

Council Chair
Mike White
Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Stacy Crivello

Councilmembers
Alika Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

January 17, 2018

Mr. William Spence, Director
Department of Planning
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Spence

SUBJECT: **AMENDING SECTION 10.48.250, MAUI COUNTY
CODE, RELATING TO PUBLIC BEACH ACCESS
PARKING (PRL-38)**

The Parks, Recreation, Energy, and Legal Affairs Committee is in receipt of the attached County Communication 17-479, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.250, MAUI COUNTY CODE, RELATING TO PUBLIC BEACH ACCESS PARKING." I intend to schedule the proposed bill for discussion at the Committee's meeting on January 30, 2018.

The Committee is also in receipt of testimony dated January 8, 2018, from the Deputy Director of Planning, providing comments on the proposed bill.

May I please request you review the attached proposed bill and attached testimony, and provide any further clarifications or amendments on behalf of your Department.

I would appreciate your response by **Thursday, January 25, 2018**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Mr. William Spence
January 17, 2018
Page 2

Should you have any questions, please contact me or the Committee staff (Maggie Clark at ext. 7661, Carla Nakata at ext. 7659, or Pauline Martins at ext. 8039).

Sincerely,

A handwritten signature in black ink, appearing to read "Don S. Guzman". The signature is fluid and cursive, with the first name "Don" being particularly prominent.

DON S. GUZMAN, Chair
Parks, Recreation, Energy, and Legal
Affairs Committee

prl:ltr:038apl01:mcc

Attachments

cc: Mayor Alan M. Arakawa
Michele McLean, Deputy Planning Director
John Rapacz, Planning Program Administrator

Council Chair
Mike White

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Stacy Crivello

Councilmembers
Alika Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

November 21, 2017

RECEIVED

2017 NOV 22 PM 12:30

OFFICE OF THE
COUNTY CLERK

Mr. Danny A. Mateo, County Clerk
Office of the County Clerk
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Mateo:

SUBJECT: PUBLIC BEACH ACCESS PARKING (PAF 17-249)

May I request the attached proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.250, MAUI COUNTY CODE, RELATING TO PUBLIC BEACH ACCESS PARKING," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike White".

MIKE WHITE
Council Chair

paf:tntf:17-249c

Attachment

COUNTY COMMUNICATION NO. 17-479

ORDINANCE NO. _____

BILL NO. _____ (2017)

A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.250,
MAUI COUNTY CODE, RELATING TO PUBLIC BEACH ACCESS PARKING

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

SECTION 1. Section 10.48.250, Maui County Code, is amended by
amending subsection A to read as follows:

"A. No person shall park any vehicle in any public beach access parking area unless using the beach for recreational purposes. If within a park or recreational facility parking area, parking shall be permitted during the park's operating hours. If on private property, parking shall be permitted from 6:00 a.m. to 9:00 p.m., unless otherwise specified in a requirement or condition of a land use approval; provided that, a private property owner may permit public beach access parking in such designated area at other times.

"Park" and "recreational facility" shall have the same meaning as those terms are defined in section 13.04A.030 of this code.

As used in this section, "recreational purposes" means hunting, fishing, swimming, boating, picnicking, hiking, nature study, water skiing, and viewing or enjoying historical, archeological, scenic, or scientific sites."

SECTION 2. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



JERRIE SHEPPARD
Deputy Corporation Counsel
County of Maui
LF 2017-1398
2017-11-20 Ordinance

PRL Committee

From: Michele McLean <Michele.McLean@co.maui.hi.us>
Sent: Monday, January 08, 2018 3:55 PM
To: PRL Committee
Cc: David Raatz; John Rapacz; Carla Nakata; Maggie C. Clark; Pauline Martins
Subject: Testimony on PRL-38

Aloha Parks, Recreation, Energy, and Legal Affairs Committee,

We were recently made aware of the proposed bill that you are considering to establish times for public beach access parking, and would like to offer the following comments.

1. We appreciate that the bill would establish time requirements if no requirements have already been established by a permit or land use approval. Many conditions of permits or approvals have established public beach parking requirements; some have specified times that the public beach access parking has to be open, while others are silent on hours. Without such time requirements stated, we have taken the position that the parking must be open 24 hours per day, seven days per week.
2. We request the following clarifications or amendments:
 - (a) specify that public beach access parking spaces are to be used exclusively for users of the beach and ocean for recreational purposes, and not by commercial ocean recreational vendors, resort employees, etc.;
 - (b) "recreational purposes" should also include surfing and other water sports (the current language includes swimming and water skiing but no other water sports or activities); and
 - (c) "public beach access parking" is not defined; while we all generally have an idea what it means, it would be good for the Council to define what the Council wants it to mean.

Mahalo for your consideration of these comments; we will be on-call for your January 9, 2018 meeting if you have any questions.