

**APPENDIX C**  
**M-3, Restricted  
Industrial Zoning  
Regulations**

ORDINANCE NO. 3977

BILL NO. 74 (2012)

**A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO M-3 RESTRICTED INDUSTRIAL DISTRICT**

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

**SECTION 1.** Title 19, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**\*Chapter 19.25**

**M-3 RESTRICTED INDUSTRIAL DISTRICT**

**Sections:**

- 19.25.010 Purpose and intent.
- 19.25.020 Permitted uses.
- 19.25.030 Accessory uses and structures.
- 19.25.040 Special uses.
- 19.25.050 Development standards.
- 19.25.060 Rulemaking authority.

**19.25.010 Purpose and intent.** Those uses which include the manufacture, processing, storage or treatment of goods from raw materials are permitted in the M-3 restricted industrial district. The district is intended to include manufacturing and nuisance industries. General retail and office uses are specifically excluded from this district.

**19.25.020 Permitted uses.** Within the M-3 restricted industrial district, no building, structure, or premises shall be used, and no building or structure hereafter erected, structurally altered, replaced, or enlarged except for one or more of the following uses:

Uses	Notes and exceptions
Acetylene gas manufacture or bulk storage	
Acid manufacture	
Alcohol manufacture	

Ammonia, bleaching powder or chlorine manufacture
Asphalt manufacture of refueling and asphaltic concrete plant
Automobile wracking
Blast furnace or coke oven
Boiler and steel works
Brick, tile or terra cotta manufacture
Canneries
Cement, lime, gypsum, or plaster of paris manufacture
Chemical manufacture
Concrete or cement products manufacture
Crematories, morgues
Energy systems, power plants, substations, and utility facilities, major
Explosives manufacture or storage
Factories
Fertilizer manufacture
Fish canneries
Foundries
Freight classification yard (railroad)
Garbage, offal or dead animals reduction or dumping
Gas manufacture
Glue manufacture
Heavy equipment storage, servicing, and sales
Junk establishment used for storing, depositing, keeping junk or similar goods for business purposes
Landfill, solid waste processing and disposal
Lime kilns
Lumber yard and wood treatment facilities
Machine shops
Oilcloth or linoleum manufacture
Oil storage plants
Paint, oil (including linseed), shellac, turpentine, lacquer, or varnish manufacture
Petroleum or biofuel product manufacturing or wholesale storage of

Petroleum or biofuels	
Petroleum refinery	
Planning mill	
Plastic manufacture	
Quarry or stone mill	
Railroad repair shops	
Recycling processing facilities or material recycling and recovery facilities	
Rock, sand, gravel, or earth excavation, crushing or distribution	
Rolling mills	
Saw mill	
Ship works	
Slaughter of animals	
Soap manufacture	
Stock yard or feeding pens	
Sugar mills and refineries	
Tannery or the curing or storage of raw hides	
Telecommunication towers, antenna and equipment	
Utility facilities, major	
Wood treatment plants	
In general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration and the like, and not allowed in any other district	Provided, however, that any use not specified in this section shall not be permitted unless approved by the planning director as conforming to the intent of this title

19.25.030 Accessory uses and structures. The following uses and structures, located on the same lot, are deemed accessory, customary, incidental, usual, and necessary to the above permitted uses in the district:

Uses	Notes and exceptions
Energy systems, small-scale	
Fences, walls, patios, decks, and other landscape features	
Garages, porte-cochere, mailboxes, ground signs, and trash enclosures	
Office space related to the on-site permitted use	
Retail, or indoor product display area	Limited to 20% of gross floor area
Security/watchman or custodian outbuildings	

Subordinate uses and structures which are determined by the planning director to be clearly incidental and customary to the permitted uses listed herein

19.25.040 Special uses. The following uses and structures shall be permitted in the M-3 restricted industrial district provided a County special use permit, pursuant to section 19.510.070, Maui County Code, has first been obtained.

A. Vent pipes, fans, chimneys, antennae, and equipment on roofs that exceed 199 feet.

19.25.050 Development standards.

	M-3	Notes and exceptions
Minimum lot area (square feet)	10,000	
Minimum lot width (in feet)	75	
Maximum building height (in feet)	90	
Minimum yard setback (in feet)		
Front	None	
Side and rear	0 or the same as the adjoining zoning category whichever is greater	
Free standing antenna or wind turbine structures height and setback	Maximum height of 199 feet and shall be set back 1 foot for every foot in height from all property lines	
Accessory structures allowed within setback area	Mailboxes, trash enclosures, walls, and ground signs	

19.25.060 Rulemaking authority. The planning director may adopt rules to implement this chapter."

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:



MICHAEL J. HOPPER  
Deputy Corporation Counsel  
County of Maui


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WE HEREBY CERTIFY that the foregoing BILL NO. 74 (2012)

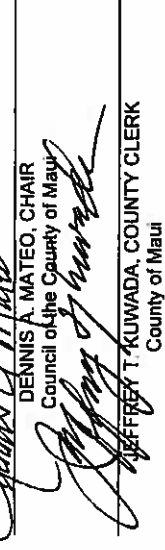
1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 21st day of September, 2012, by the following vote:

Dennis A. Mateo	Joseph Portabella	Gayle C. Baisa	Robert Carroll	Estelita Cochran	Donald G. Cook, Jr.	G. Rai Hokuaha	Nicholas P. Vitorino	Michael B. White
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Excused

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 21st day of September, 2012.  
DATED AT WAILUKU, MAUI, HAWAII, this 21st day of September, 2012:



DENNIS A. MATEO, CHAIR  
Council of the County of Maui




JEFFREY T. KUWADA, COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 24 DAY OF September, 2012.



ALAN M. ARAKAWA, MAYOR  
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL, by the Mayor of the County of Maui, the said HILL was designated as ORDINANCE NO. 3977 of the County of Maui, State of Hawaii.



JEFFREY T. KUWADA, COUNTY CLERK  
County of Maui

Passed First Reading on September 7, 2012.  
Effective date of Ordinance September 24, 2012

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 3977 - 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