

KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
Deputy County Clerk

OFFICE OF THE COUNTY CLERK
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

August 8, 2022

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 8/9/22
Mayor Date

For transmittal to:

Maui Planning Commission
Planning Department
County of Maui
Wailuku, Hawaii 96793

Dear Chair and Members:

Transmitted herewith is a certified copy of Resolution No. 22-151, CD1, which was adopted by the Council of the County of Maui, State of Hawaii, on August 5, 2022. Also attached is a copy of Committee Report No. 22-78.

Respectfully,

Handwritten signature of Kathy L. KaoHu in cursive script.

KATHY L. KAOHU
County Clerk

/lks

Enclosure

CC: Wilton Leauanae, Legislative Analyst
David Raatz, Deputy Director of Council Services

Resolution

No. 22-151, CD1

REFERRING TO THE PLANNING COMMISSIONS
A PROPOSED BILL RELATING TO OFF-STREET
PARKING AND LOADING

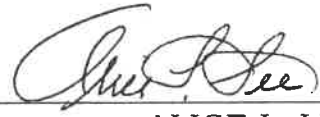
WHEREAS, the Council is considering a proposed bill to regulate the number of cars allowed to be parked on a residential property operating as an automobile rental or car sharing service; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commissions review proposed land use ordinances and provide findings and recommendations to the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it refers the proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO OFF-STREET PARKING AND LOADING," attached as Exhibit "1," to the Lānaʻi Planning Commission, Maui Planning Commission, and Molokaʻi Planning Commission for appropriate action under Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended;
2. That it respectfully requests that the Lānaʻi, Maui, and Molokaʻi Planning Commissions transmit their findings and recommendations to the Council as expeditiously as possible; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Planning Director, and the Lānaʻi, Maui, and Molokaʻi Planning Commissions.

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee". The signature is written in black ink and is positioned above a horizontal line.

ALICE L. LEE

Exhibit "1"

ORDINANCE NO. _____

BILL NO. _____ (2022)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO OFF-STREET PARKING AND LOADING

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

SECTION 1. The purpose of this Ordinance is to regulate the number of cars allowed to be parked on a residential property operating as an automobile rental or car sharing service.

SECTION 2. Section 19.04.040, Maui County Code, is amended by adding new definitions to be appropriately inserted and to read as follows:

“Automobile rentals” means car sharing facilities with an office or administrative services.”

“Car sharing” is a form of vehicle rental whereby users rent a car for short periods of time. The owners of the cars may be a company, an association, or an individual. Offices intended to attract or register customers are not permitted as an accessory use to car sharing.”

SECTION 3. Section 19.36B.010, Maui County Code, is amended to read as follows:

“19.36B.010 Purpose and intent. The intent of this chapter is to ensure that onsite, off-street parking spaces, parking surfaces, and maneuvering areas are provided in sufficient quantities for each type of land use and to provide regulations and guidance regarding off-street parking and loading while maximizing safety and minimizing impacts on adjacent properties and the environment.”

SECTION 4. Chapter 19.36B, Maui County Code, is amended by adding a new section to be appropriately designated and to read as follows:

“19.36B.130 Parking on residential properties. All automobile rental or car sharing services that are operating on a residential property as a home business, as defined in section 19.04.040, may be parked outside a structure on the property and must meet the general parking standards and restrictions regulating home businesses in accordance with section 19.67.030.”

SECTION 5. New material is underscored. In printing this ordinance, the County Clerk need not include the underscoring.

SECTION 6. This Ordinance takes effect on approval.

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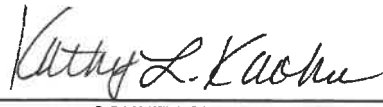
COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 22-151, CD1 was adopted by the Council of the County of Maui, State of Hawaii, on the 5th day of August, 2022, by the following vote:

MEMBERS	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
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye



COUNTY CLERK

COUNCIL OF THE COUNTY OF MAUI
PLANNING AND SUSTAINABLE LAND
USE COMMITTEE

August 5, 2022

Committee
Report No. 22-78

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

Chair and Members:

Your Planning and Sustainable Land Use Committee, having met on June 30, 2022, makes reference to Resolution 22-151, entitled "REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO OFF-STREET PARKING AND LOADING."

Resolution 22-151's purpose is to refer to the Lāna'i, Maui, and the Moloka'i Planning Commissions a proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO OFF-STREET PARKING AND LOADING," attached as Exhibit "1," for their findings and recommendations.

The purpose of the proposed bill is to regulate the number of cars allowed to be parked on a residential property operating as an automobile automotive rental or car sharing service.

Your Committee noted the proposed bill would address an increased number of cars parked in residential areas such as those parked along Kuikahi Drive in Wailuku.

Your Committee further noted the proposed bill was modeled after Bill 2 (2020), CD1, FD1 (City Council, City and County of Honolulu).

A representative from the Department of Planning said parking for residential properties is regulated for home businesses under Chapter 19.67, Maui County Code.

Your Committee noted Section 19.67.030(E), Maui County Code, allows for a maximum of four parking spaces for the home business on

COUNCIL OF THE COUNTY OF MAUI
PLANNING AND SUSTAINABLE LAND
USE COMMITTEE

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Committee
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lots of less than one acre and restricts on-street parking of vehicles associated with the home business.

Your Committee further noted the overnight parking of any vehicle is subject to Section 10.48.110, Maui County Code, which prohibits parking on roadways “for a period of time longer than sixty minutes between the hours of two a.m. and six a.m. of any day.”

Your Committee discussed whether an automobile rental or car sharing service such as Turo is considered a home business.

Your Committee agreed to revise the proposed bill to meet the general parking standards and restrictions similar to those for home businesses under Section 19.67.030(E).

Your Committee supported forwarding the revised proposed bill to the Lāna‘i, Maui, and Moloka‘i Planning Commissions for further comment.

Your Committee voted 8-0 to recommend adoption of Resolution 22-151, CD1. Committee Chair Paltin, Vice-Chair King, and members Johnson, Kama, Lee, Molina, Sinenci, and Sugimura voted “aye.” Committee member Rawlins-Fernandez was excused.

Your Committee is in receipt of Resolution 22-151, CD1, incorporating your Committee’s recommended revisions and nonsubstantive revisions.

Your Planning and Sustainable Land Use Committee **RECOMMENDS** that Resolution 22-151, CD1, as revised herein and attached hereto, entitled “REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO OFF-STREET PARKING AND LOADING,” be **ADOPTED**.

COUNCIL OF THE COUNTY OF MAUI
**PLANNING AND SUSTAINABLE LAND
USE COMMITTEE**

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**Committee
Report No.** 22-78

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

Tamara M. Paltin

TAMARA PALTIN, Chair

pslu:cr:22064aa:wal

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the recommendations contained in COMMITTEE REPORT NO. 22-78 were adopted by the Council of the County of Maui, State of Hawaii, on the 5th day of August, 2022, by the following vote:

MEMBERS	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
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye



COUNTY CLERK