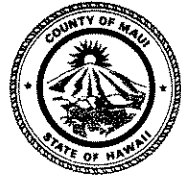


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PC-7

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
KATHLEEN ROSS AOKI
Deputy Director



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2009 FEB 19 AM 8:15
OFFICE OF THE MAYOR

COUNTY OF MAUI
DEPARTMENT OF PLANNING

February 19, 2009

RECEIVED
2009 FEB 20 AM 11:15
OFFICE OF THE
COUNTY CLERK
Date
2/20/09

Honorable Charmaine Tavares
Mayor, County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

For Transmittal to:

Honorable Danny A. Mateo, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Maui, Hawaii 96793

APPROVED BY
Charmaine Tavares
Mayor

Dear Chair Mateo and Members:

SUBJECT: PROPOSED BILL TO AMEND CHAPTER 19.04, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, REPEAL CHAPTER 19.36, MAUI COUNTY CODE, AND ESTABLISH A NEW CHAPTER 19.36A, MAUI COUNTY CODE, PERTAINING TO OFF-STREET PARKING AND LOADING

Transmitted for your review is a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, REPEALING CHAPTER 19.36, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 19.36A, MAUI COUNTY CODE, PERTAINING TO OFF-STREET PARKING AND LOADING."

As background to this proposed bill, on December 1, 2006, the Maui County Council (Council) adopted Resolution 06-131, referring a draft bill pertaining to off-street parking to the Maui, Molokai, and Lanai Planning Commissions. The purpose of the draft bill was to amend Chapter 19.36, Maui County Code (MCC), to establish parking standards for Residential Mixed-Use Developments.

As part of its review, the Department of Planning (Department) presented to the three planning commissions a revised proposed bill that recommended modifications to the Council's original proposal. The Maui, Molokai, and Lanai Planning Commissions agreed with the Department's recommendations.

At a subsequent Council Planning Committee meeting on September 18, 2007, Planning Committee members generally agreed with the Department's recommendations, but determined that the scope of the Department's revised proposed bill exceeded that of the original bill.

COUNTY COMMUNICATION NO. 09-81

Honorable Charmaine Tavares, Mayor
For Transmittal to:
Honorable Danny A. Mateo, Chair
February 19, 2009
Page 2

Consequently, the Council decided to pass the original version of the bill. The Council requested that the Department reintroduce the same or similar proposed bill for future consideration.

The Department's proposed bill before you establishes a definition of a Residential Mixed-Use Project. This is different from the Council's definition of Residential Mixed-Use Development, in that the Department does not include a minimum lot size.

In determining parking demand for a project, the following four (4) factors must be considered:

1. Development type and size (e.g., retail, industrial, restaurant, multi-family);
2. Population and development density (e.g., type of customers, workers, visitors, residents, age, income);
3. Availability of transportation choices (e.g., car, bus, bikeways, walking paths); and
4. Surrounding land use mix (e.g., land uses and density, and timing of parking demand).

The Department is also consolidating the process in which parking reduction and waivers are granted to include an analysis of the above-referenced parking factors. New Section 19.36.160 consolidates the previous parking waivers into one section.

The Department is also proposing to establish new standards for compact stalls in Section 19.36.050 to limit the type of developments that can use the compact stall provision and require developments to group and mark the compact stalls.

Other changes that the Department is proposing include limiting the construction of excess parking stalls (Section 19.36.170) and establishing standards for temporary or special event parking (Section 19.36.180).

The proposed bill was transmitted to the Maui, Molokai, and Lanai Planning Commissions. Below is a summary of their comments.

Honorable Charmaine Tavares, Mayor
 For Transmittal to:
 Honorable Danny A. Mateo, Chair
 February 19, 2009
 Page 3

Commission	Public Hearing Date(s)	Comments and Recommendations
Maui	June 24, 2008	<p>Added language to Section 19.36.70(F) to encourage that landscaping areas be incorporated into the stormwater management plan.</p> <p>Added language to Section 19.36.080: "The county encourages the use of colored and textured concrete or asphalt material in parking lots to improve aesthetes."</p>
Molokai	June 25, 2008	Approved.
Lanai	June 18, 2008	<p>Added language to Section 19.36.070.C.: "with consideration to drought tolerant plants."</p> <p>Added language to Section 19.36.160.A.: "except on Lanai, the Commission shall grant parking waivers."</p> <p>Added language to Section 19.36.160.B.: "or the Lanai Planning Commission."</p> <p>Amended Section 19.36.180 to change "flee" to "flea."</p>

Attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, REPEALING CHAPTER 19.36, MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 19.36A, MAUI COUNTY CODE, PERTAINING TO OFF-STREET PARKING AND LOADING";
2. Memorandum from Jeffrey Hunt, Planning Director, to the Maui, Molokai, and Lanai Planning Commissions, dated June 2, 2008;
3. Minutes of the June 24, 2008 Maui Planning Commission meeting;
4. Minutes of the June 25, 2008 Molokai Planning Commission meeting; and
5. Minutes of the June 18, 2008 Lanai Planning Commission meeting.

Honorable Charmaine Tavares, Mayor
For Transmittal to:
Honorable Danny A. Mateo, Chair
February 19, 2009
Page 4

I would appreciate your referring the proposed bill to the appropriate Council committee for consideration.

Thank you for your attention to this matter. Should further clarification be necessary, please contact Joseph Alueta at Ext. 7743.

Sincerely,



JEFFREY S. HUNT
Planning Director

Attachments

xc: Clayton I. Yoshida, Planning Program Administrator
Joseph W. Alueta, Administrative Planning Officer
Maui Planning Commission
Molokai Planning Commission
Lanai Planning Commission

JSH:JWA:vb

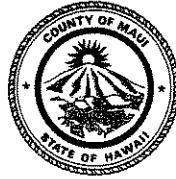
Molokai File
Project File
General File

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CHARMAINE TAVARES
Mayor

JEFFREY S. HUNT
Director

COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 2, 2008

MEMORANDUM

TO: MAUI PLANNING COMMISSION
MOLOKAI PLANNING COMMISSION
LANAI PLANNING COMMISSION

FROM: JEFFREY S. HUNT, AICP 
PLANNING DIRECTOR

SUBJECT: **AMENDMENTS TO THE MAUI COUNTY CODE 19.04 AND 19.36 DRAFT BILL TO ESTABLISH PARKING REQUIREMENTS FOR RESIDENTIAL MIXED USE PROJECTS, INCORPORATE GRAPHICS AND TABLES, REDUCE IMPERVIOUSE SURFACES, AND ESTABLISH TEMPORARY PARKING AND ADDITIONAL COMPACT STALL STANDARDS**

The Planning Commissions have previously reviewed and commented on Resolution 06-131, from the Maui County Council.(Exhibit 1) As part of the review, the Department presented a revised parking ordinance that incorporated the Council's proposal as well as other changes that the department had been working on. All three commissions recommended that the Council adopt the Planning Department's proposal. At the Council Planning Committee hearing, the members generally agreed with the Department's proposal, but due to notice requirements and the desire to move the bill along, the County Counsel voted to pass the Council's version of the ordinance. The County Council requested that the Planning Department reintroduce the proposed amendment along with other recommendations discussed at the meeting.

The Department still believes that residential mixed use projects should be allowed in all commercial areas. The basic concept behind why mixed use developments would require less parking than currently required, is that by providing jobs and commercial services within walking distances of residential units, there will be a reduction in vehicle traffic and the need for parking. In general the department is supportive of the concept. The majority of vehicle trips taken by people is discretionary. These are trips not required for work. By having common services such

Memorandum to
Maui Planning Commission
Molokai Planning Commission
Lanai Planning Commission
June 2, 2008
Page 2

as shopping, financial services, coffee shops, etc. within walking distances of residential units, residents of these units will reduce and even forego the use of their car.

The concepts of mixed use projects are part of a broader planning theory sometimes referred to as Smart Growth, New Urbanism, or Neo-traditional town planning. There is general consensus that these planning principles are desirable, however, our current County Code does not reflect these new principles. The proposed revision attempts to encourage residential mixed use projects by injecting principles of new urbanism within the County Code.

The proposed ordinance (Exhibit 2) does establish a definition of a Residential mixed use project. This is different from the Council's definition of Residential mixed use development, in that the department does not include a minimum lot size.

In determining parking demand for a project, four factors come into play:

- ◆ Development type and size – retail, industrial, restaurant, multi-family, etc.;
- ◆ Population and development density – type of customers, workers, visitors, residents, age, income;
- ◆ Availability of transportation choices – car, bus, bikeways, walking paths; and
- ◆ Surrounding land use mix – land uses and density, and timing of parking demand.

The Department is also consolidating the process in which parking reduction and waivers are granted to include an analysis of the above parking factors. This new section of 19.36.160 consolidated the previous parking waivers into one location.

In meeting with Department staff, other comments and concerns about the proposal were received and are as follows:

Shopping Center or strip malls – Existing definition needs to be improved. Currently shopping centers are defined as five or more uses on a single parcel of three acres or more than 25,000 sq.ft. of floor area. "Uses" is not clear. Does it mean individual businesses or types of uses such as retail, office, restaurant, etc.

Memorandum to
Maui Planning Commission
Molokai Planning Commission
Lanai Planning Commission
June 2, 2008
Page 3

The proposed revisions to 19.36 would include a revised definition to "Shopping Centers".

The Department is also proposing to establish new standards for compact stalls in section 19.36.050, that would require them to be groups and marked for compact stalls only.

Other changes that the Department is proposing and were previously reviewed by the Commissions are that of limiting the construction excess parking stalls (section 19.36.170) and establishing standards for temporary or special event parking (section 19.36.180)

RECOMMENDATION AND OPTIONS

The Department is recommending approval of the proposed Bill. The Commission has the following options:

1. Recommend Approval of the proposed Bill to the Maui County Council.
2. Recommend Approval of the proposed Bill with Amendments to the Maui County Council.
3. Recommend Denial of the proposed Bill to the Maui County Council.
4. Vote to Defer action on the proposed Bill in order to gather specific additional information.

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