

## PSLU Committee

---

**From:** Jacky Takakura <Jacky.Takakura@co.maui.hi.us>  
**Sent:** Thursday, August 26, 2021 4:10 PM  
**To:** PSLU Committee  
**Cc:** Jordan Hart; Michele McLean  
**Subject:** 8/30/21 PSLU-25  
**Attachments:** 2021-08-26 Ord Amd 19.52.090.pdf; PSLU-25LahainaHistoricDistricts210830.pdf

Attached please find a corrected bill for ordinance and the PDF of the powerpoint for the 3rd agenda item on Monday 8/30/21 (chapter 19.52).

Thank you

Jacky Takakura  
Administrative Planning Officer  
Zoning Administration & Enforcement Division Maui County Department of Planning  
2200 Main Street, Suite 335  
Wailuku, HI 96793  
phone (808) 270-7743

# REVISIONS TO THE HISTORIC DISTRICTS 1 & 2 LAHAINA, MAUI COUNTY CODE CHAPTER 19.52

Department of Planning

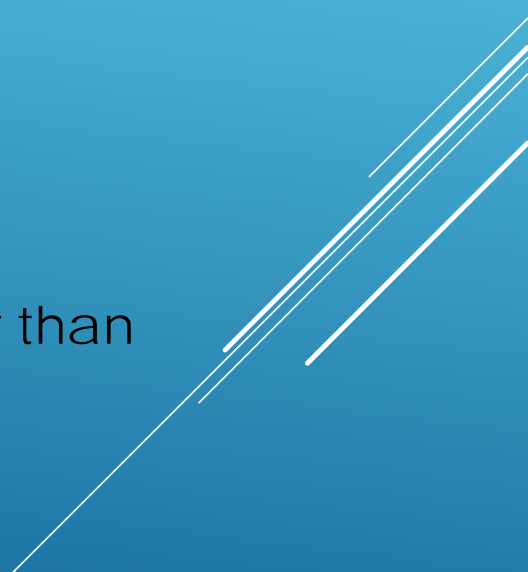
August 30, 2021

PSLU-25



Front Street 1915

# PURPOSE OF BILL FOR ORDINANCE

- ▶ County Council Resolution 20-166 to prohibit drinking alcohol in county parks in Historic Districts 1 & 2
  - ▶ Many terms in Section 19.52.090 are
    - ▶ Antiquated
    - ▶ Redundant
  - ▶ List of Use Regulations not in order
  - ▶ Height for single-family dwellings and duplexes higher than other residential areas
- 
- A series of white diagonal lines of varying lengths and thicknesses, located in the bottom right corner of the slide, extending from the right edge towards the center.

# PROPOSED CHANGES TO USE REGULATIONS

- ▶ 19.52.090.B: 53 uses consolidated to 29 with **no** loss or change of use
- ▶ Terms revised to be consistent with existing language in Title 19
- ▶ Proposed additional use: "Subordinate uses and structures which are determined by the director of planning to be clearly incidental and customary to the permitted uses and structures listed herein"



# HEIGHT LIMIT CHANGE PROPOSED FOR NEW SINGLE-FAMILY DWELLINGS AND DUPLEXES

- ▶ 19.52.090.C: Current height limit for all buildings and structures = 35 feet
- ▶ Height limit for single-family dwellings in Residential, SBR, B-1, Rural and Ag Districts = 30 feet
- ▶ Proposal: No building within historic district no. 1 and historic district no. 2 shall be more than two stories high, nor more than thirty-five feet in height, except for single-family and two-family dwellings (duplex), which are limited to thirty feet in height.
- ▶ No effect on existing structures





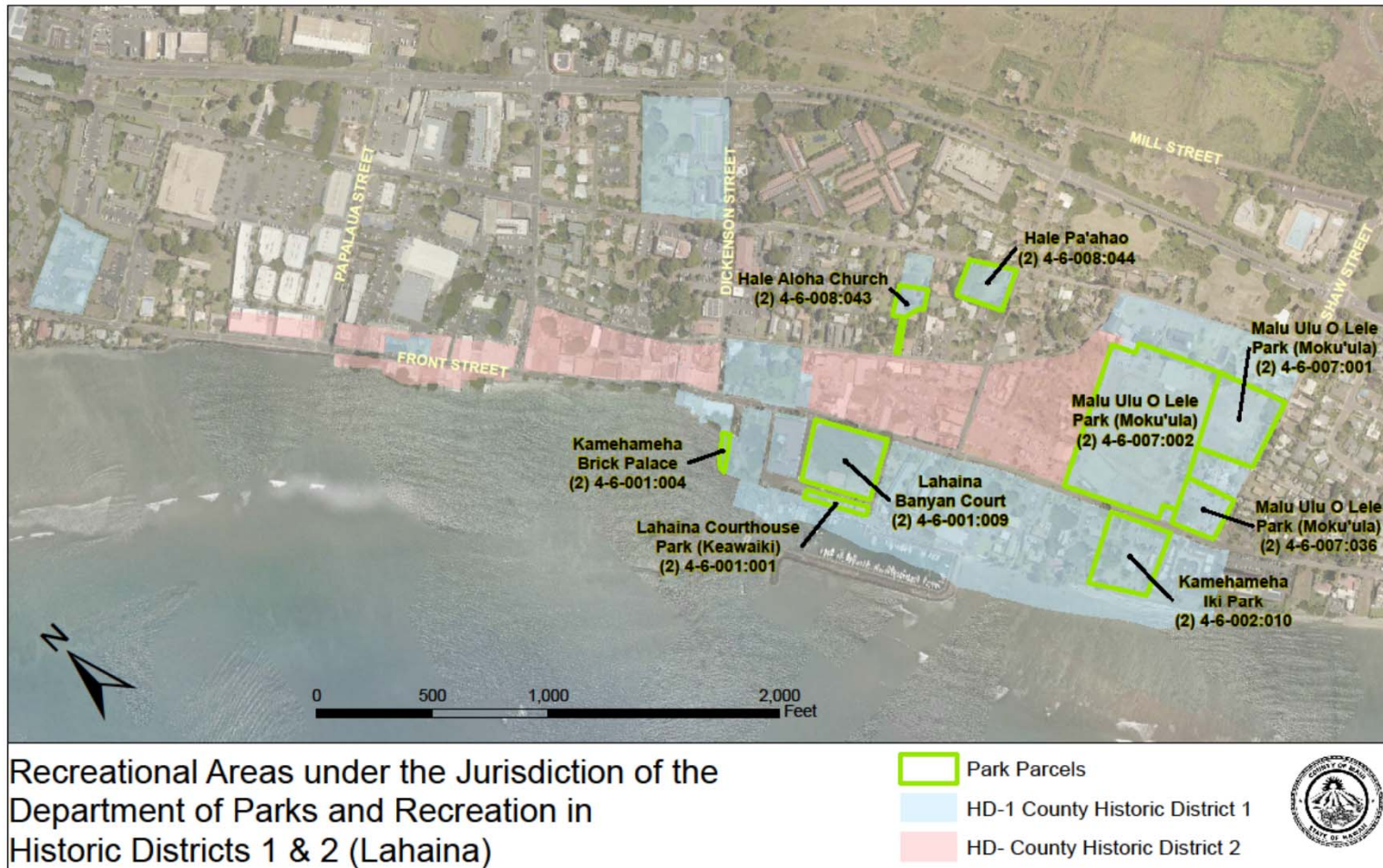
# PROPOSED CHANGE FROM “YARD” TO “SETBACK”

- ▶ 19.52.090.D: [Yard spacing] Setback area. Within historic district no. 1 and historic district no. 2, no [yard spacing] setback area shall be required, except that for single-family dwellings, duplexes, [guest houses or servants' quarters] or additional dwellings, a front [yard] setback of ten feet, a rear [yard] setback of fifteen feet, and a side [yard] setback of five feet shall be required.
- ▶ No change in numbers



# PROPOSED CHANGE – DRINKING IN PUBLIC


- ▶ 19.52.090.F: County Council Resolution 20-166
- ▶ Current prohibition on drinking in parks **excludes** county parks
- ▶ It is unlawful to consume intoxicating liquor in any public street, park, or open space that is owned or maintained by a governmental agency, without the express approval of the responsible government agency having administrative authority over the public street, park, or open space, and the cultural resources commission, or in any street, park, or open space that is privately owned without the express approval of the owner of the property[; provided, however, that recreational areas under the jurisdiction of the department of parks and recreation shall be excluded from the restrictions set forth in this subsection]. “Intoxicating liquor” means the same as in section 281-1 of Hawaii Revised Statutes. Any person violating this subsection will be fined not more than \$500 or imprisoned for not more than thirty days, or both.



# WHERE ARE THE PARKS IN HISTORIC DISTRICTS 1 & 2?



# SUMMARY OF PROPOSED CHANGES

- ▶ Modernize, consolidate, alphabetize list of Use Regulations
  - ▶ Add "Subordinate uses and structures which are determined by the director of planning to be clearly incidental and customary to the permitted uses and structures listed herein."
  - ▶ 30' height limit for new single-family dwellings and duplexes
  - ▶ No drinking alcohol in county parks
- 
- Several thin, white, parallel diagonal lines are positioned in the lower right quadrant of the slide, extending from the right edge towards the center.



The Mission of  
The Department of Planning:

Manage Growth in a Sustainable  
Manner that Balances Our  
Economy, Culture and the  
Environment