

**COUNCIL OF THE COUNTY OF MAUI**  
**PLANNING COMMITTEE**

December 16, 2016

**Committee**  
**Report No.** \_\_\_\_\_

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

Chair and Members:

Your Planning Committee, having met on December 1, 2016, makes reference to Bill 78 (2015), entitled "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO WET BARS IN DWELLING UNITS."

The purposes of Bill 78 (2015) are to establish within the Comprehensive Zoning Ordinance a definition for "wet bar" and to limit the number of wet bars in dwelling units. A wet bar is an area within a dwelling unit that contains a small sink and limited refrigeration or small appliances for making beverages.

Your Committee notes it previously reported on this matter through Committee Report 15-161, which recommended that the bill be passed on first reading and the related communication be filed. Your Committee's recommendations were adopted by the Council at its meeting of November 6, 2015. On November 20, 2015, the Council voted to recommit Bill 78 (2015).

At its meeting of December 1, 2016, your Committee revised Bill 78 (2015) to allow a microwave to be used to prepare hot beverages. Your Committee also revised the bill by amending Section 3 of the bill to make it clear that wet bars with approved building permits and plans are not subject to the requirements of the bill and may be reconstructed in accordance with original building plans.

Your Committee voted 5-0 to recommend passage of Bill 78 (2015), Draft 1, on second and final reading. Committee Chair Couch, Vice-Chair Carroll, and members Baisa, Cochran, and White voted "aye." Committee members Guzman and Victorino were excused.

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Your Committee is in receipt of Bill 78 (2015), Draft 1, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions.

Your Planning Committee RECOMMENDS that Bill 78 (2015), Draft 1, attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO WET BARS IN DWELLING UNITS," be PASSED ON SECOND AND FINAL READING.

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

  
\_\_\_\_\_  
DON COUCH, Chair

pc:cr:16016aa:gjg

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

BILL NO. 78 (2015)  
Draft 1

A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE  
ZONING ORDINANCE RELATING TO WET BARS IN DWELLING UNITS

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

SECTION 1. Section 19.04.040, Maui County Code, is amended by  
adding a new definition to be appropriately inserted and to read as follows:

“Wet bar” means an area within a dwelling unit, other than a kitchen, used for the preparation and serving of beverages that contains a sink that is one-and-one-half cubic feet or smaller and at least one of the following: refrigeration seven-and-one-half cubic feet or smaller; an ice maker; a small mixing or blending appliance; or a small appliance for the preparation of hot beverages, such as a coffee maker or microwave.

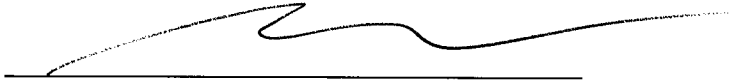
The area is not a wet bar if any of the following is also present: a sink larger than one-and-one-half cubic feet; refrigeration larger than seven-and-one-half cubic feet; a 220-volt electrical outlet; a gas or propane service line; a dishwashing machine; a garbage disposal; a range hood, exhaust vent, or similar equipment; a stove, range, or oven; or any other appliance for the heating or cooking of food.

No more than two wet bars shall be permitted in a dwelling unit that is less than five thousand square feet in total floor area. No more than three wet bars shall be permitted in a dwelling unit that is five thousand square feet or more in total floor area. No wet bar shall be permitted in a bedroom or bathroom.”

SECTION 2. New material is underscored. In printing this bill, the  
County Clerk need not include the underscoring.

SECTION 3. This ordinance shall take effect upon its approval; however, any area included in plans submitted as part of a building permit application, for which a building permit was approved prior to the effective date of this ordinance, that serves the function of a wet bar or that is labeled as a wet bar, even if it does not meet the definition of “wet bar” as established herein, shall not be subject to this ordinance, and may be reconstructed in accordance with the original building plans.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, consisting of a series of loops and curves, positioned above a horizontal line.

Department of the Corporation Counsel  
County of Maui

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