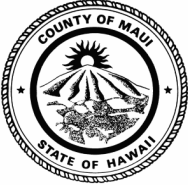


Reconvened from 02/05/2025 at 1:30 p.m.



PUBLIC MEETING NOTICE

COUNCIL OF THE COUNTY OF MAUI

www.MauiCounty.us/DRIP

Committee Chair
Tamara Paltin

Committee Vice-Chair
Nohelani U'u-Hodgins

Voting Members:
Tom Cook
Gabe Johnson
Tasha Kama
Alice L. Lee
Keani N.W.
Rawlins-Fernandez
Shane M. Sinenci
Yuki Lei K. Sugimura

DISASTER RECOVERY, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE (2025-2027)

Tuesday, February 11, 2025

9:00 a.m.

MEETING SITE:

Online via Teams: <http://tinyurl.com/DRIP-Committee>

Remote oral testimony is also available online via the same
Teams link.

In-person testimony and viewing: Council Chamber, Kalana O
Maui Building, 8th Flr., 200 South High St., Wailuku, Hawai'i

AGENDA

BILL 105 (2024), AMENDING SECTION 19.500.110, MAUI COUNTY CODE, REGARDING NONCONFORMITIES

Description: The Committee is in receipt of the following:

1. Bill 105 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 19.500.110, MAUI COUNTY CODE, REGARDING NONCONFORMITIES." Bill 105's purpose is to address nonconforming structures and uses damaged, destroyed, or affected by an emergency or disaster declared by proclamation of the Governor to constitute a state of emergency under Chapter 127A, Hawai'i Revised Statutes.
2. An Amendment Summary Form, dated January 29, 2025, from the Committee Chair, with a proposed CD1 version of Bill 105 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 19.39.150 AND 19.500.110, MAUI COUNTY CODE, ON NONCONFORMITIES." The proposed CD1 version includes the following amendments:
 - 1) Allows the new provisions relating to the repair and reconstruction of nonconforming structures damaged, destroyed, or affected by an emergency or disaster and reestablishment of nonconforming uses

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- to also apply if the Mayor proclaims a local state of emergency;
- 2) Replaces reliance on building code and flood hazard regulations with compliance with Title 16, Maui County Code, as part of the criteria for continuation of nonconforming uses in a structure damaged or destroyed by an emergency or disaster;
 - 3) Authorizes the Fire Chief, in certain instances, to require the repair or reconstruction of nonconforming structures in residential projects on Lānaʻi and Maui to comply with chapters 16.25 and 16.26C, Maui County Code, or portions of those chapters, as may be necessary to improve public safety;
 - 4) Authorizes the Fire Chief to make recommendations to the Planning Director to relocate nonconforming uses on Lānaʻi and Maui affected by an emergency or disaster in an equal proportion on the lot or within a structure to improve public safety;
 - 5) Reduces the time to reconstruct or reestablish a nonconforming structure from five years to four years from the initial date of the governor's or mayor's proclamation, whichever occurred first;
 - 6) Extends the time for nonconforming structures and uses that were affected by the August 2023 Maui wildfires to be reconstructed and reestablished until April 1, 2029;
 - 7) Limits the authority of the Planning Director to grant a two-year extension of the deadline to complete the repair or reconstruction of the nonconforming structure or reestablish the nonconforming use to properties within a historic district or within the special management area, or both;
 - 8) Makes a conforming amendment to Section 19.39.150, Maui County Code; and
 - 9) Incorporates technical and nonsubstantive revisions.
3. An Amendment Summary Form, dated January 29, 2025, from the Committee Chair, proposing to amend Bill 105 (2024) by prohibiting a nonconforming transient vacation rental use from resuming if the use was discontinued for 12 consecutive months or more because the transient vacation rental was within a structure that was damaged or destroyed by an emergency or disaster on Lānaʻi or Maui.

Status: The Committee may consider whether to recommend passage of Bill 105 (2024) on first reading, with or without revisions. The Committee may also consider the filing of Bill 105 (2024) and other related action.

[Bill 105 \(2024\)](#)

[Amendment Summary Form from Committee Chair 01-29-2025 \(1\)](#)

[Amendment Summary Form from Committee Chair 01-29-2025 \(2\)](#)

CONTACT INFORMATION

Office of Council Services, 200 South High Street, Wailuku, Hawai'i 96793
Tel: (808) 270-7838

COMMITTEE STAFF

Jarret Pascual, Keone Hurdle, Yvette Bouthillier, and Carla Nakata

BOARD PACKETS

Board Packets, as defined in Section 92-7.5, HRS, will be electronically posted as soon as practicable.

CONNECTIVITY

This meeting is being conducted in accordance with Section 92-3.7, HRS. Nothing said in the meeting or included in the agenda is intended to create obligations in excess of those required under Section 92-3.7, HRS.

If Teams connectivity affecting quorum is lost, the Committee will be in recess. It will not be considered a loss of quorum unless connectivity cannot be restored within 30 minutes. If the Teams connection is prematurely terminated, for whatever reason, please log back into the same link.

If connectivity affecting quorum cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., using the same virtual connections, unless the Committee announces a different date and time.

OFFICIAL LOCATIONS AND TESTIMONY

Video testimony via Teams link: <http://tinyurl.com/DRIP-Committee>

Remote oral testimony is also available online via the same Teams link.

In-person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Flr., 200 South High St., Wailuku, Hawai'i

Oral testimony is limited to 3 minutes per item. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify. Testimony must pertain to items on the meeting agenda. Testifiers must direct their remarks to the presiding officer and not to any individual Councilmember or individual in the audience.

If audiovisual connection is lost at the official location for in-person testimony and viewing, the committee will be in recess for up to 30 minutes to restore connectivity. If connectivity cannot be restored within 30 minutes, the meeting will automatically reconvene the following Tuesday at 9 a.m., at the same official location for in-person testimony and viewing, unless the Committee announces a different date, time, and location.

If a meeting participant wishes to testify anonymously, they should log in to the meeting with an appropriate anonymous name and virtually raise their hand. If a testifier connects to the meeting by phone, the Chair will call the last four digits of the testifier's phone number.

The Chair may mute or remove testifiers from the meeting who violate the Council's Standards of Decorum.

Written testimony will be accepted via eComment. Search for the meeting date on mauicounty.us/agendas, click on the eComment link, then select the agenda item to submit comments on. Alternatively, written testimony will be accepted via email to DRIP.committee@mauicounty.us or postal service to DRIP Committee, Maui County Council, 200 S. High St., Wailuku HI 96793.

For more information on testifying, please visit www.mauicounty.us/testify or contact the Office of Council Services.

COURTESY PHONE TESTIMONY

Dial 1-808-977-4067 and enter meeting code 607 929 65#

If courtesy phone testimony becomes unavailable, the meeting will continue without that option.

COURTESY TESTIMONY SITES - COUNCIL RESIDENCY AREA OFFICES

East Maui: 5091 Uakea Road, Hāna, (808) 248-7513

Lāna'i: 814 Fraser Avenue, Lāna'i City, (808) 565-7094

Makawao-Ha'ikū-Pā'ia: Heritage Hall, 401 Baldwin Avenue, Suite 102, Pā'ia, (808) 793-0099
Molokai: Moloka'i District Complex, 100 Ainoa Street, Kaunakakai, (808) 553-3888
South Maui: MEDB Building, 1305 North Holopono St., Suite 9, Kihei, (808) 793-0012

Councilmembers may or may not participate from Courtesy Testimony Sites. If any Courtesy Testimony Site loses its audio connection to the meeting, the meeting will continue without that location, irrespective of whether a Councilmember is participating from there.

Subject to change and staffing availability without notice. Visit mauicounty.us for more information.

COURTESY LIVE CABLECAST AND WEBCAST VIEWING

Akaku: Maui Community Media, Channel 53.

mauicounty.us/agendas to access meeting videos

Subject to change without notice. Visit mauicounty.us for more information.

If Akaku prematurely ceases broadcasting the meeting, the meeting will continue via interactive conference technology and a recording will be sent to Akaku to be included with archived meeting videos.

DISABILITY ACCESS

Anyone requesting an auxiliary aid or service or an accommodation due to a disability should contact the Office of Council Services at least three working days prior to the meeting date at (808) 270-7838 or county.council@mauicounty.us.

Agenda items are subject to cancellation.