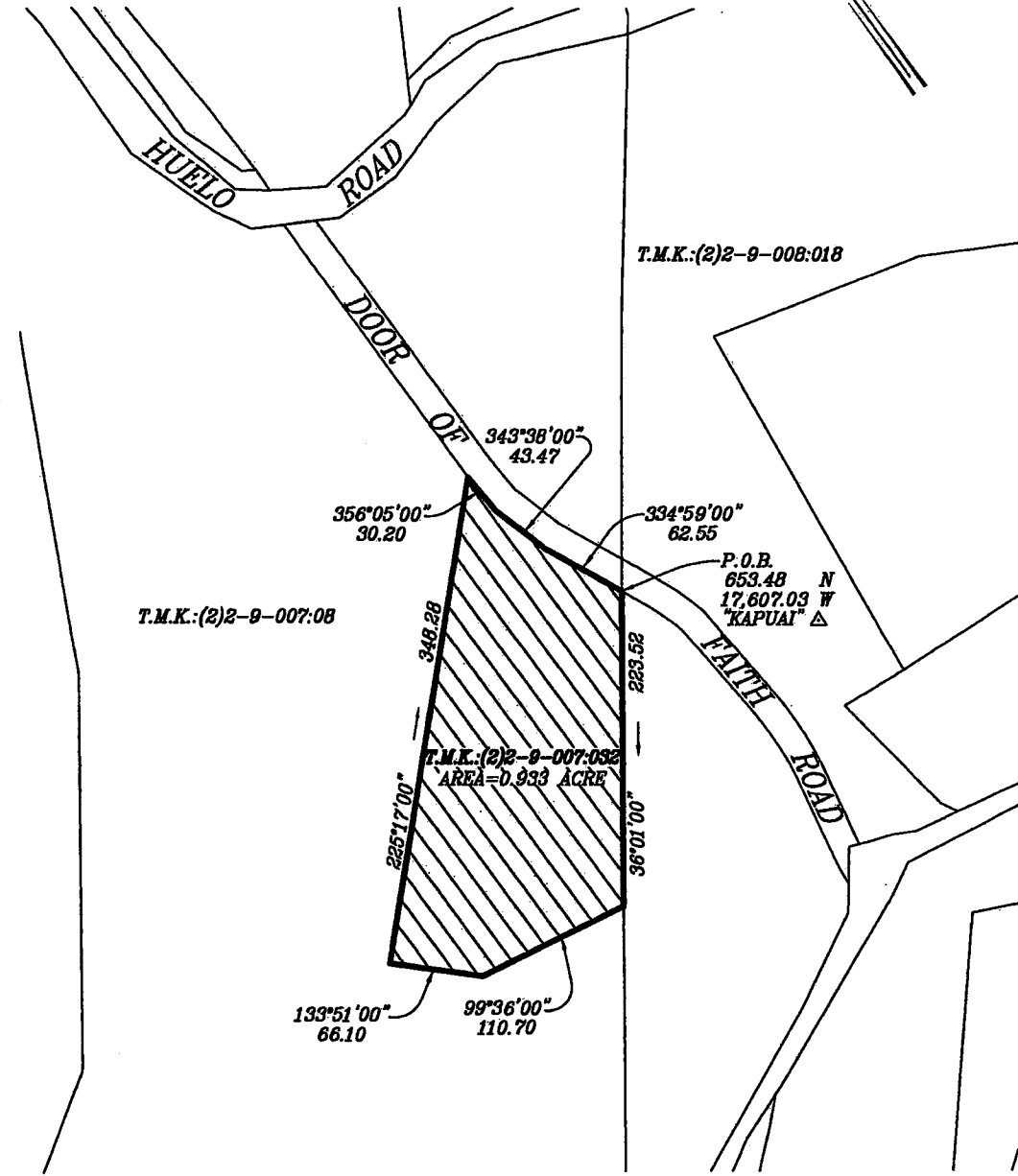
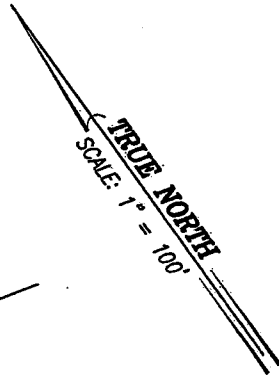
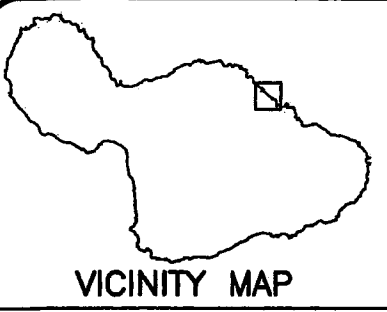


EXHIBIT "A"



TAX MAP KEY

T.M.K: (2)2-9-007:032

AREA

0.933 ACRE

COMMUNITY PLAN MAP NO. _____
 COMMUNITY PLAN AMENDMENT - PUOLUA, HAMAKUALOA, MAUI, HAWAII
 FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC

EXHIBIT 4B4

ORDINANCE NO. _____

BILL NO. _____ (2019)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT
FOR 0.933 ACRE IN HAIKU, MAUI, HAWAII,
TAX MAP KEY (2) 2-9-007:032

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

SECTION 1. In accordance with Chapters 19.31 and 19.510, Maui County Code, a Change in Zoning from Agricultural District to P-1 Public/Quasi-Public District is hereby granted for that certain real property situated at Haiku, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 2-9-007:032, comprising 0.933 acre and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in Land Zoning Map L-____, 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:

DAVID A. GALAZIN
Department of the Corporation Counsel
County of Maui
2019-1199
PAF 19-154 2019-08-02 Ord CIZ Door of Faith Church

EXHIBIT " 3 "

LAND DESCRIPTION

All that certain parcel of land known as a portion of Grant 3214 to Papaiakea.

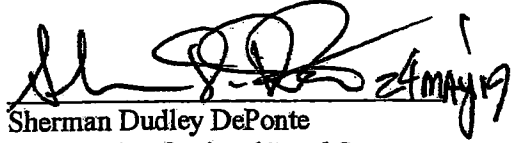
Situate at
Puolua, Hamakualoa, Maui, Hawaii
Tax Map Key:(2)2-9-07:32

Beginning at the Northeasterly corner of this parcel of land, being the Northerly corner of a portion of the Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18, being also a point on the Southwesterly right-of-way line of Door of Faith Road, the coordinates of said point of beginning are based on record information and referred to Government Survey Triangulation Station "KAPUAI" being 653.48 feet North and 17,607.03 feet West and running by azimuths measured clockwise from True South; thence,

- | | | | |
|----|--------------|--------|---|
| 1. | 36° 01' 00" | 223.52 | feet along the Northwesterly property boundary line of Government Land [Tax Map Key:(2)2-9-08:Portion of Parcel 18] to a point; thence, |
| 2. | 99° 36' 00" | 110.70 | feet along the remainder of Grant 3214 to Papaiakea [Tax Map Key:(2)2-9-07:32] to a point; thence, |
| 3. | 133° 51' 00" | 66.10 | feet along the same, to a point; thence, |
| 4. | 225° 17' 00" | 348.28 | feet along the same, to a point; thence, |
| 5. | 356° 05' 00" | 30.20 | feet along the Southwesterly right-of-way line of the Door of Faith Road, to a point; thence, |
| 6. | 343° 38' 00" | 43.47 | feet along the same, to a point; thence, |
| 7. | 334° 59' 00" | 62.55 | feet along the same, to the point of beginning and containing an area of 0.933 acre. |

This work was done by me or under my direct supervision.

AKAMAI LAND SURVEYING, INC.



Sherman Dudley DePonte
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 6960
Expires: April 30, 2020
219138 (5/13/19 WN)

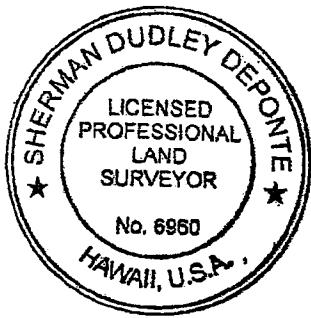
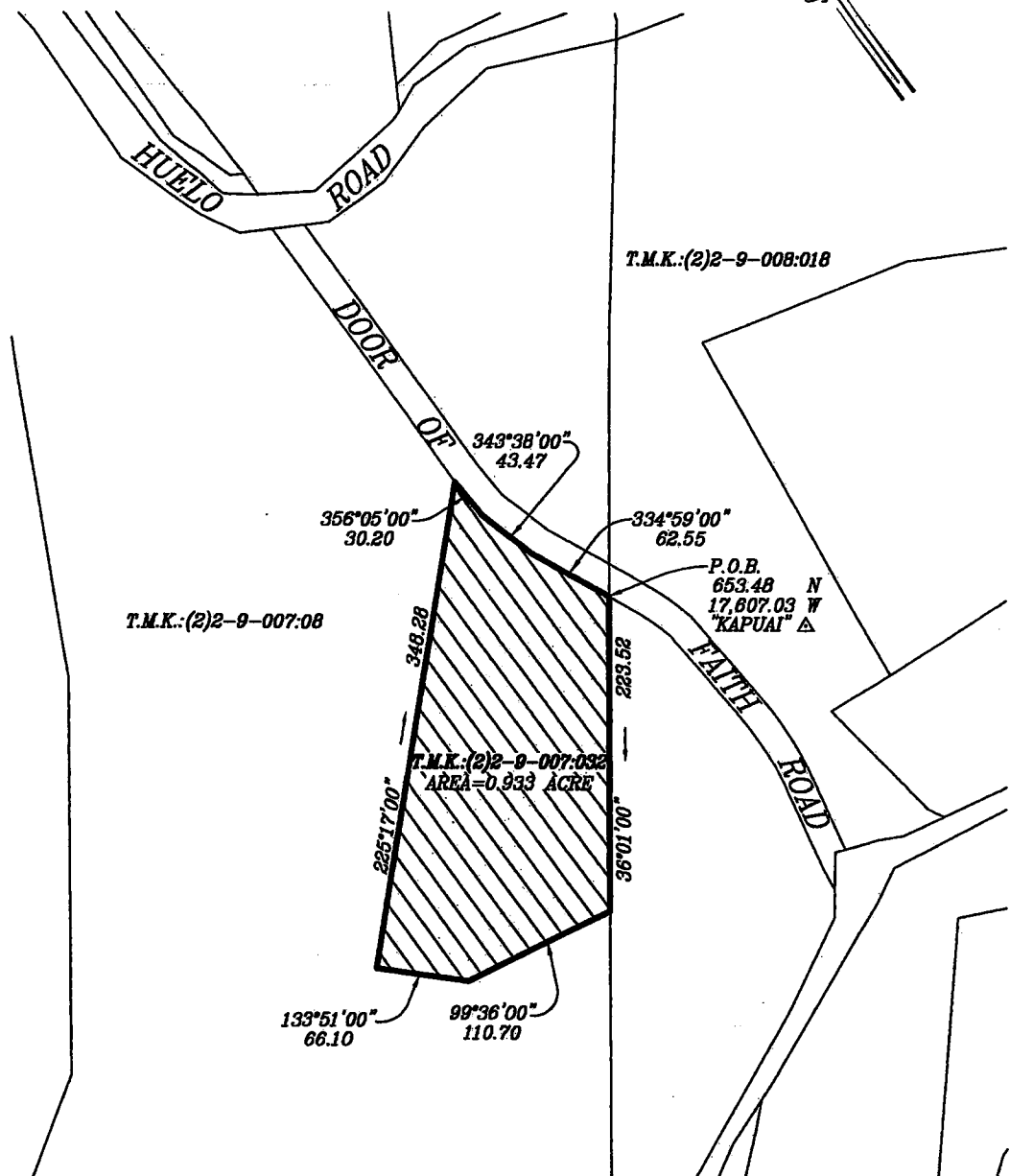
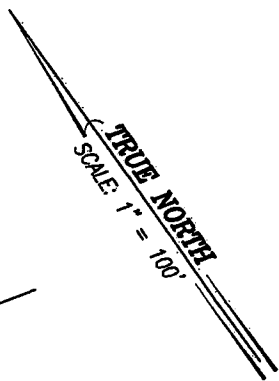
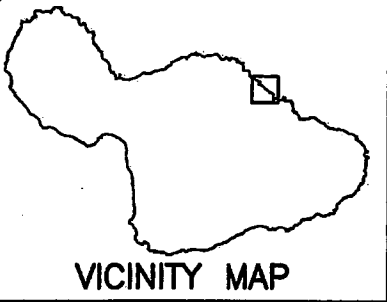


EXHIBIT "A"



TAX MAP KEY
T.M.K.: (2)2-9-007:032

AREA
0.933 ACRE

LAND ZONING MAP NO. _____
CHANGE IN ZONING - PUOLUA, HAMAKUALOA, MAUI, HAWAII
FROM AGRICULTURAL TO P-1 PUBLIC/QUASI-PUBLIC

EXHIBIT "B"