

MICHAEL P. VICTORINO
Mayor

MICHELE CHOUTEAU MCLEAN, AICP
Director

JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

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COUNTY COUNCIL

August 24, 2020

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P Victorino 8/24/20

Mayor Date

For Transmittal to:

Honorable Tamara Paltin
Councilmember
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Councilmember Paltin:

SUBJECT: TRANSIENT VACATION RENTALS IN THE APARTMENT DISTRICT (PSLU-59)

In preparation for the August 26, 2020 Planning and Sustainable Land Use Committee meeting, I would like to provide further clarification regarding the lists of properties provided to you via transmittal letter dated June 26, 2020.

We took a closer look at the properties on the lists and determined that some do not meet the criteria of Section 19.12.020.G of the Maui County Code because they were built in approximately 1989 or later. These properties, while listed, do not contribute to the impact of the proposed bill. Please refer to the highlighted properties in the attached lists for more detail.

In summary, 98 properties built in 1989 or earlier have 5,567 out of 7,637 units (73%) with Timeshare or Short Term Rental Tax Class. These properties could fully transition to transient vacation rental use, with or without the proposed bill for ordinance.

There are 43 properties built in 1989 or earlier with 1,042 units that are not Timeshare or Short Term Rental Tax Class, and these units could lawfully convert to TVR use. With the proposed bill for ordinance, these properties will remain as owner-occupied or long-term rentals for our residents.

Honorable Michael P. Victorino, Mayor
For Transmittal to:
Honorable Tamara Paltin
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We also would like to recommend Section 19.12.020.G.2 be revised to include payment of General Excise Tax and Transient Accommodations Tax in the determination of TVR use:

G. Transient vacation rentals in building and structures meeting all of the following criteria:

1. Building or structure received a building permit, special management area use permit, or planned development approval that was lawfully issued by and was valid on April 20, 1989
2. TVR use was conducted in any lawfully existing dwelling unit within the building or structure prior to January 1, 2020 as determined by real property tax class *or payment of General Excise Tax and Transient Accommodations Tax for transient vacation rental use.*
3. If any such building or structure is reconstructed, renovated or expanded, then TVR use is limited to the building envelope as it can be confirmed to have been approved or lawfully existing on April 20, 1989. The number of bedrooms for TVR shall not be increased.

Thank you for your patience with this complicated but important bill. If you have any questions or need additional information, please feel free to contact me.

Sincerely,



MICHELE MCLEAN, AICP
Planning Director

Attachment
MCM:JMCT:atw
S:\ALL\APO\19.12 apartment\200824TVRListClarification.docx

Apartment District Properties with Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
14005040	HANA KAI-MAUI	19	0	0	0	0	19	19	100%
39001004	MAUI SCHOONER	58	0	0	0	58	0	58	100%
39008031	KIHEI BEACHFRONT	4	0	0	0	0	4	4	100%
39009005	KAPU TOWNHOUSE *	2	0	0	0	0	2	2	100%
39009010	WAIOHULI BCH DUPLEX	2	0	0	0	0	2	2	100%
39009016	51 KAPU CONDOMINIUM	1	0	0	0	0	1	1	100%
43005020	KAHANA OUTRIGGER	8	0	0	0	0	8	8	100%
43005021	KAHANA OUTRIGGER	4	0	0	0	0	4	4	100%
43005031	KAHANA OUTRIGGER	4	0	0	0	0	4	4	100%
43006014	HONO KOA	28	0	0	0	28	0	28	100%
39004081	MAUI HILL	140	3	2	0	75	60	135	96%
43008006	HOYOCHI NIKKO	17	0	1	0	0	16	16	94%
39005038	PUNAHOA BEACH APTS	15	0	1	0	0	14	14	93%
43005029	KAHANA VILLAGE	42	1	2	0	0	39	39	93%
43006007	NOHONANI	28	0	2	0	0	26	26	93%
44001055	PAPAKEA	363	10	18	0	36	299	335	92%
39005023	KAMAOLE ONE	12	1	0	0	0	11	11	92%
21008082	PALMS AT WAILEA I	150	5	8	0	0	137	137	91%
39004004	KAMAOLE SANDS	440	12	28	0	0	400	400	91%
44006011	HALE KAAPALI	258	6	18	0	0	234	234	91%
44008021	MAUI ELDORADO	205	7	13	0	0	185	185	90%
43009002	NOELANI	50	1	4	0	0	45	45	90%
39008009	LEILANI KAI	9	0	1	0	0	8	8	89%
39001006	LUANA KAI	113	8	7	0	0	98	98	87%
43008002	POLYNESIAN SHORES	52	2	5	0	0	45	45	87%
21008070	WAILEA ELUA II	66	0	8	0	1	57	58	88%
38014004	KANAI A NALU	80	5	6	0	0	69	69	86%
44001050	PAKI MAUI III	28	0	4	0	1	23	24	86%
39004082	MAUI KAMAOLE III	240	11	24	0	0	205	205	85%
39001134	KOA RESORT II	54	5	3	0	0	46	46	85%
42001024	KAPALUA BAY VILLAS	141	3	18	0	0	120	120	85%
39001143	KIHEI BAY VISTA	60	2	7	0	0	51	51	85%
44001071	MAUI SANDS II	20	3	0	0	0	17	17	85%

Apartment District Properties with Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
43006041	HALE MAHINA BEACH	53	2	6	0	0	45	45	85%
21008064	WAILEA EKAHI I	100	2	14	0	0	84	84	84%
43008005	KULEANA	100	5	11	0	29	55	84	84%
44001052	MAUI SANDS I	56	4	5	0	0	47	47	84%
43006044	HALE ONO LOA	67	4	7	0	0	56	56	84%
38014001	MAKANI A KAI	24	1	3	0	0	20	20	83%
39018003	MAUI VISTA	280	9	38	0	0	233	233	83%
39004084	HALE KAMAOLE	188	9	23	0	0	156	156	83%
21008104	GRND CHAMP VILLAS	188	13	22	0	0	153	153	81%
39008003	HALE KAI O'KIHEI	59	1	10	0	0	48	48	81%
21008060	WAILEA EKAHI II	91	2	15	0	0	74	74	81%
44001051	PAKI MAUI I & II	80	7	8	0	5	60	65	81%
39009029	WAIOHULI BEACH HALE	52	1	9	0	0	42	42	81%
43006016	LOKELANI	36	4	3	0	0	29	29	81%
45004002	PUUNOA BEACH ESTATES	10	0	2	0	0	8	8	80%
21008065	WAILEA EKAHI III	104	2	20	0	0	82	82	79%
39001002	MAUI SUNSET	225	17	33	0	45	130	175	78%
43008004	KULEANA	18	1	3	0	4	10	14	78%
43006012	MAKANI SANDS	30	4	3	0	0	23	23	77%
42001028	KAPALUA GOLF VILLAS	186	11	34	0	0	141	141	76%
39001075	KAUHALE MAKAI	169	15	24	2	13	115	128	76%
45013027	LAHAINA ROADS	41	4	6	0	0	31	31	76%
39001107	KIHEI BAY SURF	118	10	19	0	0	89	89	75%
39001110	LEINAALA	24	2	4	0	0	18	18	75%
43005009	KAHANA REEF	88	8	14	0	0	66	66	75%
44001042	HALE KAI I	40	5	5	0	0	30	30	75%
38014002	HONO KAI	46	8	3	1	0	34	34	74%
39004098	MAUI PARKSHORE	64	5	13	0	0	46	46	72%
21008069	WAILEA ELUA I	86	1	24	0	0	61	61	71%
26012050	KUAU PLAZA	30	2	7	0	0	21	21	70%
39017003	SHORES OF MAUI	50	7	8	0	0	35	35	70%
42001032	THE RIDGE	161	13	36	0	0	112	112	70%
38014022	MILOWAI-MAALAEA	42	6	7	0	0	29	29	69%

Apartment District Properties with Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
39008005	1290 ULUNUI CONDO *	3	0	1	0	0	2	2	67%
43006063	PIKAKE	12	2	2	0	0	8	8	67%
39004097	HALEAKALA SHORES	76	17	9	0	0	50	50	66%
43006013	KALEIALOHA	67	7	16	0	0	44	44	66%
39008011	KIHEI GARDEN ESTATES	84	10	19	0	0	55	55	65%
39001136	KIHEI RESORT	64	13	10	0	0	41	41	64%
56004055	WAVECREST	126	12	37	0	0	77	77	61%
39016027	KALAMA TERRACE	61	9	15	0	0	37	37	61%
44008023	KAANAPALI ROYAL	105	10	32	0	0	63	63	60%
51003013	KE NANI KAI	120	11	37	0	7	65	72	60%
39018002	PACIFIC SHORES	136	26	30	0	0	80	80	59%
21008077	WAILEA EKOLU	148	9	50	0	0	89	87	59%
38014016	LAULOA MAALAEA	47	8	14	0	0	25	27	57%
38014021	MAALAEA KAI	79	9	25	0	0	45	45	57%
38014011	MAALAEA BANYANS	78	12	24	0	0	42	42	54%
39004139	KEAWAKAPU	18	3	6	0	0	9	9	50%
39005035	HALE ILIILI	4	2	0	0	0	2	2	50%
39008008	1240 ULUNIU CONDO *	2	0	1	0	0	1	1	50%
39017010	KIHEI PARKSHORE	16	2	6	0	0	8	8	50%
38014015	ISLAND SANDS	83	9	33	0	0	41	41	49%
44001041	HONOKOWAI PALMS	30	7	15	0	0	8	8	27%
39001057	WAIPUILANI	42	14	21	0	0	7	7	17%
39005018	KIHEI COVE	6	3	2	0	0	1	1	17%
43016006	NAPILI RIDGE	132	36	79	0	0	17	17	13%
46010002	THE SPINNAKER	57	18	32	0	0	7	7	12%
39016043	KOA KAI	18	4	12	0	0	2	2	11%
39017017	KANOE RESORT	18	8	8	0	0	2	2	11%
39016020	KIHEI VILLA	24	8	15	0	0	1	1	4%
42001030	KAPALUA IRONWOODS	39	2	36	0	0	1	1	3%
45003009	CHANNEL HOUSE	39	9	29	0	0	1	1	3%
39004135	KIHEI SHORES	217	58	155	0	0	4	4	2%
45003011	LAH RESID CONDO	60	16	43	0	0	1	1	2%
38037039	PUUONE TERRACE	66	12	53	0	0	1	1	2%

Apartment District Properties with Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
38077013	KIHEI VILLAGES	76	32	43	0	0	1	1	1%
38077003	KIHEI VILLAGES	80	32	47	0	0	1	1	1%
38077002	KIHEI VILLAGES	100	27	72	0	0	1	1	1%
43006004	MAUI LANI TERRACES	159	36	122	0	0	1	1	1%
Total:		8111	763	1770	3	302	5273	5575	
* TVR use permitted by Short-Term Rental Home Permit (STRH)									
Highlighted properties may not meet the criteria for TVR, further research needed.									
103 properties with TVR use									
All units:	8111								
TVR units:	5575								

Apartment District Properties with NO Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
21007096	MAKENA PLACE	10	2	8	0	0	0	0	0%
21007101	NA HALE O MAKENA	40	5	35	0	0	0	0	0%
21008083	PALMS AT WAILEA II	120	27	93	0	0	0	0	0%
21008084	PAPALI WAILEA	24	1	23	0	0	0	0	0%
21008112	KANANI WAILEA	38	11	27	0	0	0	0	0%
23008044	COTTAGES AT KULAMALU	40	26	14	0	0	0	0	0%
23009037	PUKALANI FAIRWY EST	24	18	6	0	0	0	0	0%
34016007	IAO GARDENS	39	22	17	0	0	0	0	0%
38037019	PUUONE GARDENS	1	0	1	0	0	0	0	0%
38037019	PUUONE GARDENS	25	2	23	0	0	0	0	0%
38037020	MOUNT THOMAS	32	10	22	0	0	0	0	0%
38037023	515 LIHOLIHO ST	10	5	5	0	0	0	0	0%
38037024	HALE NANI	10	0	10	0	0	0	0	0%
38037027	WAILUKU MANOR	11	4	7	0	0	0	0	0%
38037031	CARMEL APTS	8	1	7	0	0	0	0	0%
38037035	PUUONE HALE ALII	30	5	25	0	0	0	0	0%
38037043	PIO OCEAN VIEW APTS.	19	0	19	0	0	0	0	0%
38077001	KIHEI VILLAGES	128	53	75	0	0	0	0	0%
38077012	KIHEI VILLAGES	68	32	36	0	0	0	0	0%
38077014	KIHEI VILLAGES	80	27	53	0	0	0	0	0%
39001056	LANAKILA	18	11	7	0	0	0	0	0%
39001160	VILLAS AT KENOLIO	140	58	82	0	0	0	0	0%
39004134	KEONEKAI VILLAGES	256	112	144	0	0	0	0	0%
39005015	HAWEALANI CONDO	4	0	4	0	0	0	0	0%
39005017	LIHIKAI APTS	8	0	8	0	0	0	0	0%
39005021	HALE MAHALANI	1	1	0	0	0	0	0	0%
39005021	HALE MAHALANI	6	1	5	0	0	0	0	0%
39005025	2260 S KIHEI RD COND	2	0	2	0	0	0	0	0%
39005037	LOKE HALE	4	1	3	0	0	0	0	0%
39008010	1210 ULUNIU ESTATES	1	0	1	0	0	0	0	0%
39008021	ULUNIU TOWNHOUSE	6	3	3	0	0	0	0	0%
39009020	BOARDWALK	10	2	8	0	0	0	0	0%
39009021	MAUI GARDENS	90	32	58	0	0	0	0	0%

Apartment District Properties with NO Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
39016001	WALAKA MAUI	18	11	7	0	0	0	0	0%
39016002	HALE KANANI	72	30	42	0	0	0	0	0%
39016012	WHITE SEA TERRACE AP	6	4	2	0	0	0	0	0%
39016014	WALAKA APARTMENTS	10	1	9	0	0	0	0	0%
39016015	KALAMA TOWNHOUSE	6	4	2	0	0	0	0	0%
39016016	KALAMA GARDENS	6	4	2	0	0	0	0	0%
39016017	MAUI PALMS TOWNHOMES	6	6	0	0	0	0	0	0%
39016031	KIHEI MANOR	12	3	9	0	0	0	0	0%
39016032	KALAMA VILLA	8	1	7	0	0	0	0	0%
39016034	85 WALAKA ST	11	1	10	0	0	0	0	0%
39016035	AWIHI TOWNHOUSE	10	7	3	0	0	0	0	0%
39016041	KAMOA VIEWS	44	14	30	0	0	0	0	0%
39016042	BAY VISTA APTS	12	4	8	0	0	0	0	0%
39017007	ROYAL MENEHUNE	6	0	6	0	0	0	0	0%
39017018	KANOE PALMS	7	1	6	0	0	0	0	0%
39017022	KANOE LANI APTS	6	3	3	0	0	0	0	0%
39017038	AUHANA KULEANA	10	4	6	0	0	0	0	0%
39041002	KAI MAKANI	112	39	73	0	0	0	0	0%
39044041	HALEAKALA GARDENS	88	41	47	0	0	0	0	0%
39044042	HALEAKALA GARDENS	76	40	36	0	0	0	0	0%
43003108	NAPILIHAI VILLAGES I	76	45	31	0	0	0	0	0%
43003110	NAPILI VILLAS PH I	100	55	45	0	0	0	0	0%
43003122	NAPILI VILLAS PH III	40	17	23	0	0	0	0	0%
43003123	NAPILI VILLAS PH II	44	24	20	0	0	0	0	0%
43005082	KAHANA GATEWAY	73	0	73	0	0	0	0	0%
43006005	HALE ROYAL	85	43	42	0	0	0	0	0%
43006036	LEINANI APTS	30	12	18	0	0	0	0	0%
43006069	BREAKERS	60	15	45	0	0	0	0	0%
43006069	WEST MAUI BREAKERS	24	0	24	0	0	0	0	0%
43008001	MAHINAHINA BEACH	32	8	24	0	0	0	0	0%
43016055	71 WENA PLACE	2	2	0	0	0	0	0	0%
43016057	US DUPLEX	2	2	0	0	0	0	0	0%
43016059	91A/91B HUI ROAD F	2	0	2	0	0	0	0	0%

Aapartment District Properties with NO Timeshare or Short Term Rental 2019-2020

MASTER	Condo Name	Total Units	Tax Class					2020 TVR	2020 % TVR
			Homeowner	Apartment	Commercial	Timeshare	Short Term Rental		
43016060	95 HUI ROAD F CONDO	2	0	2	0	0	0	0	0%
43021082	VILLAS@ KAHANA RIDGE	117	63	54	0	0	0	0	0%
44001034	MAUI PARK	288	0	288	0	0	0	0	0%
44001038	WEST MAUI TRADES	96	15	81	0	0	0	0	0%
44001066	HONOKOWAI EAST	51	12	39	0	0	0	0	0%
45008004	HALE OHANA CONDOMINI	40	0	40	0	0	0	0	0%
46011006	LOKAHI	6	0	6	0	0	0	0	0%
49006010	LANAI CITY APARTMENT	24	5	19	0	0	0	0	0%
Total:		3023	1008	2015	0	0	0	0	
Highlighted properties may not meet the criteria for TVR, further research needed.									
	74 properties								
All units:		3023							
TVR unis:		0							