

ORDINANCE NO. 5233

BILL NO. 64 (2021)

A BILL FOR AN ORDINANCE AMENDING SECTION 19.60.030,
MAUI COUNTY CODE, RELATING TO HOTEL USE AND DEVELOPMENT
STANDARDS IN THE NAPILI BAY CIVIC IMPROVEMENT DISTRICT (LAHAINA)

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

SECTION 1. The purposes of this Ordinance are to prohibit new hotel use in, and to revise the precise plan development standards for, the Napili Bay Civic Improvement District.

SECTION 2. Section 19.60.030, Maui County Code, is amended to read as follows:

“19.60.030 - Precise plan. [Pursuant to] Under chapter 19.34 of this [code] title, the precise plan of the Napili Bay civic improvement district [shall be] is as follows:

A. [Building height shall not exceed two stories.] Structures are limited to a maximum of two stories and thirty feet in height, including all appurtenances such as elevator shafts, stairwells, vent pipes, and antennae.

B. Total floor area of structures [shall] must be limited to 50 percent of the lot area.

C. Construction [shall be of] must use new material, and the relocation of old buildings [will not be] is not permitted.

D. Construction and architectural styling of buildings and structures [shall] must be in conformance with present developments in the Napili Bay civic improvement district.

E. The permitted uses shall be as provided for in the hotel district and as listed in chapter 19.14 of this code, for any hotel or apartment-hotel use established by August 6, 2021, provided, that any permitted accessory use shall be an integral function of the hotel operation, and shall be operated by the management provided only for the convenience of the guests and shall not be an independent commercial venture. The permitted uses shall be as provided for in the residential and apartment districts as listed in

chapters 19.08 and 19.12 of this title for any use established after August 6, 2021.

F. Location of accessory uses [shall] must be to the rear [of] or interior of the lot.

G. Signs and advertisements [shall] must not be gaudy or excessive in size[.], and must comply with chapter 16.13 of this code.

H. Off-street parking [shall be as provided in] must comply with chapter 19.36B of this [code] title.

I. Special use permits may be granted in accordance with section 19.510.070 of this title for marginal uses that would conform with the intent of the civic improvement district as approved by the Maui planning commission.”

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, bracketed material, or the underscoring.

SECTION 4. This Ordinance takes effect upon approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Stephanie M. Chen

STEPHANIE M. CHEN

Department of the Corporation Counsel
County of Maui

paf:ans:21-228a

WE HEREBY CERTIFY that the foregoing BILL NO. 64 (2021)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 6th day of August, 2021, by the following vote:

Alice L. LEE Chair	Keani N. W. RAWLINS-FERNANDEZ Vice-Chair	Gabriel JOHNSON	Natalie A. KAMA	Kelly T. KING	Michael J. MOLINA	Tamara A. M. PALTIN	Shane M. SINENCI	Yuki Lei K. SUGIMURA
Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 9th day of August, 2021.

DATED AT WAILUKU, MAUI, HAWAII, this 9th day of August, 2021.

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ALICE L. LEE, CHAIR
Council of the County of Maui

KATHY L. KAOHU, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 9 DAY OF August, 2021.

MICHAEL P. VICTORINO, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 5233 of the County of Maui, State of Hawaii.

KATHY L. KAOHU, COUNTY CLERK
County of Maui

Passed First Reading on July 23, 2021
Effective date of Ordinance August 9, 2021

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OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 5233, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui