

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](http://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  
Alikea 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](http://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.