

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

July 7, 2017

**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 June 14, 2017, makes reference to County Communication 16-97, from Councilmember Gladys C. Baisa, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL TO CHANGE THE WEST MAUI COMMUNITY PLAN DESIGNATION FROM PARK TO BUSINESS AND A PROPOSED BILL TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR PROPERTIES SITUATED AT TAX MAP KEYS (2) 4-4-001:010 (POR.) AND (2) 4-4-014:006 (POR.), LAHAINA, MAUI, HAWAII." The purpose of the proposed resolution is to refer to the Maui Planning Commission a proposed bill to grant a Community Plan Amendment from Park to Business and a proposed bill to grant a Change in Zoning from PK General Park District to B-2 Community Business District for portions of parcels identified for real property tax purposes as tax map keys (2) 4-4-001:010 and (2) 4-4-014:006, Lahaina, Maui, Hawaii, collectively consisting of 0.049 acre ("property").

Your Committee notes that the Council's Land Use Committee (2015-2017 Council term) previously reported on this matter through Committee Report 16-119, which recommended adoption of Resolution 16-100 referring the proposed bills to the Maui Planning Commission. Your Committee further notes the Council adopted the recommendations in Committee Report 16-119 on August 5, 2016. Thereafter, the Maui Planning Commission reviewed the proposed bills and transmitted their findings and recommendations to the Council on February 22, 2017.

By correspondence dated June 7, 2017, the Deputy Planning Director transmitted the following:

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1. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM PARK TO BUSINESS/COMMERCIAL FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006." The purpose of the revised proposed bill is to grant an amendment to the West Maui Community Plan and Land Use Map from Park to Business; and
2. A revised proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006." The purpose of the revised proposed bill is to change zoning from PK General Park District to B-2 Community Business District.

The applicants' representative advised your Committee, the former Council (2007-2009 Council term) approved a Community Plan Amendment and Change in Zoning in 2008, to facilitate a land exchange between the developers of the Kaanapali North Beach Resort Park and the Nunes Family. The purpose of the land exchange was to allow for a five-foot wide utility easement and to create a single contiguous beach park. However, during utility construction the width of the easement expanded to ten feet, resulting in an inequitable land exchange. The proposed Community Plan Amendment and Change in Zoning will correct this inequity.

Your Committee noted that since the completion of the Kaanapali North Beach Resort Park, more pedestrians are crossing Lower Honoapiilani Road to patronize commercial businesses located on the opposite side of the road. Your Committee requested that correspondence be directed to the Department of Public Works to determine if enhanced pedestrian crossings or traffic calming devices need to be installed in the area.

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Your Committee voted 5-0 to recommend passage of the revised proposed bills on first reading and filing of the communication. Committee Chair Carroll and members Cochran, King, Sugimura, and White voted "aye." Committee Vice-Chair Hokama and members Atay, Crivello, and Guzman were excused.

Your Land Use Committee RECOMMENDS the following:

1. That Bill \_\_\_\_\_ (2017), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN AND LAND USE MAP FROM PARK TO BUSINESS/COMMERCIAL FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006," be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill \_\_\_\_\_ (2017), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
3. That County Communication 16-97 be FILED.

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

  
\_\_\_\_\_  
ROBERT CARROLL, Chair

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

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN  
AND LAND USE MAP FROM PARK TO BUSINESS/COMMERCIAL  
FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII  
TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006

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

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the West Maui Community Plan and Land Use Map is hereby amended from Park to Business/Commercial for property situated at Lahaina, Maui, Hawaii, and identified for real property tax purposes as portions of tax map keys (2) 4-4-001:010 and (2) 4-4-014:006, comprising approximately 0.049 acre, and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in Community Plan Map CP-823, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

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

APPROVED AS TO FORM  
AND LEGALITY:



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JENNIFER M.P.E. OANA  
Deputy Corporation Counsel  
County of Maui  
2016-1819

COMMUNITY PLAN AMENDMENT FROM PARK TO BUSINESS COMMERCIAL

Being a portion of Lot D-1-A-1 of the North Beach Subdivision IIA, being also portions of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. Situate at Honokowai, Lahaina (Kaanapali), Maui, Hawaii.

Beginning at the Northeast corner of this parcel of land, along the South side of Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4), being also an azimuth and distance of  $94^{\circ}25'$  and 161.12 feet from the Northeast corner of Lot D-1-A-1 of the North Beach Subdivision II, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MANINI", being 7,188.41 feet North and 13,529.09 feet West and running by azimuths measured clockwise from true South:

1.  $16^{\circ} 10'$  357.06 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;
2.  $100^{\circ} 20'$  6.01 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainder of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;
3.  $196^{\circ} 10'$  356.43 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd., Royal Patent 7817, Land Commission Award 5005-B to John White and Royal Patent 6297, Land Commission Award 6601 to Piimoku;

**EXHIBIT " A "**



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

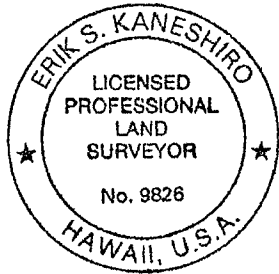
501 SUMNER STREET, SUITE 521  
HONOLULU, HAWAII 96817-5031

CIVIL ENGINEERS • SURVEYORS  
1871 WILI PA LOOP, SUITE A  
WAILUKU, MAUI, HAWAII 96793

100 PAUHAHI STREET, SUITE 207  
HILO, HAWAII 96720

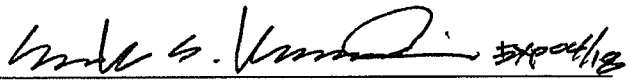
4. 274° 25'

6.11 feet along Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4) to the point of beginning and containing an area of 0.049 acre.



Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

  
ERIK S. KANESHIRO  
Licensed Professional Land Surveyor  
Certificate No. 9826

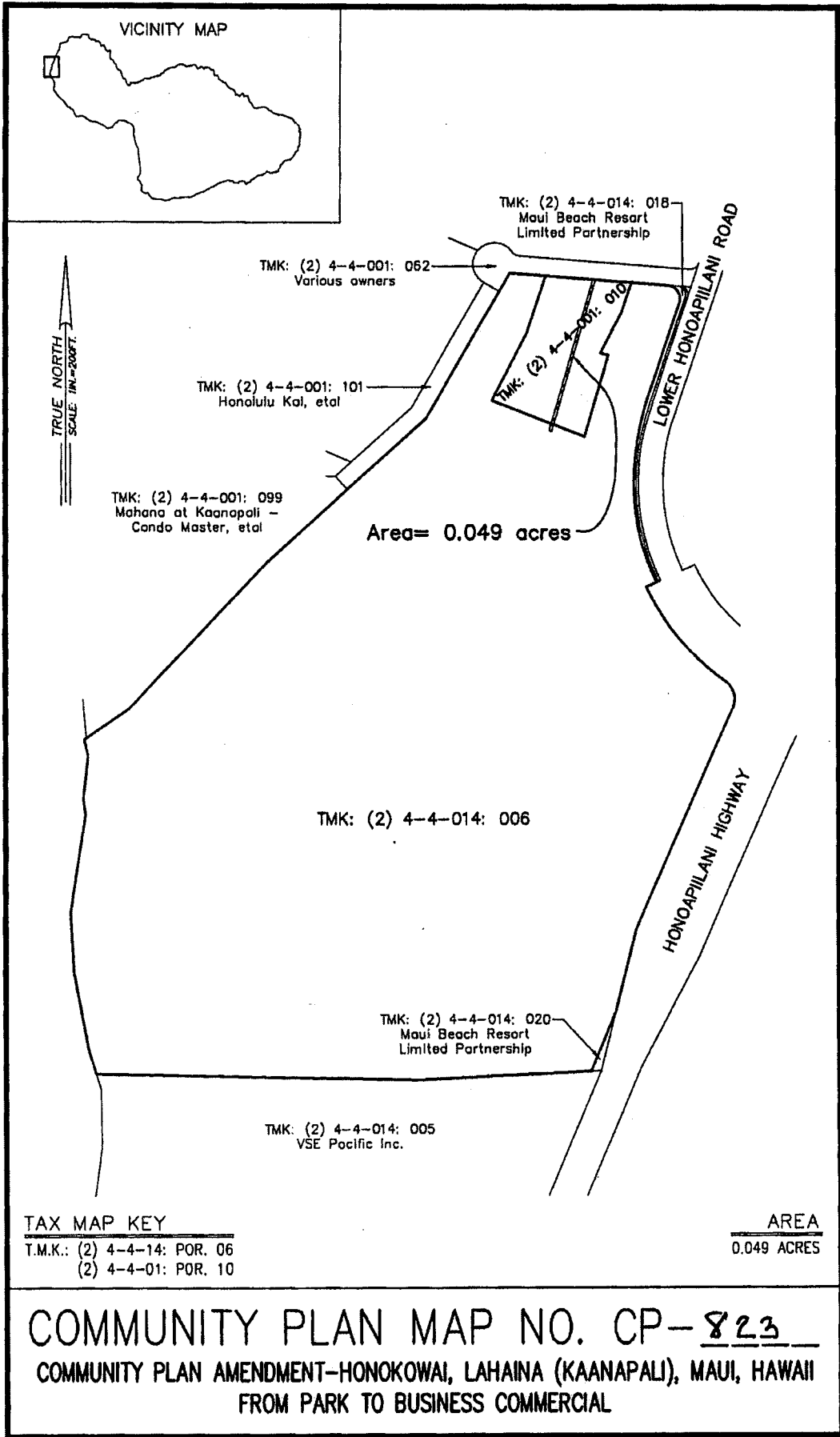
Honolulu, Hawaii

March 4, 2016

TMK: (2) 4-4-14: Por. 06

(2) 4-4-01: Por. 10





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

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM  
PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT  
FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII  
TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006

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

SECTION 1. Pursuant to Chapters 19.18 and 19.510, Maui County Code, a change in zoning from PK General Park District to B-2 Community Business District is hereby granted for property situated at Lahaina, Maui, Hawaii, and identified for real property tax purposes as portions of tax map keys (2) 4-4-001:010 and (2) 4-4-014:006, comprising approximately 0.049 acre, and more particularly described in Exhibit "A," attached hereto and made a part hereof, and in Land Zoning Map L-872, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

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

APPROVED AS TO FORM  
AND LEGALITY:



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JENNIFER M.P.E. OANA  
Deputy Corporation Counsel  
County of Maui  
2016-1819



CHANGE IN ZONING FROM PK GENERAL PARK DISTRICT  
TO B-2 COMMUNITY BUSINESS DISTRICT

Being a portion of Lot D-1-A-1 of the North Beach Subdivision IIA, being also portions of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd. Situate at Honokowai, Lahaina (Kaanapali), Maui, Hawaii.

Beginning at the Northeast corner of this parcel of land, along the South side of Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4), being also an azimuth and distance of  $94^{\circ}25'$  and 161.12 feet from the Northeast corner of Lot D-1-A-1 of the North Beach Subdivision II, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MANINI", being 7,188.41 feet North and 13,529.09 feet West and running by azimuths measured clockwise from true South:

1.  $16^{\circ} 10'$  357.06 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Royal Patent 6297, Land Commission Award 6601 to Piimoku, Royal Patent 7817, Land Commission Award 5005-B to John White and Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;
2.  $100^{\circ} 20'$  6.01 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainder of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd;
3.  $196^{\circ} 10'$  356.43 feet along the remainder of Lot D-1-A-1 of the North Beach Subdivision IIA, being also the remainders of Parcel A of Grant S-15081 to Pioneer Mill Co., Ltd., Royal Patent 7817, Land Commission Award 5005-B to John White and Royal Patent 6297, Land Commission Award 6601 to Piimoku;

EXHIBIT "A"



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

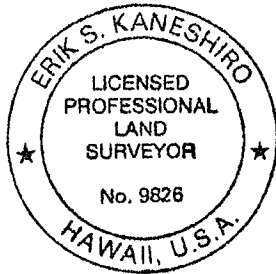
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4. 274° 25'

6.11 feet along Roadway Lot 11 (Kaanapali Place) of Land Court Application 485 (Map 4) to the point of beginning and containing an area of 0.049 acre.



Description Prepared By:

AUSTIN, TSUTSUMI & ASSOCIATES, INC.

Handwritten signature of Erik S. Kaneshiro with the date "EXP 04/18" written to the right.

ERIK S. KANESHIRO

Licensed Professional Land Surveyor  
Certificate No. 9826

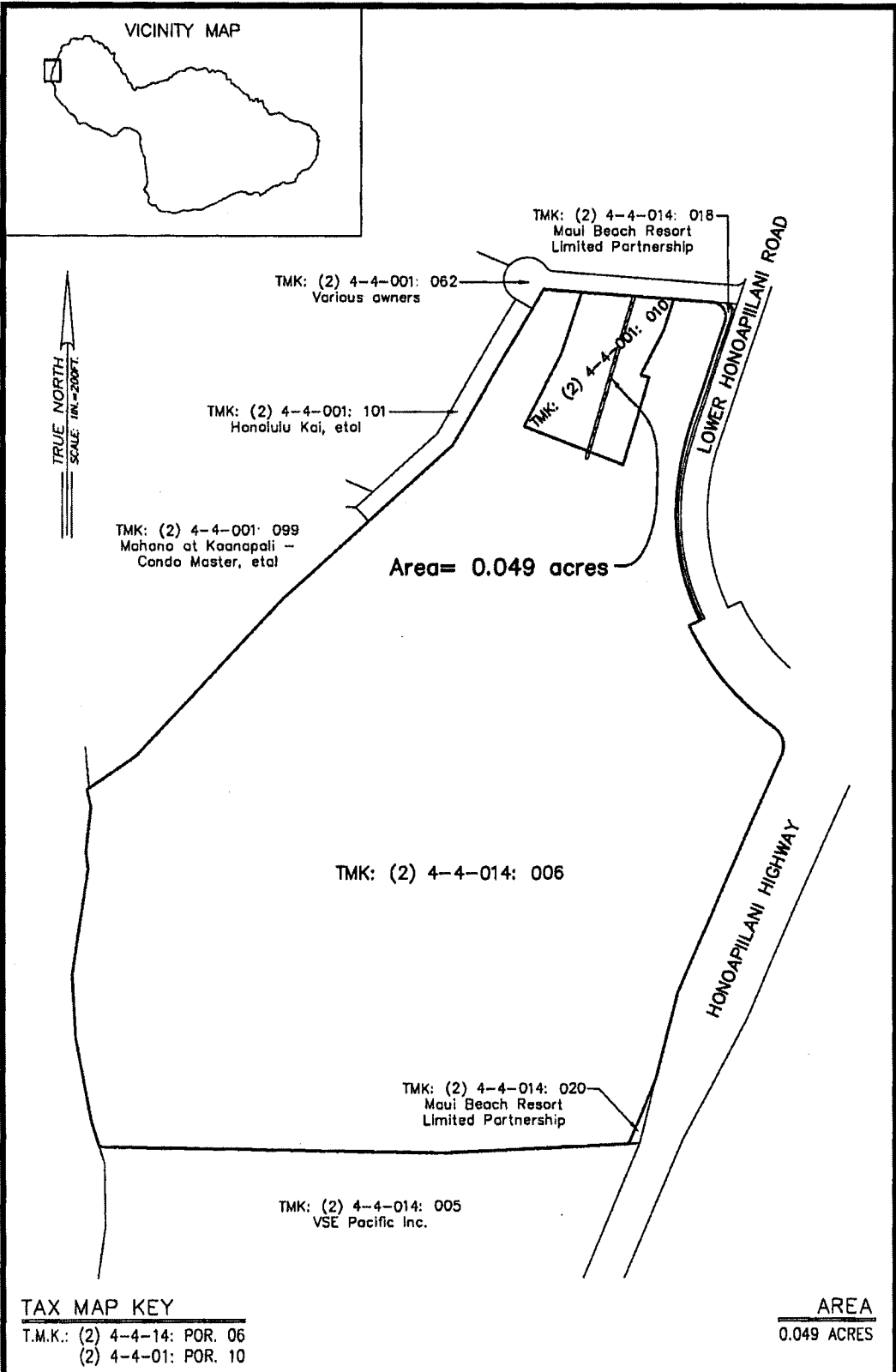
Honolulu, Hawaii

March 4, 2016

TMK: (2) 4-4-14: Por. 06

(2) 4-4-01: Por. 10





**TAX MAP KEY**  
 T.M.K.: (2) 4-4-14: POR. 06  
 (2) 4-4-01: POR. 10

**AREA**  
 0.049 ACRES

**LAND ZONING MAP NO. L-872**  
**CHANGE IN ZONING-HONOKOWAI, LAHAINA (KAANAPALI), MAUI, HAWAII**  
**FROM GENERAL PARK (PK) TO COMMUNITY BUSINESS (B-2)**