

COUNCIL OF THE COUNTY OF MAUI

# DISASTER RECOVERY, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE

July 8, 2025

**Committee  
Report No. \_\_\_\_\_**

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

Chair and Members:

Your Disaster Recovery, International Affairs, and Planning Committee, having met on June 17, 2025, makes reference to Resolution 23-163, entitled “REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO PARKING FOR ELECTRIC VEHICLES.”

Resolution 23-163’s purpose is to refer to the Lāna‘i, Maui, and Molokai planning commissions a proposed bill, entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 19.36B.020, MAUI COUNTY CODE, RELATING TO PARKING FOR ELECTRIC VEHICLES,” attached as Exhibit “1.”

The proposed bill’s purposes are to require: 1) places of public accommodation with at least 50 parking spaces to have at least two parking spaces designated for electric vehicles; and 2) an additional two parking spaces designated for electric vehicles for each additional increment of 50 parking spaces.

Your Committee notes that the Council’s Disaster, Resilience, International Affairs, and Planning Committee (2023-2025 Council term) met on July 24, 2024, and September 25, 2024.

Your Committee notes that Section 291-71, Hawai‘i Revised Statutes, requires “places of public accommodation with at least one hundred parking spaces available for use by the general public to have at least one parking space equipped with an electric vehicle charging system.”

Your Committee further notes that under Governor Green’s Executive Order 25-01, the State’s policy is to accelerate Hawai‘i’s energy

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transition to achieve 100 percent renewable energy production in Hawai'i, Kaua'i, and Maui counties by 2035. Therefore, the build-out of adequate electric vehicle parking spaces is critical.

Your Committee noted that the proposed bill is modeled after Hawai'i County's Ordinance 22 95, which was enacted in 2022.

By correspondence dated June 13, 2025, the Chair of your Committee transmitted a proposed CD1 version of Resolution 23-163, entitled "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL ON ELECTRIC VEHICLE PARKING." The proposed revisions would:

1. Amend the proposed bill's preamble to insert additional information on the bill's purpose.
2. Apply the following requirements to newly constructed places of public accommodation outside of the erosion hazard line with at least 50 parking spaces:
  - a. At least two parking spaces must be designated for electric vehicles and be equipped with an electric vehicle charging system.
  - b. For each additional increment of 50 parking spaces, at least two additional parking spaces must be designated for electric vehicles and be equipped with an electric vehicle charging system.
  - c. Electric vehicle charging systems must be in working order.
3. Insert definitions for "electric vehicle charging system" and "place of public accommodation."

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4. Incorporate nonsubstantive and technical revisions for clarity, consistency, and style.

Your Committee discussed electric vehicle parking space requirements that coexist under the County's Energy Code and the Comprehensive Zoning Ordinance. The Energy Code's requirements apply to newly constructed residential multiunit and commercial buildings, including retail establishments, while the Comprehensive Zoning Ordinance requires compliance with State requirements for electric vehicle parking.

A representative from the Department of Planning said that having two separate provisions with differing parking space requirements could lead to confusion and difficulty with implementation.

The Director of Public Works said that electric vehicle parking space requirements are more appropriate as a land use regulation under the Comprehensive Zoning Ordinance.

Your Committee further amended the proposed bill to clarify that any conflict with Title 16's Energy Code be resolved in favor of the stricter provision.

Your Committee discussed the types of electric vehicle chargers that are used and the associated costs for installation. The Planning representative recommended that the charging requirements remain in the Energy Code.

Your Committee recommended that the planning commissions further evaluate the Energy Code to determine whether portions of Section 16.16C.C406.10, Maui County Code, with respect only to electric vehicle parking space requirements, should be transferred to the Comprehensive Zoning Ordinance.

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The Deputy Corporation Counsel suggested amending the proposed bill's effective date to clarify that the bill's provisions apply to facilities that were permitted after the ordinance's effective date. Your Committee agreed with the Deputy Corporation Counsel's recommendation.

Your Committee notes that Resolution 23-163, CD1, would help to further the following Countywide Policy Plan and Community Plan goals, objectives, and policies:

- “Encourage the use of sustainable energy to power vehicles.” (Countywide Policy Plan, page 71)
- “Promote energy efficiency as the energy resource of first choice, and increase energy efficiency in all sectors of the community.” (Kihei-Makena Community Plan, page 35)
- “Promote the use of electric vehicles charged via renewable energy.” (Lānaʻi Community Plan, page 7-16)
- “Encourage services and facilities to be energy efficient and utilize renewable energy, where possible.” (Molokai Island Community Plan, page 123)
- “Require all new large commercial and market-rate multi-family residential development to install and maintain charging stations to support the expanded use of electric vehicles in West Maui until future technology advancements make this unnecessary.” (West Maui Community Plan, page 38)

Your Committee supported Resolution 23-163, CD1, as a forward-thinking initiative to meet the State's clean energy goals and to effectively increase electric vehicle use in Maui County.

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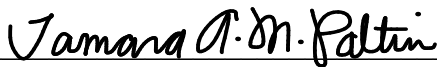
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Your Committee voted 9-0 to recommend adoption of Resolution 23-163, CD1. Committee Chair Paltin, Vice-Chair U'u-Hodgins, and members Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura voted "aye."

Your Committee is in receipt of Resolution 23-163, CD1, entitled "REFERRING TO THE LĀNAʻI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL ON ELECTRIC VEHICLE PARKING," approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions and nonsubstantive revisions.

Your Disaster Recovery, International Affairs, and Planning Committee RECOMMENDS that Resolution 23-163, CD1, attached, entitled "REFERRING TO THE LĀNAʻI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL ON ELECTRIC VEHICLE PARKING," be ADOPTED.

This report is submitted in accordance with Rule 3 of the Rules of the Council.

  
\_\_\_\_\_  
TAMARA PALTIN, Chair

# Resolution

**No. 23-163, CD1**

**REFERRING TO THE LĀNAʻI, MAUI, AND  
MOLOKAI PLANNING COMMISSIONS A  
PROPOSED BILL ON ELECTRIC VEHICLE  
PARKING**

WHEREAS, the Council is considering a proposed bill to support the expansion of dedicated parking spaces for electric vehicles; 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 SECTION 19.36B.020, MAUI COUNTY CODE, ON ELECTRIC VEHICLE PARKING,” attached as Exhibit “1,” to the Lānaʻi 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, Lānaʻi Planning Commission, Maui Planning Commission, and Molokai Planning Commission.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

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Department of the Corporation Counsel  
County of Maui

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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 SECTION 19.36B.020, MAUI  
COUNTY CODE, ON ELECTRIC VEHICLE PARKING**

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

SECTION 1. Section 291-71, Hawai‘i Revised Statutes, requires places of public accommodation with at least 100 parking spaces available for use by the general public to have at least one parking space equipped with an electric vehicle charging system. To promote the use of electric vehicles in the State, the Council finds that the buildout of adequate electric vehicle parking spaces is critical.

The Council further finds that the increased adoption of electric vehicles plays a key role in achieving Hawai‘i’s commitment to sequester more atmospheric carbon and greenhouse gases than emitted within the State by 2045, as noted under Section 225P-5, Hawai‘i Revised Statutes. Further, the Governor issued Executive Order 25-01, reinforcing Hawai‘i’s commitment to target a zero-emissions clean economy by accelerating the transition to 100-percent renewable electricity production in Hawai‘i, Kaua‘i, and Maui counties by 2035. In addition, the Countywide Policy Plan directs the County to “[e]ncourage the use of sustainable energy to power vehicles.”

This Ordinance’s purpose is to require new places of public accommodation with at least 50 parking spaces to have at least two parking



spaces designated for electric vehicles equipped with an electric vehicle charging system and to require an additional two parking spaces designated for electric vehicles equipped with an electric vehicle charging system for each additional increment of 50 parking spaces. This Ordinance also provides that any conflict with Title 16's Energy Code will be resolved in favor of the stricter provision.

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.** A. Unless otherwise provided in this chapter, the following minimum numbers of accessible, onsite, off-street facilities for the parking of self-propelled motor vehicles [shall] must be provided in connection with the use of any land or the construction, alteration, or improvement of any building or structure.

B. When reviewing a building permit application or proposed change of use, the department [shall] must determine whether the applicant must submit a parking and landscaping plan to [establish compliance] comply 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.

C. The number of required parking spaces [shall] must be 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 [shall] must be disregarded, and a fraction of one-half or more [shall require] requires one parking space. [The following chart establishes the general requirements for accessible, onsite, off-street parking.]

D. 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. Compliance with State requirements for electric-vehicle parking is also required, except that newly constructed places of public accommodation outside of the erosion hazard line with at least 50 parking spaces are subject to the following minimum requirements:

1. At least two parking spaces must be designated for electric vehicles and be equipped with an electric vehicle charging system.

2. For each additional increment of 50 parking spaces, at least two additional parking spaces must be designated for electric vehicles and be equipped with an electric vehicle charging system.

3. Electric vehicle charging systems must be in working order.

For this subsection's purposes, "electric vehicle charging system" has the same meaning as in section 291-71, Hawai'i Revised Statutes; "place of public accommodation" has the same meaning as in section 489-2, Hawai'i Revised Statutes.

If any of this subsection's requirements conflict with the requirements under title 16's energy code, the stricter requirement prevails.

E. The following table establishes the general and minimum requirements for accessible, onsite, and off-street parking.

USE	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
1) HOUSING		
Dwelling units: apartment, duplex dwelling, farm dwelling, farm labor dwelling, [multi-family] <u>multifamily</u> dwelling, single- family dwelling. Note: A dwelling unit's parking spaces may be in tandem.	Floor area of dwelling unit in square feet:  Under 3,000 3,000-3,999 4,000-4,999 5,000-5,999 6,000-6,999 7,000-7,999 8,000 and above	Minimum number of parking spaces:  [2] <u>Two</u> [3] <u>Three</u> [4] <u>Four</u> [5] <u>Five</u> [6] <u>Six</u> [7] <u>Seven</u> [8] <u>Eight</u>
Dwelling units: accessory dwelling.	[1] <u>One</u> for each accessory dwelling.	
Home business.	[1] <u>One</u> 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	Type:	Minimum

accommodations.  Note: A dwelling unit's parking spaces may be in tandem.		number of parking spaces:
	Bed and breakfast home	[1] <u>One</u> parking space for each bedroom [used] for bed and breakfast home use, plus [2] <u>two</u> 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	[2] <u>Two</u> , if the short-term rental home has [4] <u>four</u> or fewer bedrooms or as required for the dwelling, whichever is greater; [3] <u>three</u> , if the short-term rental home has [5] <u>five</u> or more bedrooms, or as required for the dwelling, whichever is greater.
	Hotel, motel, other transient vacation rental, with or without kitchen facilities	[1] <u>One</u> per rental unit, except that a transient vacation rental in a single-family dwelling [shall] <u>must</u> provide the same number of parking spaces as a single-family

		dwelling. Units capable of being utilized as [2] <u>two</u> or more units are counted as separate rental units.
<b>2) COMMERCIAL, BUSINESS, OR INDUSTRIAL</b>		
Agriculture retail structure, agriculture product 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.	[1] <u>One</u> per 500 square feet, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3.] <u>three</u> .	
General merchandising of only large items such as furniture, flooring, mattresses, and appliances.	[1] <u>One</u> per 1,000 square feet for all areas, including office, storage, and showroom.	
Animal boarding facility.	[3] <u>Three</u> plus [1] <u>one</u> per 20 boarding units above 60 boarding units. The parking spaces may be shared with animal hospital parking space requirements.	
Bank.	[1] <u>One</u> per 300 square feet, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3.] <u>three</u> .	
Eating and drinking establishment or agricultural food establishment as defined in section 19.30A.015 with dining areas.	[1] <u>One</u> per 100 square feet of amusement, serving, and dining areas (not counting drive-through uses), [provided] <u>except</u> that the minimum [shall be] <u>is</u> [4;] <u>four</u> ; [2] <u>two</u> or more [such] 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").	[1] <u>One</u> per 500 square feet of serving area, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3] <u>three</u> for each establishment.
Mobile food truck.	[0 mobile] <u>None</u> . <u>Mobile</u> food trucks [shall] <u>must</u> not occupy any parking space required by this title.
Industrial or storage uses, warehouse.	[1] <u>One</u> per 1,500 square feet, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3.] <u>three</u> .
SBR mixed-use establishment.	[2] <u>Two</u> for each dwelling unit, plus [1] <u>one</u> per 300 square feet of non-residential floor area.
SBR service establishment.	[1] <u>One</u> per 300 square feet.
Self-storage.	[1] <u>One</u> per 5,000 square feet.
Service station, repair shop, public garage, automobile services.	[1] <u>One</u> per 200 square feet, excluding drive-through fueling areas, which [shall] <u>must</u> not be used for required parking, or [1] <u>one</u> per 40 percent of lot area, whichever is greater. The storing and keeping of damaged vehicles or vehicle parts [shall] <u>must</u> be within an enclosure bounded completely by a wall at least [6] <u>six</u> feet in height.
Shopping center.	[1] <u>One</u> per 300 square feet of leasable or commercial area (not subject to component use requirements).
Swap meet.	[1] <u>One</u> per 500 square feet.
Vehicle and equipment rental or sales.	[1] <u>One</u> per 500 square feet for sales, showrooms, services, offices, and parts facilities, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3:] <u>three</u> ; [0] <u>none</u> for outdoor storage of vehicles and equipment.
<b>3) RECREATION OR ENTERTAINMENT (PUBLIC OR COMMERCIAL)</b>	
Amusement center,	[1] <u>One</u> per 100 square feet.

entertainment establishment.		
Auditorium, theater, stadium, assembly area, arena, gymnasium.	[1] <u>One</u> per 300 square feet, [1] <u>one</u> per [4] <u>four</u> seats, or [1] <u>one</u> per [8] <u>eight</u> feet of bleacher length, whichever is [greater.] <u>greatest</u> .	
Bowling alley.	[3] <u>Three</u> per lane.	
Clubhouse, private club, fitness center, health club.	[1] <u>One</u> per 200 square feet.	
Golf course.	[3] <u>Three</u> 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.	[1] <u>One</u> per tee.	
Miniature golf course.	[1] <u>One</u> per hole.	
Swimming pool.	[1] <u>One</u> per 600 square feet of pool and associated buildings.	
Tennis court.	[4] <u>Four</u> for each court.	
Passive recreation.	[0] <u>None</u> for up to [2] <u>two</u> acres; [4] <u>four</u> for above [2] <u>two</u> 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; [0] <u>no</u> additional for adjacent practice field; 10 for practice field without a full-sized field.
	Outdoor basketball court.	[6] <u>Six</u> per court.
	Children's playground.	[0] <u>None</u> .
	Skate park.	[1] <u>One</u> per 500 square feet.
	Site for motor sports, paintball, zip lines, fitness course.	[1] <u>One</u> per [2] <u>two</u> participants at regular capacity.
Arboretum, botanical garden.	[3] <u>Three</u> plus [1] <u>one</u> per acre, except that the maximum number of required parking	

	spaces <del>[shall]</del> <u>must</u> be no more than 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.	[0;] <del>None</del> ; any offices or other accessory uses to be determined separately.
Church, including place of worship.	[1] <u>One</u> per 300 square feet, [1] <u>one</u> per [5] <u>five</u> seats, or [1] <u>one</u> per [8] <u>eight</u> feet of bench length, whichever is [greater.] <u>greatest.</u>
Community center.	[1] <u>One</u> per 100 square feet.
Day care facility, nursing home, assisted living facility.	[1] <u>One</u> per [6] <u>six</u> clients, plus [1] <u>one</u> per employee onsite at one time.
Fire station, police station.	To be determined by the fire chief, police chief.
Library, museum.	[1] <u>One</u> per 500 square feet, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3.] <u>three.</u>
Minor medical center, medical or dental clinic.	[1] <u>One</u> per 300 square feet, [provided] <u>except</u> that the minimum [shall be] <u>is</u> [3.] <u>three.</u>
Major medical center.	[1] <u>One</u> per [2] <u>two</u> beds.
Mortuary, funeral home.	[1] <u>One</u> per 100 square feet.
Public utility substation.	[1] <u>One.</u>
Recycling, redemption facility.	[3] <u>Three.</u>
School, educational institution, general education, specialized education.	[1] <u>One</u> per classroom if all students are under 16 years of age; [8] <u>eight</u> per classroom if any student is 16 years of age or older.

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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 but does not apply to parking for places of public accommodation that were permitted before this Ordinance's effective date.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

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INTRODUCED BY:

*Tamara A.M. Paltin*

TAMARA PALTIN