

**COUNCIL OF THE COUNTY OF MAUI**  
**PLANNING AND SUSTAINABLE LAND**  
**USE COMMITTEE**

June 21, 2022

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

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

Chair and Members:

Your Planning and Sustainable Land Use Committee, having met on May 25, 2022, makes reference to the following:

1. County Communication 18-447, from Councilmember Stacy Crivello, transmitting a proposed resolution, entitled “REFERRING TO THE MOLOKAI PLANNING COMMISSION A PROPOSED BILL TO CHANGE THE ZONING FOR APPROXIMATELY 32,068 SQUARE FEET KAUNAKAKAI, MOLOKAI, HAWAII, TAX MAP KEY (2) 5-3-002:049.”

The purpose of the proposed resolution is to refer to the Molokai Planning Commission a proposed bill, entitled “A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM INTERIM ZONE TO B-CT COUNTRY TOWN BUSINESS DISTRICT FOR APPROXIMATELY 32,068 SQUARE FEET IN KAUNAKAKAI, MOLOKAI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 5-3-002:049,” attached as Exhibit “1.” The purpose of the proposed bill is to amend the Change in Zoning from Interim District to B-CT Country Town Business District for Lot 49-A, comprising 32,068 square feet of real property located on Makaena Place, Kaunakakai, Molokai, Hawai‘i, and identified for real property tax purposes as tax map key (2) 5-3-002:049.

2. Bill 67 (2022) entitled “A BILL FOR AN ORDINANCE FOR A CHANGE IN ZONING FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT FOR PROPERTY

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SITUATED AT KAUNAKAKAI, MOLOKAI, HAWAII, TAX MAP  
KEY (2) 5-3-002:049.”

Bill 67’s purpose is to more clearly identify the parcel’s owner  
and address as Moss Properties, LLC, located at 80 Makaena  
Place, Kaunakakai, Molokai, Hawai‘i.

Your Committee notes that the Council’s Planning and Sustainable  
Land Use Committee (2019-2021 Council term) met on January 30, 2019.

By correspondence dated February 5, 2019, the Department of the  
Corporation Counsel transmitted a revised proposed resolution, entitled  
“REFERRING TO THE MOLOKAI PLANNING COMMISSION A PROPOSED  
BILL TO CHANGE THE ZONING FROM INTERIM ZONE TO B-CT  
COUNTRY TOWN BUSINESS DISTRICT FOR APPROXIMATELY 32,068  
SQUARE FEET OF PROPERTY IN KAUNAKAKAI, MOLOKAI, HAWAII,  
IDENTIFIED AS TAX MAP KEY (2) 5-3-002:049,” approved as to form and  
legality.

Your Committee notes it previously reported on this matter through  
Committee Report 19-37. At its meeting of April 5, 2019, the Council  
adopted the recommendations in Committee Report 19-37 (Resolution  
19-75).

Your Committee notes the Molokai Planning Commission met on  
October 27, 2021, to review and approve the proposed bill with no  
conditions.

Your Committee further notes the change in zoning would make the  
zoning consistent with the Molokai Island Community Plan.

Your Committee further notes the change in zoning would support  
economic diversification on Molokai by continuing to allow existing  
commercial spaces to be used by the island’s small businesses.

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Your Committee voted 9-0 to recommend passage of Bill 67 (2022) on first reading and filing of the communication. Committee Chair Paltin, Vice-Chair King, and members Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura voted “aye.”

Your Planning and Sustainable Land Use Committee RECOMMENDS the following:

1. That Bill 67 (2022), attached hereto, entitled “A BILL FOR AN ORDINANCE FOR A CHANGE IN ZONING FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT FOR PROPERTY SITUATED AT KAUNAKAKAI, MOLOKAI, HAWAII, TAX MAP KEY (2) 5-3-002:049,” be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 18-447 be FILED.

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



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TAMARA PALTIN, Chair

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

BILL NO. 67 (2022)

A BILL FOR AN ORDINANCE FOR A CHANGE IN ZONING  
FROM INTERIM DISTRICT TO B-CT COUNTRY TOWN BUSINESS  
DISTRICT FOR PROPERTY SITUATED AT KAUNAKAKAI,  
MOLOKAI, HAWAII, TAX MAP KEY (2) 5-3-002:049

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

SECTION 1. Pursuant to Chapters 19.15 and 19.510, Maui County Code, a change in zoning from Interim District to B-CT Country Town Business District is hereby granted for that certain parcel of land situated at 80 Makaena Place, Kaunakakai, Molokai, Hawaii, and identified for real property tax purposes as Tax Map Key No. (2) 5-3-002:049, comprising approximately 0.736 acre of land, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Land Zoning Map No. 1827, attached hereto and made a part hereof as Exhibit "B".

SECTION 2. This Ordinance takes effect upon approval.

APPROVED AS TO FORM AND  
LEGALITY:

*Stephanie Chen*  
STEPHANIE M. CHEN  
Deputy Corporation Counsel  
County of Maui  
2022-0113  
2022-03-09 Moss Properties CIZ Ord.docx

## Exhibit “A”

All of that certain parcel of land situate at Kaunakakai, Island of Molokai, County of Maui, State of Hawaii, described as follows:

LOT 49-A, area 32,068 square feet, more or less, as shown on Map 9, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 632 of American Sugar Company, Limited.

SCALE: 1" = 71'

Exhibit "B"

CIZ 2019-003 Moss Properties Exhibits, pg. 143

VICINITY MAP



TMK (2) 5-3-002:008

TMK (2) 5-3-002:021

TMK (2) 5-3-002:015

TMK  
(2) 5-3-002:010

TMK (2) 5-3-002:044

**MAKAENA PLACE**  
To Ala Moana Ave.

**TMK (2) 5-3-002:049**  
**MOSS PROPERTIES LLC**  
**0.736 Acres**

TMK (2) 5-3-002:127

TMK (2) 5-3-002:158

TMK  
(2) 5-3-002:074

TMK (2) 5-3-002:012

TMK  
(2) 5-3-002:011

TMK  
(2) 5-3-002:095

**TAX MAP KEY**

T.M.K. (2) 5-3-002:049

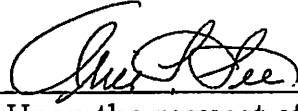
**AREA**

0.736 Acres

# LAND ZONING MAP NO. 1827

CHANGE IN ZONING-KAUNAKAKAI, MOLOKA'I, HAWAII  
FROM INTERIM DISTRICT  
TO B-CT COUNTRY TOWN BUSINESS DISTRICT

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.