

ORDINANCE NO. 5274

BILL NO. 105 (2021)
Draft 1

OFFICE OF THE MAYOR

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Env Mgmt	
Finance	✓
Fire	
Hsq&HC	
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Parks&R	
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Planning	✓
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Public W	✓
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Mayor	
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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

LF2021-1517
Ord Amd 19.28 Airport District
paf:wal:21-302a

WE HEREBY CERTIFY that the foregoing BILL NO. 105 (2021), Draft 1

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

Alice L. LEE Chair	Keani N. W. RAWLINS-FERNANDEZ Vice-Chair	Gabriel JOHNSON	Natalie A. KAMA	Kely 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 14th day of October, 2021.

DATED AT WAILUKU, MAUI, HAWAII, this 14th day of October, 2021.

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OFFICE OF THE MAYOR

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 15th DAY OF October, 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. 5274 of the County of Maui, State of Hawaii.

KATHY L. KAOHU, COUNTY CLERK
County of Maui

Passed First Reading on September 17, 2021
Effective date of Ordinance October 15, 2021

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 5274, 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

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2021 OCT 15 PM 2:34

OFFICE OF THE COUNTY CLERK