

# Resolution

No. 25-152

REFERRING TO THE LĀNA‘I, MAUI, AND  
MOLOKAI PLANNING COMMISSIONS A  
PROPOSED BILL ON OFF-STREET PARKING  
REQUIREMENTS FOR HOUSING

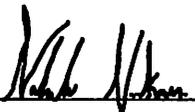
WHEREAS, the Council is considering a proposed bill to change the standard for determining the minimum number of off-street parking spaces required for housing; and

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 commission review proposed zoning and other 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 THE COMPREHENSIVE ZONING ORDINANCE ON OFF-STREET PARKING REQUIREMENTS FOR HOUSING,” attached as Exhibit “1,” to the Lāna‘i Planning Commission, Maui Planning Commission, and Molokai 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; and
2. That certified copies of this Resolution be transmitted to the Mayor, Planning Director, Lāna‘i Planning Commission, Maui Planning Commission, and Molokai Planning Commission.

APPROVED AS TO FORM AND LEGALITY:



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Department of Corporation Counsel  
County of Maui

paf:mkm:25-138b

INTRODUCED BY:

*Tamara A.M. Paltin*

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TAMARA PALTIN

EXHIBIT "1"

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2025)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, AND 19.500,  
MAUI COUNTY CODE, RELATING TO OFF-STREET PARKING SPACE  
REQUIREMENTS FOR HOUSING

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

SECTION 1. The Comprehensive Zoning Ordinance requires off-street parking spaces for housing units based on floor-area size. The Council finds that the number of bedrooms is a more precise measure. This Ordinance's purpose is to use the number of bedrooms rather than square footage to determine the minimum number of off-street parking spaces for dwelling units used for housing.

SECTION 2. Section 19.36B.020, Maui County Code, is amended to read as follows:

**"19.36B.020 Designated number of off-street parking spaces.** Unless otherwise provided in this chapter, the following minimum numbers of accessible, onsite, off-street facilities for the parking of self-propelled motor vehicles must be provided in connection with the use of any land or the construction, alteration, or improvement of any building or structure. When reviewing a building permit application or proposed change of use, the department must determine whether the applicant must submit a parking and landscaping plan to establish compliance with this chapter. If the department requires a plan, the department will not recommend approval of a building permit application or proposed change of use until it approves the plan and will not approve a certificate of occupancy or final inspection until the applicant has implemented the approved plan. The number of required parking spaces is based on the floor area of each use or component use except where otherwise specified. When calculating the total number of required parking spaces, a fraction

less than one-half is disregarded, and a fraction of one-half or more requires one parking space. The following chart establishes the general requirements for accessible, onsite, off-street parking. Compliance with the Americans with Disabilities Act, administered through the State department of health, disability and communications access board, and with State requirements for electric-vehicle parking is also required.

USE	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
<b>1) HOUSING</b>		
Dwelling units: apartment, duplex dwelling, farm dwelling, farm labor dwelling, multifamily dwelling, single-family dwelling.  Note: A dwelling unit's parking spaces may be in tandem.	[Floor area of dwelling unit in square feet:] <u>Bedrooms per dwelling unit:</u>	Minimum number of parking spaces:
	[Under 3,000] <u>Studio</u>	[Two] <u>One</u>
	[3,000-3,999] <u>One bedroom</u>	[Three] <u>One</u>
	[4,000-4,999] <u>Two bedrooms</u>	[Four] <u>Two</u>
	[5,000-5,999] <u>Three bedrooms</u>	[Five] <u>Two</u>
	[6,000-6,999] <u>Four or more bedrooms.</u>	[Six] <u>Three plus one parking space for each additional bedroom.</u>
	[7,000-7,999] [8,000 and above]	[Seven] [Eight]
Dwelling units: accessory dwelling.	One for each accessory dwelling.	
Dwelling units: with a kitchenette.	One additional for the kitchenette.	
Home business.	One for each home business that is allowed to have clients, patrons, or customers on the premises, in addition to any other parking requirements under this chapter.	
Transient accommodations.  Note: A dwelling unit's parking spaces may be in tandem.	Type:	Minimum number of parking spaces:
	Bed and breakfast home	One parking space for each bedroom for bed and breakfast home use, plus two parking spaces for the operator of the bed and breakfast home or as required for a single-family dwelling, whichever is greater.

	Short-term rental home	Two, if the short-term rental home has four or fewer bedrooms or as required for the dwelling, whichever is greater; three, if the short-term rental home has five or more bedrooms, or as required for the dwelling, whichever is greater.
	Hotel, motel, other transient vacation rental, with or without kitchen facilities	One per rental unit, except that a transient vacation rental in a single-family dwelling must provide the same number of parking spaces as a single-family dwelling. Units capable of being used as two or more units are counted as separate rental units.
<b>2) COMMERCIAL, BUSINESS, OR INDUSTRIAL</b>		
Agricultural retail structure, agricultural products stand, bakery and catering (with no onsite eating or drinking), farmer's market, general merchandising, general office, personal and business services, personal services establishment, animal hospital.	One per 500 square feet, except that the minimum is three.	
Agricultural tourism activities under section 19.30A.050.	One parking space per two participants (paving not required).	
General merchandising of only large items such as furniture, flooring, mattresses, and appliances.	One per 1,000 square feet for all areas including office, storage, and showroom.	

Animal boarding facility.	Three plus one per 20 boarding units above 60 boarding units. The parking spaces may be shared with animal hospital parking space requirements.
Bank.	One per 300 square feet, except that the minimum is three.
Eating and drinking establishment or agricultural food establishment as defined in section 19.30A.015 with dining areas.	One per 100 square feet of amusement, serving, and dining areas (not counting drive-through uses), except that the minimum is four; two or more establishments in a "food court" configuration may share amusement and dining areas.
Eating and drinking establishment or agricultural food establishment as defined in section 19.30A.015 without dining areas such as take-out counters or "food retail".	One per 500 square feet of serving area, except that the minimum is three for each establishment.
Mobile food truck except where permitted in the agricultural district.	None; mobile food trucks may not occupy any parking space required by this title.
Industrial or storage uses, warehouse.	One per 1,500 square feet, except that the minimum is three.
SBR mixed-use establishment.	Two for each dwelling unit, plus one per 300 square feet of non-residential floor area.
SBR service establishment.	One per 300 square feet.
Self-storage.	One per 5,000 square feet.
Service station, repair shop, public garage, automobile services.	One per 200 square feet, excluding drive-through fueling areas, which must not be used for required parking, or one per 40 percent of lot area, whichever is greater. The storing and keeping of damaged vehicles or vehicle parts must be within an enclosure bounded completely by a wall at least six feet in height.
Shopping center.	One per 300 square feet of leasable or commercial area (not subject to component use requirements).
Swap meet.	One per 500 square feet.
Vehicle and equipment rental or sales.	One per 500 square feet for sales, showrooms, services, offices, and parts facilities, except that the minimum is three; none for outdoor storage of vehicles and equipment.
<b>3) RECREATION OR ENTERTAINMENT (PUBLIC OR COMMERCIAL)</b>	

Amusement center, entertainment establishment.	One per 100 square feet.	
Auditorium, theater, stadium, assembly area, arena, gymnasium.	One per 300 square feet, one per four seats, or one per eight feet of bleacher length, whichever is greater.	
Bowling alley.	Three per lane.	
Clubhouse, private club, fitness center, health club.	One per 200 square feet.	
Golf course.	Three per hole. Parking spaces may be located on any lot occupied by the golf course if the golf course occupies multiple lots.	
Golf driving range.	One per tee.	
Miniature golf course.	One per hole.	
Swimming pool.	One per 600 square feet of pool and associated buildings.	
Tennis court.	Four for each court.	
Passive recreation.	None for up to two acres; four for above two acres (paving not required).	
Active recreation.	Type:	Minimum number of parking spaces:
	Athletic field for baseball, football, soccer, other team sports (non-stadium).	50 per athletic field; none additional for adjacent practice field; 10 for practice field without a full-sized field.
	Outdoor basketball court.	Six per court.
	Children's playground.	None.
	Skate park.	One per 500 square feet.
	Site for motor sports, paintball, zip lines, fitness course.	One per two participants at regular capacity.
	Arboretum, botanical garden.	Three plus one per acre, except that the maximum number of required parking spaces is 20.
<b>4) SOCIAL OR CIVIC SERVICE</b>		
Airport, heliport, other public transportation.	Parking for terminal, hangars, and in-terminal operations to be determined by the government agency that operates the airport, heliport, or other public facility. Private support services, such as automobile rental and cargo, to be determined separately as component uses.	

Cemetery, mausoleum.	None; any offices or other accessory uses to be determined separately.
Church, including place of worship.	One per 300 square feet, one per five seats, or one per eight feet of bench length, whichever is greater.
Community center.	One per 100 square feet.
Day care facility, nursing home, assisted living facility.	One per six clients, plus one per employee onsite at one time.
Fire station, police station.	To be determined by the fire chief, police chief.
Library, museum.	One per 500 square feet, except that the minimum is three.
Minor medical center, medical or dental clinic.	One per 300 square feet, except that the minimum is three.
Major medical center.	One per two beds.
Mortuary, funeral home.	One per 100 square feet.
Public utility substation.	One.
Recycling, redemption facility.	Three.
School, educational institution, general education, specialized education.	One per classroom if all students are under 16 years of age; eight per classroom if any student is 16 years of age or older.

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SECTION 3. Section 19.500.110, Maui County Code, is amended by amending Subsection F to read as follows:

“F. Nonconforming parking and loading.

1. If there is a change in use of a structure or lot or a portion of a structure or lot, the area of the new use must meet the off-street parking and loading requirement established in chapter 19.36B.

2. A use that adds floor area or bedrooms must provide off-street parking and loading for the additional area as required by chapter 19.36B.

3. A nonconforming parking or nonconforming loading may be repaired, expanded, or altered in a manner that does not increase its nonconformity.”

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:

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Department of the Corporation Counsel  
County of Maui

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