

ORDINANCE NO. _____

BILL NO. 13 (2017)

A BILL FOR AN ORDINANCE GRANTING AAAAA RENT-A-SPACE - MAUI, A LIMITED PARTNERSHIP, A CONDITIONAL PERMIT TO ALLOW THE DEVELOPMENT OF A 29,900 SQUARE FOOT PAVED PARKING LOT FOR OFF-STREET STALLS AND PLACEMENT OF TEMPORARY PORTABLE SELF-STORAGE PODS, SMALL BOATS, AND VEHICLES WITHIN THE COUNTY R-3 RESIDENTIAL DISTRICT, FOR PROPERTY SITUATED AT 3560 LOWER HONOAPIILANI ROAD, LAHAINA, MAUI, HAWAII

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

SECTION 1. Pursuant to Chapter 19.40, Maui County Code, and subject to the conditions imposed in Section 2 of this ordinance, a Conditional Permit is hereby granted to AAAAA Rent-A-Space - Maui, a Limited Partnership, to allow the development of a 29,900 square foot paved parking lot for off-street stalls and placement of temporary portable self-storage pods, small boats, and vehicles within the County R-3 Residential District. The site is identified for real property tax purposes as tax map key (2) 4-4-001:026, comprising approximately 0.90 acres of land situated at Lahaina, Maui, Hawaii.

SECTION 2. The granting of this Conditional Permit is subject to the following conditions:

1. That full compliance with all applicable governmental requirements shall be rendered in a timely manner.
2. That the Conditional Permit shall be valid for a period of ten years from the effective date of this ordinance; provided, that an extension of this Conditional Permit beyond this ten-year

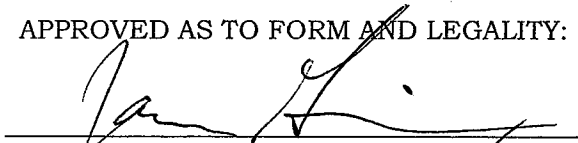
period may be granted pursuant to Section 19.40.090, Maui County Code.

3. That the Conditional Permit shall be nontransferable unless the Maui County Council approves a transfer by ordinance.
4. That AAAAA Rent-A-Space - Maui, a Limited Partnership, shall exercise reasonable due care as to third parties with respect to all areas affected by this subject Conditional Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this Conditional Permit, a policy or policies of comprehensive liability insurance in the minimum amount of \$1,000,000 naming the County of Maui as an additional insured, insuring and defending AAAAA Rent-A-Space - Maui, a Limited Partnership and the County of Maui against any and all claims or demands for property damage, personal injury, and/or death arising out of this Conditional Permit, including, but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by AAAAA Rent-A-Space - Maui, a Limited Partnership, of said rights; and (2) all actions, suits, damages, and claims by whomsoever brought or made by reason of the nonobservance or nonperformance of any of the terms and conditions of this Conditional Permit. A copy of the certificate of insurance naming the County of Maui as an additional insured shall be submitted to the Department of Planning within 90 calendar days from the effective date of this ordinance. The proof of insurance and all subsequent certifications of insurance coverage shall be submitted directly by the insurance carrier to the Department of Planning and shall include the applicable tax map key and permit numbers.
5. That AAAAA Rent-A-Space - Maui, a Limited Partnership, shall develop the property in substantial compliance with the representations made to the Maui County Council in obtaining this Conditional Permit. Failure to so develop the property may result in the revocation of this Conditional Permit pursuant to Section 19.40.080, Maui County Code.
6. That AAAAA Rent-A-Space - Maui, a Limited Partnership, shall construct a high wall along the southern boundary of the property to provide safety, security, and privacy to abutting single-family residents.

7. That AAAAA Rent-A-Space - Maui, a Limited Partnership, shall prohibit its customers from reversing into the proposed parking lot from Lower Honoapiilani Road.
8. That AAAAA Rent-A-Space - Maui, a Limited Partnership, shall prohibit its customers from onsite boat repair.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



JAMES A. GIROUX

Department of the Corporation Counsel
County of Maui

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DIGEST

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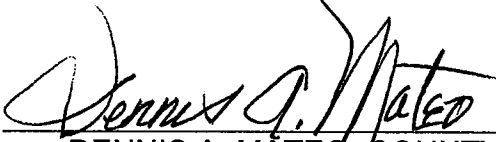
This bill proposes to grant AAAAA Rent-A-Space – Maui, a Limited Partnership, a five-year Conditional Permit to allow the development of a 29,900 square foot paved parking lot for off-street stalls and placement of temporary portable self-storage pods, small boats, and vehicles within the County R-3 Residential District, for property situated at 3560 Lower Honoapiilani Road, Lahaina, Maui, Hawaii, and identified as Tax Map Key No. (2) 4-4-001:026.

I, DENNIS A. MATEO, County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 13 (2017) was passed on First Reading by the Council of the County of Maui, State of Hawaii, on the 17th day of February, 2017, by the following vote:

AYES: Councilmembers Alika Atay, S. Stacy Crivello, Donald S. Guzman, Kelly T. King, Yuki Lei K. Sugimura, Vice-Chair Robert Carroll, and Chair Michael B. White.

NOES: Councilmembers Eleanora Cochran and G. Riki Hokama.

DATED at Wailuku, Maui, Hawaii, this 21st of February, 2017.



DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk, County of Maui, for use and examination by the public.