

ORDINANCE NO. _____

BILL NO. 105 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.28, MAUI COUNTY CODE, RELATING TO PERMITTED USES IN THE AIRPORT DISTRICT

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

SECTION 1. The purpose of this Ordinance is to establish buildings and premises used by the State and County governments for public purposes as permitted uses in the Airport District. This Ordinance also updates references to obsolete terms.

SECTION 2. Section 19.28.010, Maui County Code, is amended to read as follows:

"19.28.010 Permitted uses. Within [an area designated as an] the airport district, no land, building, structure, or any portion [thereof shall] of a building or structure may be used, and no building or structure [shall] may be erected, constructed, enlarged, or altered, except for the following uses:

A. Runways, taxiways, cleared safety areas, aircraft parking and loading aprons, terminal buildings, control towers, fire stations, airport maintenance shops and warehouses, landscaped areas, vehicular roads, auto parking lots, service stations, transient auto garages, [airport post offices, restaurants and cocktail lounges, soda fountains, flower shops, gift shops, bootblack stands, photo shops, lei stands, newsstands, haberdasheries, drug stores, banks, wireless offices, transient hotels, miscellaneous concessions] general merchandising, general offices, personal and business services, eating and drinking establishments, and retail food and beverage operations to serve the traveling public, postal transfer stations, and bases of operations for airport ground transportation[;].

B. Offices for passenger reservations, ticketing, flight operations, dispatching and communications, flight kitchens,

aircraft maintenance facilities, aircraft servicing facilities, aircraft parking areas, aircraft hangars, air freight facilities and airmail handling facilities[;].

C. Facilities for the processing of passengers arriving from foreign and domestic ports by federal agencies, meteorological facilities for the [United States Weather Bureau] National Weather Service and communication and landing aid facilities for the [United States] Federal Aviation [Agency] Administration[;].

D. Aviation fuel storage and dispensing, freight warehouses, refrigeration facilities for handling of perishable air freight, electroplating shops, flying schools, flying clubs, civil air patrol, aircraft charter operations, aircraft sales, aircraft parts sales, aircraft tool distribution, utility relays or distribution, aeronautical radio facilities, facilities for contract maintenance of aircraft component parts, air freight pickup and delivery service, airline catering, u-drive business, tour operators and agencies, cold storage plants, animal or veterinary hospitals or kennels, agriculture (other than animal husbandry, poultry and fowl hatcheries), housing for airport personnel, parks, aircraft tire service, aircraft show rooms, bowling alleys, insurance offices, international terminal services, [steam bath and massage,] trade schools, truck terminals, warehouse storage, and loft buildings[;].

E. Recreational facilities[; provided, that] if permission for such recreational facilities [shall be] is first obtained from the appropriate planning commission.

F. Buildings or premises used by the state or county governments for public purposes; except that permission for such buildings or premises on Lānaʻi and Molokaʻi must be first obtained from the appropriate planning commission."

SECTION 3. Section 19.28.020, Maui County Code, is amended to read as follows:

"19.28.020 Use [restrictions.] restriction. [Use of land within an airport district shall be subject to the following requirements:

A. Area Regulations. Each lot shall have an area of not less than twenty thousand square feet and an average lot width of not less than one hundred feet.

B. Height Regulations. No building shall exceed the height limitation established by the state airport zoning board for the area in question; provided, however, that heights of buildings

used for airport terminal and accessory uses shall be as prescribed by the Hawaii aeronautics commission.] No structure within the airport district may be constructed, erected, altered, or maintained; and no tree may be maintained to a height that would penetrate the imaginary airspace surface established by the State department of transportation.”

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.

APPROVED AS TO FORM AND LEGALITY:

/s/ Stephanie M. Chen
STEPHANIE M. CHEN
Department of the Corporation Counsel
County of Maui
LF2021-0016/2021-0042
PSLU-22-2021-09-02 Ord Amd 19.28 Airport District
pslu:misc:022abill01:wal

DIGEST

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A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.28, MAUI COUNTY
CODE, RELATING TO PERMITTED USES IN THE AIRPORT DISTRICT

This bill proposes to amend Chapter 19.28, Maui County Code, to include buildings or premises used by State or County governments for public purposes as a permitted use in the Airport District, and to update references to obsolete terms and agencies.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 105 (2021) was passed on First Reading
by the Council of the County of Maui, State of Hawaii, on the 17th day of September,
2021, by the following vote:

AYES: Councilmembers Gabriel Johnson, Natalie A. Kama, Kelly T. King,
Michael J. Molina, Tamara A.M. Paltin, Shane M. Sinenci, Yuki Lei K.
Sugimura, Vice-Chair Keani N.W. Rawlins-Fernandez, and Chair
Alice L. Lee.

NOES: None.

DATED at Wailuku, Maui, Hawaii, this 20th of September, 2021.



KATHY L. KAOHU, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,
County of Maui, for use and examination by the public.