

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

September 5, 2014

Committee
Report No. _____

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

Chair and Members:

Your Planning Committee, having met on August 14, 2014, makes reference to County Communication 14-185, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.13, MAUI COUNTY CODE, RELATING TO COMMERCIAL SIGNS".

The purpose of the proposed bill is to allow businesses greater flexibility on the location of business identification signs.

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a revised proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.13.070, MAUI COUNTY CODE, RELATING TO SIGNS AUTHORIZED IN AIRPORT, HOTEL/RESORT, BUSINESS/COMMERCIAL, APARTMENT, AND INDUSTRIAL DISTRICTS", approved as to form and legality. The revised proposed bill incorporates nonsubstantive revisions and revises the bill's title to reference the relevant section of the Maui County Code instead of the chapter.

The revised proposed bill will allow businesses additional flexibility in the location of business identification signs. Businesses with entrances not visible from a roadway would be able to locate their sign on a wall other than the entrance wall.

A representative from the Department of Planning informed your Committee the proposed bill would make formal the Department's practice of allowing businesses to place their identification sign on another exterior wall if a sign placed on the entrance wall would not be easily visible to the public. This practice has been applied by the Department when a sign on an entrance wall would not be effective in informing the public of a business's location.

The representative further explained the proposed bill's impact, and provided examples of businesses being restricted by the current commercial sign regulations. One example is a business in a shopping mall, in which the business's entrance would face an interior courtyard or a hallway in the mall. Another example would be a business located

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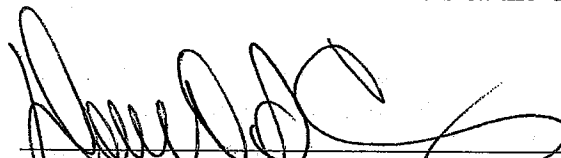
in a shopping complex surrounding a central parking lot, with an entrance facing the parking lot rather than a roadway. In these examples, a business sign on the entrance wall would not be visible from a public right-of-way.

Your Committee voted 6-0 to recommend passage of the revised proposed bill on first reading and filing of the communication. Committee Chair Couch, Vice-Chair Victorino, and members Baisa, Cochran, Crivello, and White voted "aye". Committee member Guzman was excused.

Your Planning Committee RECOMMENDS the following:

1. That Bill _____ (2014), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.13.070, MAUI COUNTY CODE, RELATING TO SIGNS AUTHORIZED IN AIRPORT, HOTEL/RESORT, BUSINESS/COMMERCIAL, APARTMENT, AND INDUSTRIAL DISTRICTS", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 14-185 be FILED.

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



DONALD G. COUCH, JR., Chair

ORDINANCE NO. _____

BILL NO. _____ (2014)

A BILL FOR AN ORDINANCE AMENDING SECTION 16.13.070,
MAUI COUNTY CODE, RELATING TO SIGNS AUTHORIZED
IN AIRPORT, HOTEL/RESORT, BUSINESS/COMMERCIAL,
APARTMENT, AND INDUSTRIAL DISTRICTS

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

SECTION 1. Section 16.13.070, Maui County Code, is amended
to read as follows:

"16.13.070 Signs authorized in airport, hotel/resort,
business/commercial, apartment, and industrial districts.

Sign Type	Quantity	Maximum Size (square feet)	Possible Kinds	Other Regulations	Permit Required
Building Identi- fication	1 per building frontage	See chart below; 16 square feet if projecting or hanging	Wall, window, hanging, projecting, wind, or roof	Must be a multi-tenant building	Yes, if sign is greater than 12 square feet
Business identi- fication	1 per business frontage; 1 additional sign may be permitted if business is directly adjacent to more than one street	See chart below; 16 square feet if projecting or hanging	Wall, window, hanging, projecting, wind or roof	May be projecting if business unit has entrance on ground floor; Must be attached to unit if multi-story building[; At least one business identifica- tion sign must be located on entrance side of a business]	Yes, if sign is greater than 12 square feet

Promo- tional	1 per business establishment; 1 additional sign may be permitted if business is directly adjacent to more than one street; 6 times per year limit	12 square feet combined for business/building frontage less than 40 feet; 36 square feet combined for business/building frontage 40 feet or more	Banner, wall, or ground if attached to a permanent frame or structure	Shall not be erected more than 7 days before event and shall be removed 1 day after event, but in no case shall it be erected for more than 14 days	Yes
Window	N/A	50% of available window area	N/A	N/A	No
Informa- tion	N/A	10 square feet combined per business	Wall	N/A	No
Ground	1 per lot frontage	16 square feet for lot frontage up to 100 feet; 32 square feet for lot frontage over 100 feet	N/A	May be a directory sign	Yes
Wind	N/A	12 square feet for each building or lot or 4 square feet per establishment, whichever is greater	N/A	N/A	No

BUILDING IDENTIFICATION AND BUSINESS IDENTIFICATION SIGN SIZES

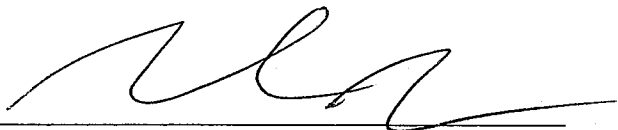
A sign permit is required for all signs greater than twelve square feet in size. The maximum size area allowed is as follows:

Building setback: Less than 25 feet	
Building/business frontage (feet):	Maximum sign area (square feet)
49 or less	24
50 - 59	27
60 - 69	30
70 or more	33
Building setback: 25 feet-99 feet	
Building/business frontage (feet):	Maximum sign area (square feet)
39 or less	24
40 - 49	32
50 - 59	36
60 - 69	40
70 - 79	44
80 or more	48
Building setback: 100 feet or more	
Building/business frontage (feet):	Maximum sign area (square feet)
39 or less	24
40 - 49	40
50 - 59	45
60 - 69	50
70 - 79	55
80 or more	64''

SECTION 2. Material to be repealed is bracketed. In printing this bill, the County Clerk need not include the brackets or the bracketed material.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:

A handwritten signature in black ink, appearing to read 'M. J. Hopper', written over a horizontal line.

MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui
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