HOLD FOR MEETING April 1, 2022, Council meeting

MAUI COUNTY COUNCIL Amendment Summary Form

Legislation: Bill 24, CD1 (2022).

Proposer: Tamara Paltin, Charamana A.M. Paltin Planning and Sustainable Land Use Committee

- Description: Amend Bill 24, CD1 to increase the maximum building height in the P-2 Public/Quasi-Public District from 45 feet to 60 feet in the West Maui Community Plan area.
- Motion: Move to amend the table under Section 19.31.050, Maui County Code, Maximum height (in feet) for the P-2 Public/Quasi-Public District, by striking "45" and inserting "60" for West Maui Community Plan area.
- Reasons: While there are no P-2 Districts in the West Maui Community Plan area, should a P-2 District be created, the increased height limit of 60 feet will allow for the construction of gymnasiums or similar types of buildings.

Attachment: Proposed CD1, FD1 version of Bill 24.

pslu:misc:030aasf02:wal

ORDINANCE NO.

BILL NO. 24, CD1, FD1 (2022)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE'S DEVELOPMENT STANDARDS IN THE B-2 COMMUNITY BUSINESS DISTRICT, B-3 CENTRAL BUSINESS DISTRICT, AND P-1 AND P-2 PUBLIC/QUASI-PUBLIC DISTRICTS

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

SECTION 1. Section 19.18.050, Maui County Code, is amended to read

as follows:

"19.18.050 Development standards. The development standards in the B-2 community business district [shall be] <u>are</u> as follows:

	B-2	Notes and
		exceptions
Minimum lot area	6,000	
(square feet)		
Minimum lot width	60	
(in feet)		
Maximum building	90 <u>for Maui,</u>	Except [that] vent
height (in feet)	excluding the	pipes, fans,
	<u>West Maui</u>	<u>elevator and</u>
	<u>community plan</u>	<u>stairway shafts,</u>
	<u>area and Hāna</u>	chimneys, <u>cellular</u>
	<u>community plan</u>	<u>or other</u>
	area; 45 for West	antennae, and
	<u>Maui community</u>	equipment used
	<u>plan area; 45 for</u>	for small-scale
	<u>Hāna community</u>	energy systems on
	<u>plan area; 45 for</u>	roofs [shall not
	<u>Lāna'i; and 35 for</u>	exceed one
	<u>Moloka'i</u>	hundred feet] <u>may</u>
		<u>extend an</u>
		additional 10 feet

Floor area ratio	[200%] <u>200</u> percent	above the building roof from which it extends
Minimum [yard] setback (in feet)		
Front Side and rear	None 0 or the same as the adjoining zoning category <u>,</u> whichever is greater	
Maximum height and minimum [set- back] <u>setback</u> for free-standing antennae or wind turbine structures	Maximum height of 50 feet [;] <u>with a</u> minimum setback of 1 foot for each foot in height from all property lines	
Accessory structures within [set-back] <u>setback</u> area	[Mail boxes,] <u>Mailboxes,</u> trash enclosures, boundary walls, and ground signs	<u>Must not exceed 8</u> <u>feet in height,</u> <u>except for signs</u> <u>for which a</u> <u>greater height is</u> <u>allowed under</u> <u>chapter 16.13</u>

SECTION 2. Section 19.20.050, Maui County Code, is amended to read

"

as follows:

"19.20.050 Development standards. The development standards in the B-3 central business district [shall be] are as follows:

	B-3	Notes and exceptions
Minimum lot area (square feet)	6,000	
Minimum lot width (in feet)	60	

Maximum building	144 for Maui, excluding	Except [that]
height (in feet)	<u>the West Maui</u>	vent pipes,
	<u>community plan area</u>	fans, <u>elevator</u>
	and Hāna community	and stairway
	plan area; 45 for West	shafts,
	Maui community plan	chimneys,
	area; 45 for Hāna	cellular or
	<u>community plan area;</u>	other
	45 for Lāna'i; and 35	
		antennae, and
	<u>for Moloka'i</u>	
		equipment
		used for
		small-scale
		energy
		systems on
		roofs [shall
		not exceed
		155 feet] <u>may</u>
		<u>extend an</u>
		additional 10
		feet above the
		building roof
		from which it
		extends
Floor area ratio	[400%] <u>400 percent</u>	
Minimum [yard] setback		
(in feet)		
Front	None	
Side and rear	0 or the same as the	
	adjoining zoning	
	category <u>,</u> whichever is	
	greater	
Maximum height and	Maximum height of 50	
minimum [set-back]	feet [;], with a minimum	
setback for free-	setback of 1 foot for	
standing antennae or	each foot in height [,]	
wind turbine structures	from all property lines	
Accessory structures	[Mail boxes,] <u>Mailboxes</u> ,	<u>Must not</u>
within setback area	trash enclosures,	exceed 8 feet
	boundary walls, and	<u>in height,</u>
	ground signs	except for
		signs for
		which a
		greater height
		is allowed
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			under chapter 16.13
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SECTION 3. Section 19.31.050, Maui County Code, is amended to read as follows:

"19.31.050 Development standards. <u>The development standards in the P-1 and P-2 public/quasi-public districts are as follows:</u>

	P-1	P-2	Notes and
	1 1	1 2	Exceptions
Minimum lot area (square feet)	15,000	20,000	The County may allow lot sizes of less than the minimum lot size as specified under this section for lots created or used for public, private, and quasi-public utility purposes[.]
Minimum lot width (in feet)	[100] <u>75</u>	[200] <u>100</u>	
Minimum front [and rear yard] setback (in feet)	15	[30] <u>25</u>	
Minimum side [yard] <u>and rear</u> setback (in feet)	10	15	
Maximum height (in feet)	40	90 <u>for Maui,</u> <u>excluding the</u> <u>West Maui</u> <u>community</u> <u>plan area and</u> <u>Hāna</u> <u>community</u> <u>plan area; 60</u> <u>for West Maui</u>	Except [that] structures with steeples, vent pipes, fans, <u>elevator and</u> <u>stairway shafts,</u> chimneys, <u>cellular</u> <u>or other</u> antennae, and equipment used for small scale

Free standing	Maximum	<u>community</u> <u>plan area; 45</u> <u>for Hāna</u> <u>community</u> <u>plan area; 45</u> <u>for Lāna'i;</u> <u>and 35 for</u> <u>Moloka'i</u>	energy systems <u>on</u> <u>roofs</u> [shall not exceed a total of 50 feet in P-1 and 100 feet in P-2.] <u>may</u> <u>extend an</u> <u>additional 10 feet</u> <u>above the building</u> <u>roof from which it</u> <u>extends</u>
[antenna,] <u>antennae</u> or	height of 50 feet and	height of 100 feet and	
wind turbine	[shall] must	[shall] must	
structures	be set back 1	be set back 1	
height and	foot for every	foot for every	
setback	foot in height	foot in height	
	from all	from all	
•	property lines	property lines	
Accessory	[Mail boxes,]	[Mail boxes,]	Trash enclosures
structures within	<u>Mailboxes,</u> trash	<u>Mailboxes,</u> trash	and boundary walls [shall be] are
setback area	enclosures,	enclosures,	limited to a
serback area	boundary	boundary	maximum height of
	walls, light	walls, light	8 feet. Light poles
	pole, and	pole, and	[shall be] are
	ground signs	ground signs	limited to a
			maximum height of 30 feet[.]

SECTION 4. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 5. This Ordinance takes effect on approval, except dwellings or structures constructed with a building permit approved prior to the enactment of this Ordinance may be reconstructed as permitted by the original building permit, and may be expanded or modified with a building permit, subject to the other provisions of this title.

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel County of Maui

pslu:misc:030abill03:wal

INTRODUCED BY:

Jamma M. Baltin