

REQUEST FOR LEGAL SERVICES

RECEIVED

By Corporation Counsel at 10:30 am, Jun 05, 2025

Date: June 4, 2025
From: Tasha Kama, Chair
Housing and Land Use Committee

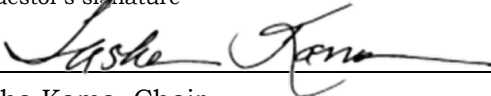
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Nāhulu Nunokawa, Esq.

Subject: **BILL 21 (2025), AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, RELATING TO EXEMPTING PARKING IN A SPECIFIC BOUNDARY AREA OF LĀNA'I CITY** (HLU-5)

Background Data: Please see proposed CD1 version of Bill 21 (2025). Please submit your response to hlu.committee@mauicounty.us with a reference to HLU-5.

Work Requested: ☒ FOR APPROVAL AS TO FORM AND LEGALITY
☐ OTHER:

Requestor's signature  Tasha Kama, Chair	Contact Person <u>James Krueger or Carla Nakata</u> (Telephone Extension: <u>7761 or 5519, respectively</u>)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)
☒ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☐ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): _____
REASON: _____

FOR CORPORATION COUNSEL'S RESPONSE

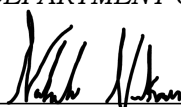
ASSIGNED TO: CNN	ASSIGNMENT NO. 2025-0171	BY: maa
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): Reviewed and signed.

DEPARTMENT OF THE CORPORATION COUNSEL

Date 7/29/2025

By 

(Rev. 7/03)

hlu:ltr:005acc01:jgk

Attachment

ORDINANCE NO. _____

BILL NO. 21, CD1 (2025)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B,
MAUI COUNTY CODE, TO EXEMPT PARKING
IN A SPECIFIC BOUNDARY AREA OF LĀNA‘I CITY

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

SECTION 1. Findings and purpose. The 2019 Lāna‘i City Country Town Business District Design Guidelines and Standards indicate that all permitted uses established in Chapter 19.15, Maui County Code, “B-CT Country Town Business District,” are exempt from the parking requirements established in Code Chapter 19.36B, “Off-street Parking and Loading.”

Supporting the Guidelines, Code Subsection 19.36B.040(B) indicates that the “guidelines adopted pursuant to chapter 19.15 of this code, if any, shall prevail over this chapter if there is a conflict.” Thus, uses on Lāna‘i that are within the B-CT District are exempt from providing parking associated with that use. All B-CT Districts on Lāna‘i are in Lāna‘i City.

Dole Park, within Lāna‘i City, is located within the boundaries of Fraser Avenue to the west, Lāna‘i Avenue to the east, Seventh Street to the north, and Eighth Street to the south. Except for a small parcel within the Dole Park boundary, which is zoned P-1 Public/Quasi-Public District, the remainder of Dole Park is zoned Park (PK) District. Immediately adjacent to Dole Park along Seventh Street and Eighth Street are angled parking spaces available for the general public’s use.

Most of the properties surrounding Dole Park are zoned B-CT, and therefore are exempt from providing parking spaces, because according to the Guidelines, the angled parking spaces adjacent to Dole Park provide sufficient parking for the properties' use. However, the properties within Dole Park with Park (PK) and P-1 Public/Quasi-Public District zoning are required to comply with the parking requirements of Code Chapter 19.36B despite their immediate adjacency to the angled parking spaces. To provide equity, the purpose of this Ordinance is to allow the uses within the Park (PK) and P-1 Public/Quasi-Public Districts of Dole Park to also be exempt from Code Chapter 19.36B.

SECTION 2. Section 19.36B.040, Maui County Code, is amended to read as follows:

“19.36B.040 General requirements for parking areas.

A. This chapter [~~shall apply~~] applies to all off-street parking areas, whether or not required. Every off-street parking area [~~shall~~] must be maintained to comply with the requirements of this chapter. Parking spaces or areas may be eliminated or reduced only to the extent that the remaining amount conforms to this chapter's requirements. Required parking spaces, aisles, driveways, and lanes, except for those accessory to any type of dwelling, [~~shall~~] must be for active vehicle parking, meaning that [~~no~~] sales, merchandise displays, mobile food trucks, dead storage, repair work, dismantling, or servicing of any kind, including storage of damaged vehicles, [~~shall~~] must not be conducted in [~~such~~] the areas. If required parking spaces for dwellings are used for storage, then alternative required parking must be provided onsite.

B. B-CT country town business district design guidelines adopted [~~pursuant to~~] in accordance with chapter 19.15 [~~of this code~~], if any, [~~shall~~] will prevail over this chapter if there is a conflict.

C. Historic district parking standards adopted [~~pursuant to~~] under chapter 19.52 [~~of this code~~], if any, [~~shall~~] will prevail over this chapter if there is a conflict.

D. On Lāna‘i, within the boundaries of Fraser Avenue to the west, Lāna‘i Avenue to the east, Seventh Street to the north, and Eighth Street to the south, all permitted uses for the zoning districts within this boundary area are exempt from the parking requirements established in this chapter.”

SECTION 3. 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 4. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel
County of Maui

hlu:misc:005abill01:cmn

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee", written over a horizontal line.

ALICE L. LEE

Upon the request of the Mayor.

HLU Committee

From: Chris N. Nunokawa <Chris.N.Nunokawa@co.maui.hi.us>
Sent: Tuesday, July 29, 2025 8:59 AM
To: HLU Committee
Cc: Melody A. Andrion
Subject: RE: OCS - HLU - BILL 21 (2025), re: Exempting Parking in a Specific Boundary Area of Lanai City (HLU-5) - LF2025-0171
Attachments: Bill21_CD1.pdf

Aloha,

I have attached Bill 21, CD1. It has been reviewed and signed. Please let me know if you have any questions or concerns.

Mahalo,

Nāhulu Nunokawa
Deputy Corporation Counsel
chris.n.nunokawa@co.maui.hi.us

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