

**HOLD FOR MEETING**

April 1, 2022, Council meeting

MAUI COUNTY COUNCIL  
Amendment Summary Form

Legislation: Bill 24, CD1 (2022).

Proposer: Tamara Paltin, Chair   
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] are as follows:

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

		<u>above the building roof from which it extends</u>
Floor area ratio	<del>[200%]</del> <u>200 percent</u>	
Minimum <del>[yard]</del> setback (in feet)		
Front	None	
Side and rear	0 or the same as the adjoining zoning category, whichever is greater	
Maximum height and minimum <del>[set-back]</del> <u>setback</u> for free-standing antennae or wind turbine structures	Maximum height of 50 feet <del>;</del> <u>with a</u> minimum setback of 1 foot for each foot in height from all property lines	
Accessory structures within <del>[set-back]</del> <u>setback</u> area	<del>[Mail boxes,]</del> <u>Mailboxes</u> , trash enclosures, boundary walls, and ground signs	<u>Must not exceed 8 feet in height, except for signs for which a greater height is allowed under 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 height (in feet)	144 for Maui, <u>excluding the West Maui community plan area and Hāna community plan area</u> ; 45 for West Maui community plan area; 45 for Hāna community plan area; 45 for Lānaʻi; and 35 for Molokaʻi	Except <del>[that]</del> vent pipes, fans, <u>elevator and stairway shafts</u> , chimneys, cellular or other antennae, and equipment used for small-scale energy systems on roofs <del>[shall not exceed 155 feet]</del> <u>may extend an additional 10 feet above the building roof from which it extends</u>
Floor area ratio	<del>[400%]</del> <u>400 percent</u>	
Minimum <del>[yard]</del> setback (in feet)		
Front	None	
Side and rear	0 or the same as the adjoining zoning category, whichever is greater	
Maximum height and minimum <del>[set-back]</del> <u>setback</u> for free-standing antennae or wind turbine structures	Maximum height of 50 feet <del>;</del> , <u>with a minimum setback of 1 foot for each foot in height[,]</u> from all property lines	
Accessory structures within setback area	<del>[Mail boxes,]</del> <u>Mailboxes</u> , trash enclosures, boundary walls, and ground signs	<u>Must not exceed 8 feet in height, except for signs for which a greater height is allowed</u>

		<u>under chapter 16.13</u>
--	--	--------------------------------

”

SECTION 3. Section 19.31.050, Maui County Code, is amended to read as follows:

**“19.31.050 Development standards.** The development standards in the P-1 and P-2 public/quasi-public districts are as follows:

	P-1	P-2	Notes and 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)	<del>[100]</del> <u>75</u>	<del>[200]</del> <u>100</u>	
Minimum front [and rear yard] setback (in feet)	15	<del>[30]</del> <u>25</u>	
Minimum side [yard] and rear setback (in feet)	10	15	
Maximum height (in feet)	40	90 <u>for Maui, excluding the West Maui community plan area and Hāna community plan area; 60 for West Maui</u>	Except [that] structures with steeples, vent pipes, fans, <u>elevator and stairway shafts, chimneys, cellular or other antennae,</u> and equipment used for small scale

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

Jamana A. M. Paltin