

ORDINANCE NO. _____

BILL NO. 27 (2024)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL
AND INTERIM TO M-1 LIGHT INDUSTRIAL AND M-2 HEAVY INDUSTRIAL FOR
PROPERTY SITUATED AT LANAI, HAWAII TAX MAP KEY (2) 4-9-002:061

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

SECTION 1. In accordance with Chapters 19.24 and 19.510, Maui County Code, a change of zoning from Agricultural and Interim to M-1 Light Industrial and M-2 Heavy Industrial is granted for that certain portion of real property situated at Lanai, Hawaii, identified for real property tax purposes as Tax Map Key (2) 4-9-002:061, comprising approximately 200 acres, and more particularly described in and attached as Exhibit "A," and in Change of Zoning Map Nos. L-2634, L-2635, L-2636, attached as Exhibit "B."

SECTION 2. In accordance with Chapter 19.510.050, Maui County Code, the zoning granted by this ordinance is subject to the conditions established in Exhibit "C," and the Unilateral Agreement and Declaration for Conditional Zoning, which is attached and incorporated into this ordinance.

SECTION 3. This Ordinance takes effect on approval.

APPROVED AS TO FORM
AND LEGALITY:



KRISTIN K. TARNSTROM
Deputy Corporation Counsel
County of Maui

LF2023-2145
2023-12-20 Lanai Resorts Miki Basin CIZ.docx

EXHIBIT "A"

Light Industrial Parcel
Miki Basin

Being a Portion of Lot 13-A-1-A-1 (Subdivision File No. 6.180)
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

Situated at Island of Lanai, Hawaii

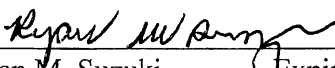
Beginning at the Northwest corner of this area, the coordinates of said point of beginning referred to Government Survey Triangulation Station "POHOULA" being 20,512.31 feet South and 3,788.16 feet West and thence running by azimuths measured clockwise from true South:

1. 239° 42' 1662.28 feet;
2. 345° 20' 1280.42 feet;
3. 79° 30' 1400.00 feet;
4. 149° 42' 758.82 feet to the point of beginning and containing an area of 35.000 Acres.



R. M. TOWILL CORPORATION

Description Prepared by:

 4/30/22
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059

March 15, 2022

Heavy, Light and Interim Industrial Parcels
Miki Basin

Being a Portion of Lot 13-A-1-A-1 (Subdivision File No. 6.180)
Same Being a Portion of a Subdivision of Lot 13-A-1-A (Map 15) of Land Court Consolidation 170

Situated at Island of Lanai, Hawaii

Beginning at the North corner of this area, being along Lot 13-B (Map 6) of Land Court Consolidation 170, the coordinates of said point of beginning referred to Government Survey Triangulation Station "POHOULA" being 17,775.36 feet South and 5,415.27 feet West and thence running by azimuths measured clockwise from true South:


- | | | | |
|-----|----------|---------|--|
| 1. | 330° 12' | 2295.32 | feet; |
| 2. | 59° 42' | 615.20 | feet along Lot 12 (Map 5) of Land Court Consolidation 170; |
| 3. | 298° 44' | 530.63 | feet along Lot 12 (Map 5) of Land Court Consolidation 170; |
| 4. | 59° 42' | 707.83 | feet along Lot 13-A-1-A-2 (Subdivision File No. 6.180); |
| 5. | 329° 42' | 829.70 | feet along Lot 13-A-1-A-2 (Subdivision File No. 6.180); |
| 6. | 239° 42' | 1050.00 | feet along Lot 13-A-1-A-2 (Subdivision File No. 6.180); |
| 7. | 329° 42' | 349.74 | feet; |
| 8. | 76° 20' | 2566.90 | feet; |
| 9. | 119° 30' | 189.09 | feet; |
| 10. | 149° 30' | 2411.71 | feet; |
| 11. | 224° 03' | 836.95 | feet along Lot 13-B (Map 6) of Land Court Consolidation 170; |

12. 233° 31' 608.00 feet along Lot 13-B (Map 6) of Land Court Consolidation 170;
13. 224° 03' 1217.82 feet along Lot 13-B (Map 6) of Land Court Consolidation 170 to the point of beginning and containing an area of 165.000 Acres.

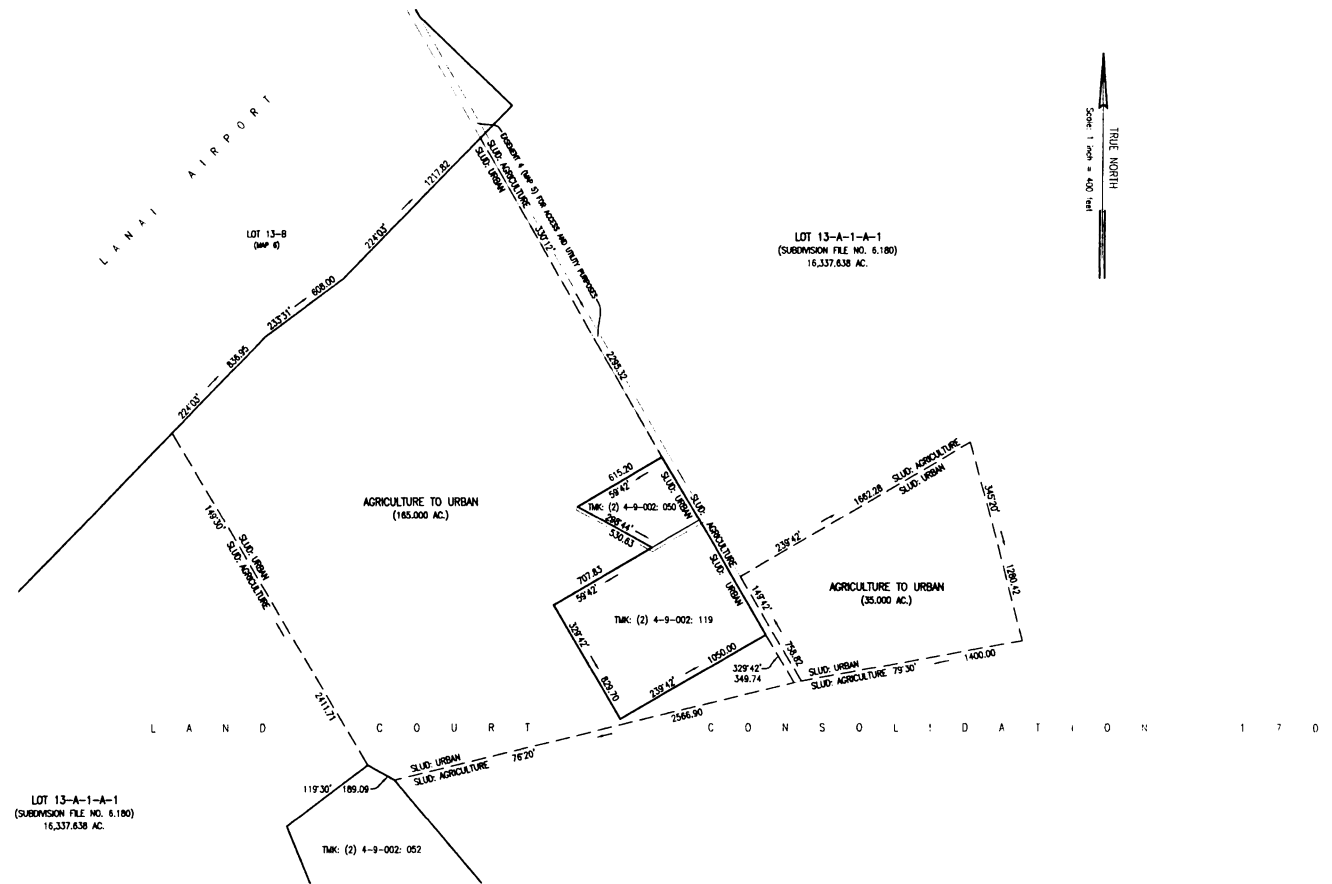
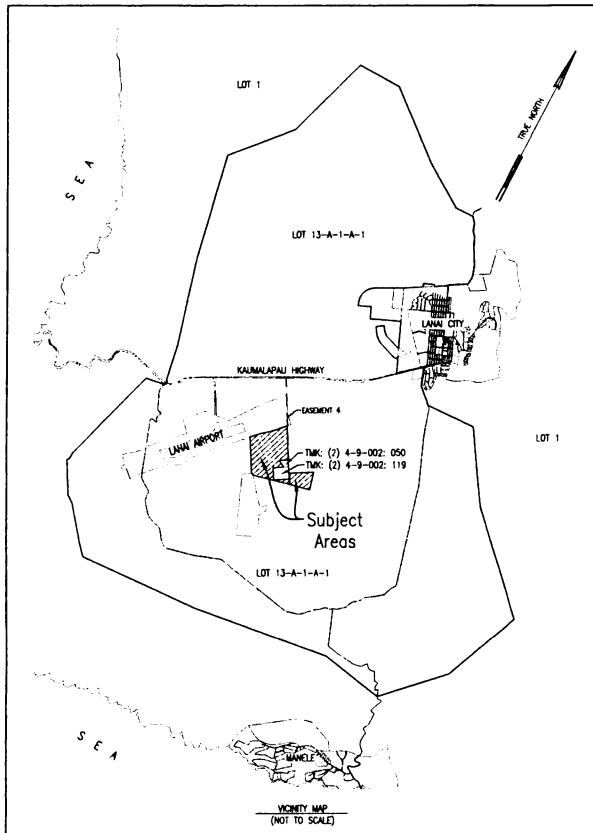


R. M. TOWILL CORPORATION

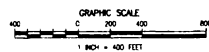
Description Prepared by:

 4/30/22
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059

March 15, 2022



Notes:
Azimuths are referred to Government Survey Triangulation Station "POHOUA" Δ .
--- Proposed State Land Use District Line



R. M. TOWELL CORPORATION
This work was prepared by me or
under my direct supervision

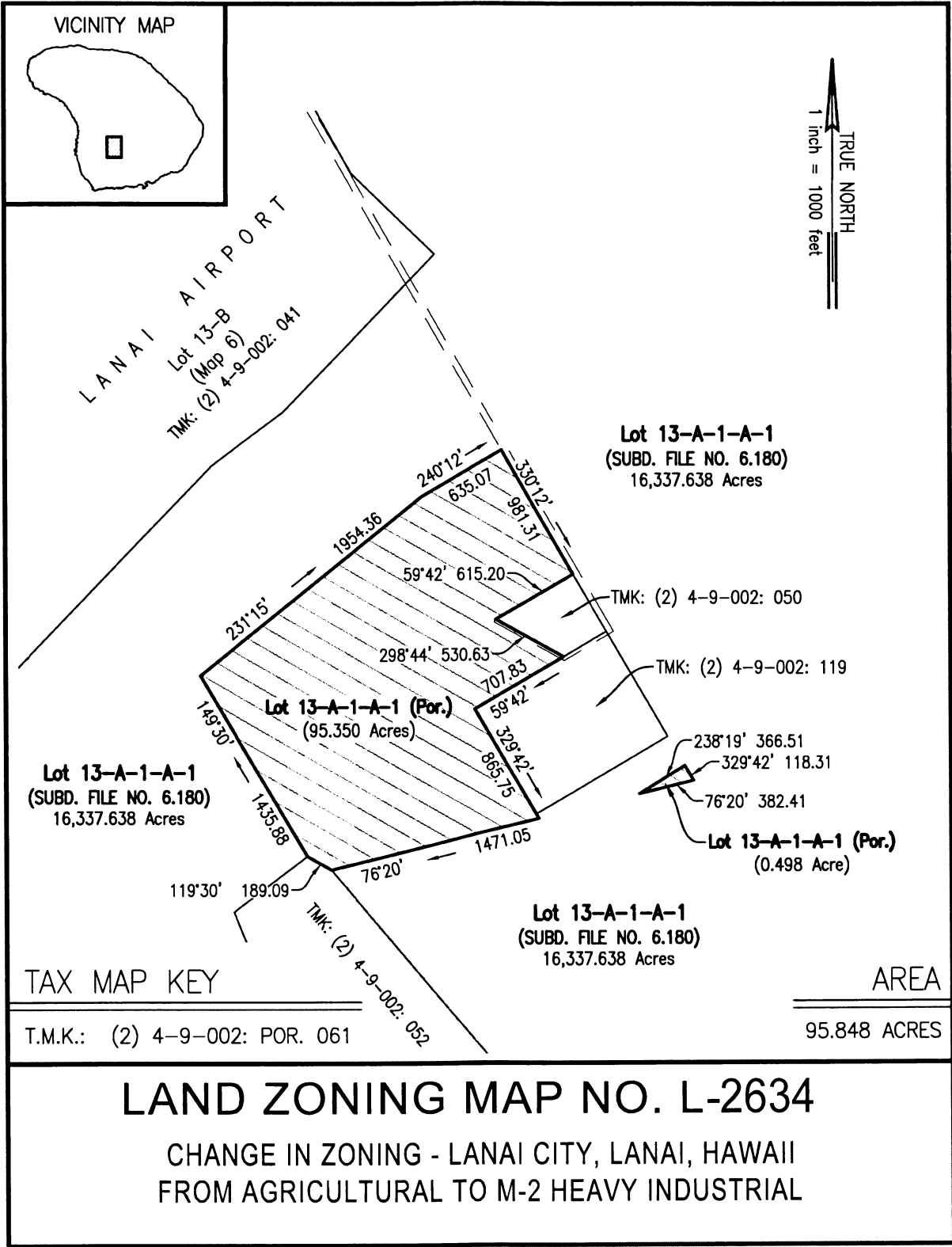
Ryan M. Suzuki 4/30/24
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059

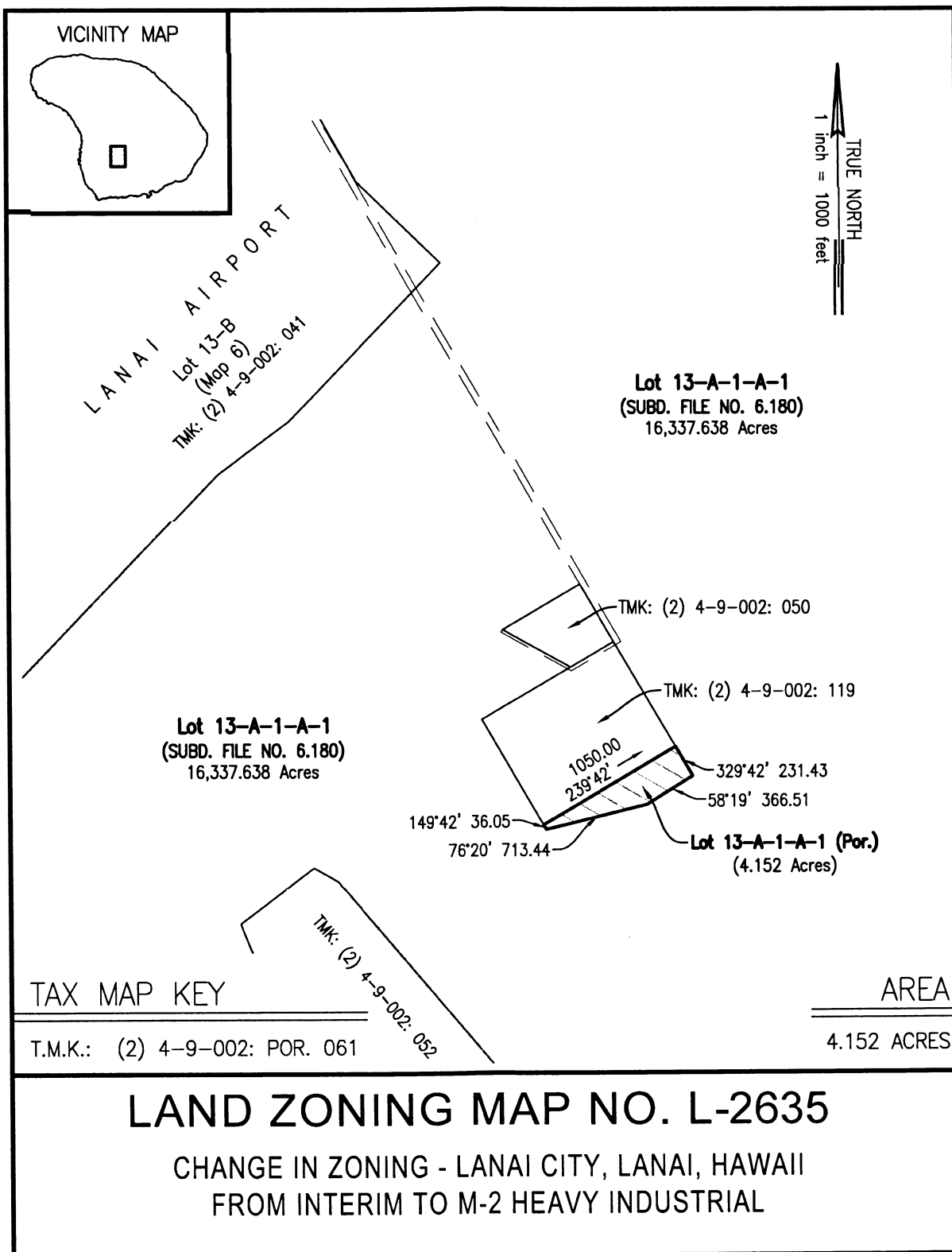
LAND USE DISTRICT BOUNDARY
AFFECTING LOT 13-A-1-A-1
OF SUBDIVISION FILE NO. 6.180

AT LANAI CITY, ISLAND OF LANAI, HAWAII
TAX MAP KEY: (2) 4-9-002: 061

Land Use Boundary Interpretation No. ____

EXHIBIT "B"





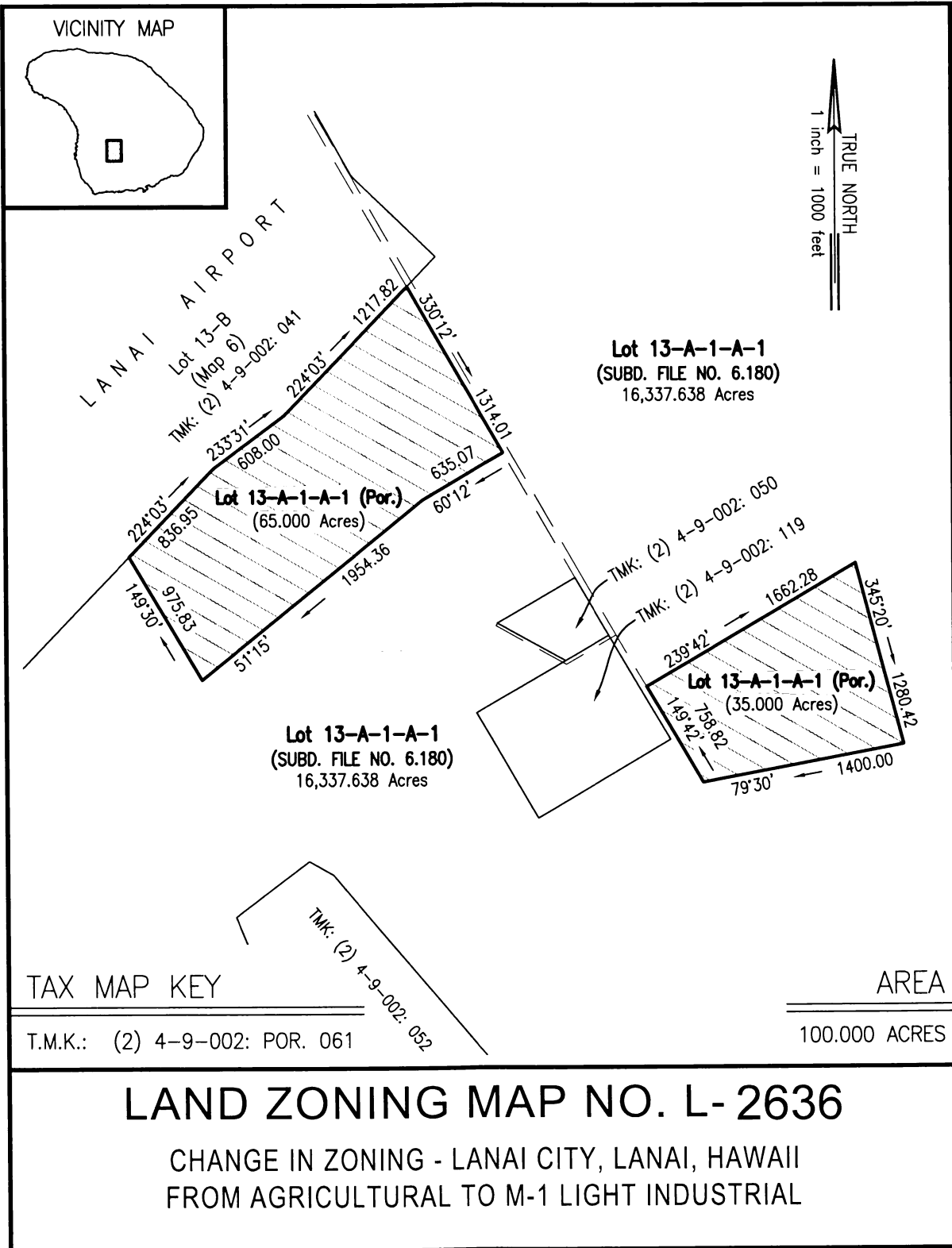


EXHIBIT "C"

CONDITIONS

1. That the permitted uses in the “M-1, Light Industrial” District shall be limited to those outlined in the following table:

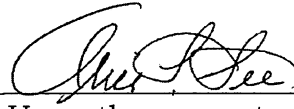
M-1 Light Industrial
Any use permitted in a B-1, B-2, or B-3 business district except single-family dwellings, duplexes, bungalow courts, short-term rental homes, and transient vacation rentals
Dwelling units located in the same building as any non-dwelling permitted use
Assembly of electrical appliances, radios and phonographs including the manufacture of small parts such as coils, condensers crystal holders and the like
Carpet cleaning plants
Cold storage plants
Commercial laundries
Craft cabinet and furniture manufacturing
Education, specialized
Farm implement sales and service
General food, fruit and vegetable processing and manufacturing plants
Ice cream and milk producing, manufacturing and storage
Laboratories – experimental, photo or motion picture, film or testing
Light and heavy equipment and product display rooms, storage and service
Machine shop or other metal working shop
Manufacture, compounding or treatment of articles or merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, plastics, precious or semi-precious metals or stones, shell, tobacco and wood
Manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceutical, toiletries, and food products. (except the rendering or refining of fats and oils)
Manufacture, dyeing and printing of cloth fabrics and wearing apparel
Manufacture of musical instruments, toys, novelties and rubber and metal stamps
Manufacture of pottery and figurines or other similar ceramic products
Milk bottling or central distribution stations
Plumbing shops
Production facility, multimedia
Radio transmitting and television stations; provided, that towers are of the self-sustaining type without guys
Replating shop
Retail lumberyard including mill and sash work (Mill and sash work shall be conducted within a completely enclosed building)
Small boat building
Soda water and soft drink bottling and distribution plants
Solar energy facilities
Tire repair operation including recapping and retreading
Utility facilities, minor, and substations up to, and including 69 kV transmission
Warehouse, storage and loft buildings
Wearing apparel manufacturing
Wholesale business, storage buildings, nonexplosive goods and warehouses

2. That the permitted uses and special uses in the “M-2, Heavy Industrial” District shall be limited to those outlined in the following table.

M-2 Heavy Industrial
Any use permitted in a B-1, B-2, and B-3 business district and M-1 light industrial district except single-family dwellings, duplexes, bungalow courts, short-term rental homes, and transient vacation rentals and apartments (Except for living quarters used by security/watchmen or custodians of an industrially used property)
Automobile wrecking, if conducted within a building
Boiler and steel works
Concrete or cement products manufacture
Factories
Junk establishment used for storing depositing, or keeping junk or similar goods for business purposes (Such establishment shall not be nearer than 8 feet from any other property line for the storage of the junk or similar goods except in buildings entirely enclosed with walls)
Lumber yard
Machine shops
Material recycling and recovery facilities
Oil storage plants
Petroleum products manufacture or wholesale storage of petroleum
Planing mill
Utility facilities, major
In general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration and the like and not allowed in any other district. Provided, however, that any use not specified in this section shall not be permitted unless approved by the planning director as conforming to the intent of this title
M-2 Heavy Industrial Special Uses
Asphalt manufacture of refueling and asphaltic concrete plant
Rock, sand, gravel, or earth excavation, crushing or distribution

3. That the conditions associated with Decision & Order for Docket No. A19-809 approved by the State of Hawaii Land Use Commission shall be applicable to the project area.
4. The Applicant shall provide the Commission and Planning Department (Department) with an annual report regarding occupancy of the Miki 200 Industrial Park. Information shall include number of inquiries and number of executed leases. Without disclosing private and proprietary information, the Applicant should include whether the inquiry was made or executed lease is held by a resident of Lāna‘i. Reports shall be provided as long as the Commission deems necessary.
5. The Applicant shall provide the Commission and Department with semi-annual water usage reports for each category of water (i.e., drinking, brackish, R-1, etc.) for the Miki 200 Industrial Park for as long as the Commission deems necessary.

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Chris Lee", is written over a horizontal line.

Upon the request of the Mayor.