ORDINANCE NO. _____

BILL NO. 76 (2025)

A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT

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

SECTION 1. This Ordinance's purpose is to amend the Comprehensive Zoning Ordinance by making mobile food trucks or trailers of 1,000 square feet or less permitted accessory uses on farms in the Agricultural District.

In the Agricultural District, agricultural products stands and agricultural food establishments of 1,000 square feet or less do not require Special Use Permits. So, this Ordinance amends the definitions of those terms to include mobile food trucks or trailers.

This Ordinance is intended to implement the following Countywide Policy Plan directive: "Develop regulations and programs that support opportunities for local merchants, farmers, and small businesses to sell their goods and services directly to the public."

SECTION 2. Section 19.30A.015, Maui County Code, is amended as follows:

1. By amending the definition of "agricultural food establishment" to read as follows:

""Agricultural food establishment" means a building or structure, owned and operated by a producer, or a mobile food truck or trailer operating on a farm by a producer where the food truck or trailer is located, and permitted under title 11, chapter 50 of the administrative rules of the [state] State department of health, that prepares and serves food at retail using agricultural products grown, raised, or caught in the [County,] State, and value-added products that were produced using agricultural products grown in [Hawaii] Hawai'i."

2. By amending the definition of "agricultural products stand" to read as follows:

""Agricultural products stand" means a building, structure, structure on wheels, or place that is partially enclosed by walls, at least 25 percent open to the outside when in operation, or a vehicle owned and operated by a [single agricultural product] producer or a mobile food truck or trailer operating on a farm by a producer where the food truck or trailer is located, for the display and sale of agricultural products grown, raised, or caught in the [County,] State, and value-added products produced using agricultural products grown, raised, or caught in [Hawaii] Hawai'i."

SECTION 3. Section 19.30A.072, Maui County Code, is amended by amending Subsection B to read as follows:

"B. Agricultural products stands. Agricultural products stands are subject to the following requirements:

1. An agricultural products stand that is more than [one thousand] 1000 square feet in total floor area [shall require] requires a special use permit.

2. A mobile food truck or trailer may not operate within 500 feet of any other mobile food truck or trailer. Registration will be granted on a first-come, first-serve basis."

SECTION 4. Section 19.30A.072, Maui County Code, is amended by amending Subsection E to read as follows:

"E. Agricultural food establishments. All agricultural food establishments are subject to the following requirements:

1. An agricultural food establishment that is more than [one thousand] 1000 square feet in total floor area [shall require] requires a special use permit.

2. All food must be prepared in accordance with the State [Department of Health] department of health rules and regulations.

3. A mobile food truck or trailer must not operate within 500 feet of any other mobile food truck or trailer. Registration will be granted on a first-come, first-serve basis."

SECTION 5. 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 [shall] 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 [shall] 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 [shall be] 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 [shall be] is 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. 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.

<table>
<tr><th>USE</th><th colspan="2">MINIMUM NUMBER OF OFF-STREET PARKING SPACES</th></tr>
<tr><td>1) HOUSING</td><td colspan="2"></td></tr>
<tr><td rowspan="8">Dwelling units: apartment, duplex dwelling, farm dwelling, farm labor dwelling, [multi-family] multifamily dwelling, single-family dwelling. Note: A dwelling unit's parking spaces may be in tandem.</td><td>Floor area of dwelling unit in square feet:</td><td>Minimum number of parking spaces:</td></tr>
<tr><td>Under 3,000</td><td>2</td></tr>
<tr><td>3,000-3,999</td><td>3</td></tr>
<tr><td>4,000-4,999</td><td>4</td></tr>
<tr><td>5,000-5,999</td><td>5</td></tr>
<tr><td>6,000-6,999</td><td>6</td></tr>
<tr><td>7,000-7,999</td><td>7</td></tr>
<tr><td>8,000 and above</td><td>8</td></tr>
<tr><td>Dwelling units: accessory dwelling.</td><td colspan="2">1 for each accessory dwelling.</td></tr>
<tr><td>Home business.</td><td colspan="2">1 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.</td></tr>
<tr><td rowspan="3">Transient accommodations.

Note: A dwelling unit's parking spaces may be in tandem.</td><td>Type:</td><td>Minimum number of parking spaces:</td></tr>
<tr><td>Bed and breakfast home</td><td>1 parking space for each bedroom used for bed and breakfast home use, plus 2 parking spaces for the operator of the bed and breakfast home or as required for a single-family dwelling, whichever is greater.</td></tr>
<tr><td>Short-term rental home</td><td>2 if the short-term rental home has 4 or fewer bedrooms or as required for the dwelling, whichever is greater; 3 if the short-term rental home has</td></tr>
</table>

		5 or more bedrooms, or as required for the dwelling, whichever is greater.
	Hotel, motel, other transient vacation rental, with or without kitchen facilities	1 per rental unit, except that a transient vacation rental in a single-family dwelling [shall] must provide the same number of parking spaces as a single-family dwelling. Units capable of being [utilized] used as 2 or more units are counted as separate rental units.
2) COMMERCIAL, BUSINESS, OR INDUSTRIAL		
[Agriculture] Agricultural retail structure, [agriculture] agricultural [product] 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.	1 per 500 square feet, [provided] except that the minimum [shall be] is 3. Mobile food trucks or trailers may not occupy any parking space required by this title.	
General merchandising of only large items such as furniture, flooring, mattresses, and appliances.	1 per 1,000 square feet for all areas including office, storage, and showroom.	
Animal boarding facility.	3 plus 1 per 20 boarding units above 60 boarding units. The parking spaces may be shared with animal hospital parking space requirements.	

Bank.	1 per 300 square feet, [provided] except that the minimum [shall be] is 3.
Eating and drinking establishment or agricultural food establishment as defined in section 19.30A.015 with dining areas.	1 per 100 square feet of amusement, serving, and dining areas (not counting drive-through uses), [provided] except that the minimum [shall be] is 4; 2 or more such establishments in a "food court" configuration may share amusement and dining areas. Mobile food trucks or trailers may not occupy any parking space required by this title.
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 per 500 square feet of serving area, [provided] except that the minimum [shall be] is 3 for each establishment. Mobile food trucks or trailers may not occupy any parking space required by this title.
Mobile food truck[.], except where permitted in the agricultural district	0; mobile food trucks [shall] may not occupy any parking space required by this title.
Industrial or storage uses, warehouse.	1 per 1,500 square feet, [provided] except that the minimum [shall be] is 3.
SBR mixed-use establishment.	2 for each dwelling unit, plus 1 per 300 square feet of non-residential floor area.
SBR service establishment.	1 per 300 square feet.
Self-storage.	1 per 5,000 square feet.
Service station, repair shop, public garage, automobile services.	1 per 200 square feet, excluding drive-through fueling areas, which [shall] may not be used for required parking, or 1 per 40 percent of lot area, whichever is greater. The storing and keeping of damaged vehicles or vehicle parts [shall] must be within an enclosure bounded completely by a wall at least 6 feet in height.
Shopping center.	1 per 300 square feet of leasable or commercial area (not subject to component use requirements).
Swap meet.	1 per 500 square feet.
Vehicle and equipment rental or sales.	1 per 500 square feet for sales, showrooms, services, offices, and parts facilities, [provided] except that the minimum [shall be] is 3; 0 for outdoor storage of vehicles and equipment.
3) RECREATION OR ENTERTAINMENT (PUBLIC OR COMMERCIAL)	

Amusement center, entertainment establishment.	1 per 100 square feet.	
Auditorium, theater, stadium, assembly area, arena, gymnasium.	1 per 300 square feet, 1 per 4 seats, or 1 per 8 feet of bleacher length, whichever is greater.	
Bowling alley.	3 per lane.	
Clubhouse, private club, fitness center, health club.	1 per 200 square feet.	
Golf course.	3 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 per tee.	
Miniature golf course.	1 per hole.	
Swimming pool.	1 per 600 square feet of pool and associated buildings.	
Tennis court.	4 for each court.	
Passive recreation.	0 for up to 2 acres; 4 for above 2 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 additional for adjacent practice field; 10 for practice field without a full-sized field.
	Outdoor basketball court.	6 per court.
	Children's playground.	0
	Skate park.	1 per 500 square feet.
	Site for motor sports, paintball, zip lines, fitness course.	1 per 2 participants at regular capacity.
Arboretum, botanical garden.	3 plus 1 per acre, except that the maximum number of required parking spaces [shall be no more than] is 20.	
4) SOCIAL OR CIVIC SERVICE		
Airport, heliport, other public transportation.	Parking for terminal, hangars, and in-terminal operations to be determined by	

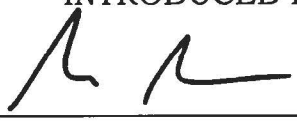
	the government agency that operates the airport, heliport, or other public facility. Private support services, such as automobile rental and cargo, to be determined separately as component uses.
Cemetery, mausoleum.	0; any offices or other accessory uses to be determined separately.
Church, including place of worship.	1 per 300 square feet, 1 per 5 seats, or 1 per 8 feet of bench length, whichever is greater.
Community center.	1 per 100 square feet.
Day care facility, nursing home, assisted living facility.	1 per 6 clients, plus 1 per employee onsite at one time.
Fire station, police station.	To be determined by the fire chief, police chief.
Library, museum.	1 per 500 square feet, [provided] except that the minimum [shall be] is 3.
Minor medical center, medical or dental clinic.	1 per 300 square feet, [provided] except that the minimum [shall be] is 3.
Major medical center.	1 per 2 beds.
Mortuary, funeral home.	1 per 100 square feet.
Public utility substation.	1
Recycling, redemption facility.	3
School, educational institution, general education, specialized education.	1 per classroom if all students are under 16 years of age; 8 per classroom if any student is 16 years of age or older."

SECTION 6. 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 7. This Ordinance takes effect on approval.

paf:kmat:25-144a

INTRODUCED BY:



GABE JOHNSON