

**DISASTER RECOVERY, INTERNATIONAL AFFAIRS,
AND PLANNING COMMITTEE**
Council of the County of Maui

MINUTES

February 11, 2025

Online Only via Teams

RECONVENE: 9:03 a.m.

PRESENT: Councilmember Tamara Paltin, Chair
Councilmember Nohelani U‘u-Hodgins, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Jarret Pascual, Legislative Analyst
Keone Hurdle, Legislative Analyst (backup)
Carla Nakata, Legislative Attorney
Yvette Bouthillier, Senior Committee Secretary
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Zhantell Lindo, Council Aide, Moloka‘i Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

County of Maui Office of Recovery:

Christian Balagso, Council Aide, West Maui Residency Area, Office of Recovery at Lahaina Gateway

ADMIN.: Gregory Pfof, Administrative Planning Officer, Department of Planning
Jordan Molina, Director, Department of Public Works
Jordan Hart, Executive Assistant, Office of Recovery, Department of Management
Oliver Vaas, Captain, Department of Fire and Public Safety
Mimi DesJardins, First Deputy Corporation Counsel, Department of the Corporation Counsel

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OTHERS: Others (40)

CHAIR PALTIN: . . .*(gavel)*. . . Will the recessed Disaster Recovery, International Affairs, and Planning Committee meeting of February 11th...or reconvene from February 5th, 1:30, come to order. The time is now 9:03 a.m. on February 11th. If everyone can please silence their cell phones or any noise-making devices, that'll help our cause. Welcome back from the...to the reconvened meeting of February 11th, 2025. Members, in accordance with the Sunshine Law, if you are not in the Council Chambers, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Also, please see the last page of the agenda for information on meeting connectivity. My name is Tamara Paltin, and I'll be your Chair for today's DRIP Committee meeting. Aloha kakahiaka and kia ora, Committee Vice-Chair Nohe U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Kia ora. Aloha, everyone.

CHAIR PALTIN: If you happen to go to New Zealand this weekend. And next up we have Councilmember Tom Cook. Aloha kakahiaka and kia ora.

COUNCILMEMBER COOK: Aloha kakahiaka. Good morning.

CHAIR PALTIN: Good morning. And we also have Councilmember Gabe Johnson out of Lāna'i. Kia ora and aloha kakahiaka.

COUNCILMEMBER JOHNSON: Kia ora, Chair, Councilmembers, community members. There's no testifiers at the Lāna'i District Office. And today I'm alone without my dog, she needs...every dog needs a break once in a while. . . .*(laughing)*. . .

CHAIR PALTIN: Thank you. And next up we have Councilmember Tasha Kama of Kahului. Aloha kakahiaka and kia ora.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and kia ora to everyone out there in *Akakū* land. I'm excited to be here again to talk about Bill 105, and ready to rock and roll. Thank you, Chair.

CHAIR PALTIN: Thank you. And next up we have Council Chair Alice Lee. Aloha kakahiaka and kia ora.

COUNCILMEMBER LEE: Chair, kia ora and aloha kākou. I'm home in my home office. There's no one here, but unfortunately, I can't stay very long. So, I'm sorry about that--unless you need me, I'll stay. Thank you.

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CHAIR PALTIN: Thank you. Next up we have Committee Member Keani Rawlins-Fernandez of Moloka'i. Aloha kakahiaka and kia ora.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka kākou, mai Moloka'i Nui a Hina. I'm at my private residence alone here, and there are currently no...no, it's a recessed meeting, so no testifiers. Okay. Mahalo, Chair.

CHAIR PALTIN: Mahalo. And next up we have Councilmember Shane Sinenci. Aloha kakahiaka and kia ora.

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair, and kia ora kākou. Here at the Hāna District Office with District Staff member Mavis Medeiros.

CHAIR PALTIN: Thank you. And last, but not least, we have Councilmember Yuki Lei Sugimura from Upcountry. Aloha kakahiaka and kia ora.

COUNCILMEMBER SUGIMURA: Kia ora and good morning. Looking forward to a productive meeting.

**BILL 105 (2024), AMENDING SECTION 19.500.110, MAUI COUNTY
CODE, REGARDING NONCONFORMITIES (DRIP-4)**

CHAIR PALTIN: Thank you. This meeting of the Disaster Recovery, International Affairs, and Planning Committee of the Maui County Council is located on the traditional 'āina of the Kānaka 'Ōiwi who never seated their sovereignty to the United States. We recognize that her Majesty Queen Liliuokalani yielded the Hawaiian Kingdom to the United States in duress under threat of violence to avoid the bloodshed of her people. We further recognize that Hawai'i remains an illegally-occupied nation-state by the U.S., as documented in a 2021 scholarly article for the National Lawyers Guild Review by Andrew Reid, Adjunct Professor of Law at the University of Denver Sturm College of Law. Generations of Kānaka Maoli and their knowledge systems have sustainably cared for Hawai'i, and continue to do so. We are grateful to occupy the space and learn the ways of in which we can contribute. As a Committee, we seek to support the varied strategies that the indigenous peoples of Hawai'i are using to protect their land and their communities, and commit to dedicating time and resources to working in solidarity. From the Administration, we have Fire Captain Oliver Vaas; from the Department of Planning, we have Administrative Planning Officer Greg Pfof; from the Office of Recovery, we have Executive Assistant Jordan Hart; from the Department of Public Works, we have Director Jordan Molina; and we also have First Deputy Corporation Counsel Mimi Desjardins. Committee Staff today, we have Senior Committee Secretary Yvette Bouthillier; Legislative Analysts Jarret Pascual and Keone Hurdle; Assistant Clerks Lei Dinneen and Jean Pokipala; as

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well as Legislative Attorney Carla Nakata. On the agenda today, we will continue to talk about DRIP-4, Bill 105 (2024), Amending Section 19.500.110, Maui County Code, Regarding Nonconformities. And we may...we are cleared to take legislative action today, if we all come to that agreement. 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. So, Members, at our February 5th meeting, the Department of Planning, Public Works, and Fire and Public Safety agreed to meet before today to improve the proposed language under Section...Subsections 19.500.110(C)(1)(d)(ii) and 19.500.110(E)(2)(b) to address Fire's concerns. And as a reminder, we are working off of the CD1 version, which was item number 37 in your Granicus. Would Planning, Public Works, and/or Fire and Public Safety like to provide any updates since or last meeting? And it looks like Mr. Pfof is ready.

MR. PFOF: Yes. Thank you, Chair. The Department...Planning Department has met with Public Works Department and Fire Department to discuss potential changes. I have a couple potential...I have a couple changes that we'd like to propose to (C)(1)(d)(ii) and then also (E)(2)(b). And I can read those into the record if you'd like, and I apologize for not getting this to you earlier.

CHAIR PALTIN: That sounds good. Can you see we're on page 2, (C)(1)(d)...or page 3...top of page 3, (C)(1)...sorry, (C)(1)(d)(ii). Is everyone on the third page of the CD1 version, which is item 37 on your Granicus? Okay. Go ahead, Mr. Pfof.

MR PFOF: Thank you. The revised language would read as follows: "The repair and reconstruction is permitted in compliance with Title 16." And then I would insert, instead of the remaining language, the following: "The Fire Chief may require residential structures to exceed the standards of Chapter 16.08A by imposing the requirements of Chapter 16.25 and 16.26C, or portions thereof, as may be necessary to improve public safety." So, basically, almost the same language, just re-worded slightly.

CHAIR PALTIN: So, you said 16.25 or 16.205?

MR. PFOF: I believe it's 16.25.

CHAIR PALTIN: Okay. Does anyone need that read one more time? You guys got it? One more time please, Mr. Pfof.

MR. PFOF: Sure. The first sentence would remain the same as: "The repair or reconstruction is permitted in compliance with Title 16." Then I would add the following language: "The Fire Chief may require residential structures to exceed

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the standards of Chapter 16.08A by imposing the requirements of Chapter 16.25 and 16.26C, or portions thereof, as may be necessary to improve public safety.”

CHAIR PALTIN: Thank you. Members, any questions on the revised language? Member Kama, followed by Member Johnson.

COUNCILMEMBER KAMA: So, although the language has been shifted a bit, does that change the content of that particular section?

CHAIR PALTIN: I'll let Mr. Pfoost answer, but I think it's meant to clarify. Because the way it was worded before was that, you know, they have to comply with Title 16 including these two sections. And so, then the question was like well, if they've got to comply with Title 16, why are you copping out these two sections? And then they further clarified that those sections might be for commercial kind of things, so they're then applying...they clarified it in words as well to say beyond...the Fire Chief may require residential structures to kind of meet these two sections, which are ordinarily required of commercial structures. And Mr. Pfoost, please correct me if I'm off base.

MR. PFOOST: That is actually...that is correct. The context is the same, we just re-worded it merely for clarity, and provide more clarity in this section.

COUNCILMEMBER KAMA: Okay. Thank you, Chair.

CHAIR PALTIN: Member Johnson?

COUNCILMEMBER JOHNSON: Thank you. My question has been answered.

CHAIR PALTIN: Oh, your question was answered? Okay. Is there any further questions from the Members on the wording? And is...Public Works and Fire, they're...you already checked with them, and they're okay with that wording?

MR. PFOOST: Yes.

CHAIR PALTIN: Okay. Thank you. Did you also work on the 19.500.110(E)(2)(b)?

MR. PFOOST: Yes, we did.

CHAIR PALTIN: Okay. Let's see.

MR. PFOOST: And if you...if I may, I would like to read a revision to that section as well.

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CHAIR PALTIN: Just a moment. So, that would be on page 4 at the bottom of the CD1 version. Everyone there...page 4 at the bottom? We're looking at 19.500.110.E(2)(b), bottom of page 4. Okay. Go ahead, Mr. Pfof.

MR. PFOF: The same with the last change. This change is the context remains the same, but more...providing more clarity. And if I may, I think it's easier if I just read the revised section. We're basically striking the first two sentences and revising it to read: "As determined necessary to improve public safety, the Fire Chief may require the relocation of an area of nonconforming use to a more suitable portion of a lot or structure. The property owner bears the burden of proof to establish that a structure or use area will not increase a nonconforming use. Evidence supporting the property owner's burden of proof is subject to review and approval by the Director."

CHAIR PALTIN: If you could read it one more time a little slower for our Staff?

MR. PFOF: Sure.

CHAIR PALTIN: Thank you.

MR. PFOF: So, basically if I can...the whole section is revised to read as follows: "As determined necessary to improve public safety, the Fire Chief may require the relocation of an area of nonconforming use to a more suitable portion of a lot or structure. The property owner bears the burden of proof to establish that a structure or use area will not increase a nonconforming use. Evidence supporting the property owner's burden of proof is subject to review and approval by the Director."

CHAIR PALTIN: Okay. And we will also...if you can send that to us...upload it to Granicus.

MR. PFOF: Will do.

CHAIR PALTIN: Okay. Members, any questions on this portion. I think...remember...oh, go ahead, Chair Lee.

COUNCILMEMBER LEE: I was just wondering if there is an appeal process. Can the homeowner appeal to the BVA?

CHAIR PALTIN: Mr. Pfof?

MR. PFOF: Yes, they should be able to do that because Director positions are...Director...Director decisions are appealable to BVA. So, that should occur, yes.

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COUNCILMEMBER LEE: Okay. All right. Thank you.

CHAIR PALTIN: Okay. And this is kind of...oh, go ahead, Member Sinenci, and then Member Kama.

COUNCILMEMBER SINENCI: Thank you, Chair. I was just curious, Mr. Pfof, what would be an example for the Fire Chief to relocate the nonconforming structure?

CHAIR PALTIN: Mr. Pfof?

MR. PFOF: That's a good question. I'm...I want to...I'm hesitating, and want to refer this to the Fire Chief. I think it's just an mirror in regards to any kind of safety issue related to the specific use within that structure. This falls into the use section of nonconforming uses, so if that use presents a problem to a neighboring use or its location on the property, the Fire Chief may want to move that use to a different location on the property.

COUNCILMEMBER SINENCI: Would it...just a follow up, Chair. Would it include an increase of costs potentially?

MR. PFOF: Potentially, it may. Yes.

COUNCILMEMBER SINENCI: Okay. All right. Thank you. Thank you, Chair.

CHAIR PALTIN: Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, as the...the homeowner has the opportunity for an appeal with the Planning Department, did they get that same appeal with Fire if they disagree with Fire, or is that nonnegotiable?

CHAIR PALTIN: I guess that would be a question for Captain Vaas. Captain Vaas, are you on?

MR. PASCUAL: Chair, I apologize. Fire Captain Vaas does not appear online. We're reaching out to him to see if he can join.

CHAIR PALTIN: Maybe Corporation Counsel is aware. If somebody wants to appeal the Fire Chief's decision, is that something that you could go to the BVA about?

MS. DESJARDIN: Thank you, Chair. I believe so, but I will check and let you know if that's not true.

CHAIR PALTIN: Okay.

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COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR PALTIN: Sure. Any further questions? I mean I don't know that the BVA would feel comfortable going up against the Fire Chief because I imagine that he would have reasons. But this isn't in the structure portion, it's the use portion. And then I don't know if Board of Variance and Appeals determines the use. You don't know, yeah, Jordan? To the rescue. Executive Assistant, Mr. Jordan Hart, out of the Office of Recovery.

MR. HART: Chair, thank you. These types of decisions would be appealable, similar to any other call or enforcement action that the Director of Planning would do.

CHAIR PALTIN: The decision of the Fire Chief is appealable to the Board of Variances and Appeals for a nonconforming use?

MR. HART: Let me...let me confirm Fire. I believe Fire is, but let me confirm that. But the decision...like use determination by the Planning Director are standard.

CHAIR PALTIN: Okay, thank you. Does that satisfy? I guess we just got to confirm that Fire's decision is appealable to the BVA. So, when we get the answer we'll come back to you. Did anyone else have any questions on this amendment? Okay. So, we can start with motions, or if Members choose--I know Member Cook had an amendment--did we want to go over the amendment before we start making the motions, or did we want to start with the motions? Go over it? Okay. Member Cook, if you wanted...I know Staff has your amendment ready to distribute. If you wanted to just explain for us your amendment, and they'll distribute and upload--and I think it's already uploaded, if Members want to refresh that...or online, refresh their Granicus. But it should have been uploaded when we gaveled in, and it's being distributed in the Chambers. And as soon as Member Kama gets her version, Member Cook can go ahead and explain what he did here.

COUNCILMEMBER COOK: Okay. Thank you, Chair. So, my motion is basically to amend Bill 105 (2024) by inserting some...by inserting Subsection 19.500.110(G) to read as follows: In paragraph (G), where it says nonconforming transient vacation rental uses, except...it uses exception...notwithstanding Subsection E, nonconforming transient vacation rental uses that were discontinued for 12 consecutive months or more because of [sic] the transient vacation rental was within a structure that was damaged or destroyed in an emergency or disaster may not be resumed. And then in the bold type is my...is the addition modification. "This Subsection does not apply to nonconforming transient accommodations occupied by the owner. For the purposes of this subsection, "transient accommodations" has the same meaning as in section 237D-1, Hawai'i

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Revised Statutes.” So, in summary, Chair, it is addressing the owner-occupied bed and breakfast-type occupancy that we had testimony on at our last meeting.

CHAIR PALTIN: Thank you. And I did pull up 237D-1, definitions. So, in case anyone was concerned of what 237D-1, Hawai‘i Revised Statutes meeting...or means, it says transient accommodations means the furnishing of a room, apartment, suite, single-family dwelling, or the like, to a transient for less than 180 consecutive days for each letting in a hotel, apartment hotel, motel, condominium, or unit as defined in Chapter 514B, Cooperative Apartment Dwelling Unit or Rooming House that provides living quarters, sleeping or housing accommodations, or other place in which lodgings are regularly furnished to transients. So, this is number 45 in your Granicus. I’ll open the floor up to any questions for Member Cook or any of our resources. Ms. DesJardins, did you want to say something?

MS. DESJARDINS: Thank you, Chair. Just getting back to the BVA issue, the code does provide that these types of decisions would be reviewed by the BVA. So, that’s a go. And then just to let you know that as far as the language in the amendment summary form that was just written, our department does support that amendment. Thank you.

CHAIR PALTIN: Thank you. Do any of the Members have any issue with the amendment as written by Member Cook? I do not have any issue, and since it uses my word and that my...my amendment and then adds on to it, I would be willing to withdraw my amendment in favor of this amendment because it’s the same, but it’s just...tacks on extra words. Okay. I just had one last issue I wanted to clarify before we make the motion, and it’s great that Mr. Hart is here. I had seen him mention this to some of the planning commissions, and I just wanted to make sure that everyone understood that the emergency proclamation or the disaster declaration has to be one in which there was damage. You know, earlier...prior to the fire, there was like an emergency proclamation on housing crisis, or an emergency proclamation on houselessness, or whatever. Those aren’t the types of emergency proclamation that this bill would apply to. Correct, Mr. Hart?

MR. HART: The intent was for disasters that resulted in significant property damage.

CHAIR PALTIN: So, if I just...if I was the Mayor, the Governor, and I said housing is in an all-time bad...I’m going to declare an emergency proclamation on a housing crisis, unless there was actual damage that occurred, this wouldn’t apply. So, just wanted to clarify that. Any questions, Members? Okay. We can start making motions at this time if Members are ready. Okay. Did anyone want to check in with Public Works? Is Mr. Molina on the line? Okay. Let’s just check in with him because he’s the one that raised the issue with the previous wording. Director Molina, are you online? Did you hear the...

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MR. MOLINA: Yeah. Hi, good morning.

CHAIR PALTIN: Good morning. Did you hear the rewording Mr. Pfof proposed? Is that better for your needs?

MR. MOLINA: Yeah. Appreciate Planning Department coordinating the meeting to work out the language with us. We have no objections. Thank you .

CHAIR PALTIN: Okay, thank you. And then a correspondence was sent out to request how does the Department envision the permit review process would be modified for applications dealing with the repair or reconstruction of nonconforming structures under the proposed Bill 105. Have you given thought to how you would implement this bill?

MR. MOLINA: Yeah. Thank you. The bill doesn't affect how Public Works and DSA does the Building Code review, so that wouldn't have an impact. Your second question about modifying MAPPS. We don't think there necessarily needs to be any changes, but we would consult with Planning if they felt that we need to change any of the work flows in MAPPS to accommodate this. So, I'm open to working with Planning to make this work. Thank you, Chair.

CHAIR PALTIN: Thank you. Members, just based on that follow up from the last meeting, I will open the floor to any questions for the Director. Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, I just wanted to ask Mr. Molina, in the implementation of this particular bill, do you find any difficulties that might occur as you implement this unit-by-unit, or home-by-home?

MR. MOLINA: We...that would be hard to anticipate. Each site is going to be in a unique circumstance to make all these requirements fit their project. So, it's really hard to say what...what might be the impact. The hardship is going to be more on the property owner to figure out what makes sense for them within the confines of this regulations. But, for our Building Code review, yeah, we don't anticipate any challenges. Thank you.

COUNCILMEMBER KAMA: Thank you. Chair, if I may?

CHAIR PALTIN: Go ahead.

COUNCILMEMBER KAMA: So, if the challenge actually becomes on the homeowner's side, do we have anything in place to support the homeowners as they go through this, I guess, transition?

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CHAIR PALTIN: From what I heard from Planning, they already have about 15 to 30 applications of nonconforming structures, and they've begun to review them. I think there's a lot of unknowns.

COUNCILMEMBER KAMA: Yeah.

CHAIR PALTIN: But Mr. Pfof, are you aware of any situations matching to what Member Kama said, where applicants may need assistance?

MR. PFOF: I think with all the nonconforming situations, there will be assistance provided by the Planning Department. Because it's going to be working out some nuances of, you know, verifying the nonconformity, and really working with them one-on-one. So, it's going to be that kind of level of helping assistance.

COUNCILMEMBER KAMA: So, how much capacity does the Planning Department have to be able to assist all of these homeowners as they go through their own individual processes that might be a little bit more complicated than the next person or the next person?

MR. PFOF: I think at this moment, we do have the capacity to do that. It's going to be...you know, as we've been seeing building permits coming in, it hasn't been an onslaught. So, it's been kind of a steady progression, so we've had the ability to review those, as well as with 4LEAF. Naturally, when those nonconforming situations come to 4LEAF's attention, they will go to the Planning Department, so then we will then take over that role in looking at that specificity. But I think we have that capability to be doing that right at this moment.

COUNCILMEMBER KAMA: Okay.

MR. PFOF: So, I don't think that's a struggle at this point.

COUNCILMEMBER KAMA: So, do you have a sense of what that timing might be in terms of how you are going to support or assist this family, or that family, or the next family?

MR. PFOF: I know as the Chair mentioned, we do have some property owners that are awaiting this bill, hopefully to see it passed, so that they can move forward. We've been working with them already. So, you know, our goal, as always, with the disaster recovery is to move these permits through as quick as we can. So, I don't really see a struggle with that, it's just a matter of verifying a nonconformity is going to be the issue. And I know we've been working with property owners on doing that as of right now, so...

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CHAIR PALTIN: There's also some folks that are waiting to draw their plans until the bill passes second reading because each iteration of the plans costs money. So, you know, with the two-year deadline, for insurance to not have capital gains or whatever, and this bill passing probably second reading, March 21st or so, it's a little bit of a tight schedule for them. But some folks didn't feel comfortable moving forward without the certainty that this bill would pass because if they have to change their drawings, every change costs money. So, as it moves forward to first and second reading, I think they'll be gearing up more people who have like...you know, I think this one individual I'm speaking with, it's a setback issue in the Mill Camp area. They just want to put their house orientation back to where it was, and they had a five-foot side yard setback instead of a six-foot side yard setback. So, they haven't started their drawings yet with their design professional. So, I think they have like between 15 and 30 right now that they've previewed, and then maybe the rest of the people want that confirmation that this bill passes before moving forward. So, it depends on how fast all the design professionals move from March 21st on. Is...March 21st is our target date to get through second reading. Any further questions for the...Committee Vice-Chair U'u-Hodgins, followed by Member Cook.

VICE-CHAIR U'U-HODGINS: Thank you. Now that we're talking about fees, I do have another question. Can you please remind me about the fee schedule with Planning? As you are working with the individual to figure out what works best for their confirming, nonconforming, do they have to pay a fee for every additional review, or is that like just SMA? Can you remind me? I forget what that's like.

CHAIR PALTIN: Mr. Hart?

MR. HART: Chair, thank you. The Planning Department does have a resubmittal fee.

VICE-CHAIR U'U-HODGINS: Yeah.

MR. HART: But in practice, it's rarely used.

VICE-CHAIR U'U-HODGINS: Okay.

MR. HART: It's more reserved for when somebody is really being belligerent, it could be pulled out.

VICE-CHAIR U'U-HODGINS: Got it.

MR. HART: But in my time, at ZAED it was actually never invoked. Thank you.

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VICE-CHAIR U'U-HODGINS: Okay. I appreciate that answer. I was just trying to make sure that as we're trying to navigate through this, they're not just getting assessed a fee every time. Thank you for that. Thanks, Chair. That's all I have.

CHAIR PALTIN: Thank you. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. Mr. Pfof, the types of nonconforming...there's hundreds of homes that potentially could...this could impact. But as far as the variety of nonconforming issues, this is principally going to be setback, height, location-type things? Are there going to be any other kind of like really nuanced aspect of nonconforming, or is it mostly lot placement?

CHAIR PALTIN: And to clarify, you're talking about the structure, not the uses?

COUNCILMEMBER COOK: Correct.

MR. PFOST: Yeah, I believe it...most of it is going to be setback-related. There was a table in the report that I prepared, or the response letter, just some questions, and identified some of the differences you'll see between the 1960 Zoning Code and the current Zoning Code, and there are differences in setback standards. So, we anticipate it mostly setback, not as much height. The height's pretty generous in our Residential Zoning district. I know of one, for example, that there was a driveway entrance configuration issue, and so, I know that's a nonconforming situation that's currently pending. Somebody wants to keep their driveway the way they had it, so it's a nonconforming situation. So, those would be unique situations, but I believe most of them would probably be setbacks, I'm sorry.

CHAIR PALTIN: Continue.

COUNCILMEMBER COOK: Do you foresee many nonconforming use issues? That's a different flavor.

MR. PFOST: That is a different flavor, and we weren't...I'm not aware as...exactly of too many of them. I was aware...I think I pointed out also in that same letter that where churches may be operating, or have been operating, without a SUP. They are technically nonconforming. We would not require them to get a SUP, but they could, with this bill, move forward. Regarding other use...I gave an example of any type of maybe a retail structure that may be located in a Residential Zone that has been there a long time. Those are the uses that I kind of envisioned, more probably closer around Front Street in that area and the older areas, that there may be a use in a district that wasn't permitted...but I can't think of any off hand. So, I don't anticipate a lot of those, but we wanted to put that in there just in case.

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COUNCILMEMBER COOK: Thank you. I was just...I think that helps put in perspective the burden on the staff that potentially could occur from this. It's like there may be a rather repetition and it's processible, so...

MR. PFOST: Yeah. And I think the benefit of again, having 4LEAF on board as well as them being able to take a lot of the work and doing a lot of that work upfront. And so, that leaves a lot of our...time for our staff to be able to deal with these kind of special issues as well.

COUNCILMEMBER COOK: Thank you, Chair.

CHAIR PALTIN: Thank you. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. So, I'm just wondering, would we have to do any kind of revisions to Exhibit "B" in our budget document for our fees based upon this?

MR. PFOST: No, I don't believe there should be any changes necessary to fees-related structure. No.

COUNCILMEMBER SUGIMURA: Oh, good. Okay.

CHAIR PALTIN: I had a question about the Jodo Mission. So, the...it looked as though the church part was right near to the shoreline, and I'm not sure how the shoreline setback would affect all the other setbacks. But when we changed the zoning and the community plan for Grace Baptist Church, it was because they didn't want to build back the same exact structure and footprint they had. Because their church was over 50 years old converted, and if their church burned to the ground, they wanted to be able to build the church of their dreams. So, if Māla is unable to go back to their original footprint because of shoreline setback, or it's just not maybe a great idea to build right so close to the ocean, could they still benefit from this Bill 105, or would they need a CPA, CIZ as well? Mr. Hart.

MR. HART: So, thank you, Chair. So, there's distinct...there's nonconformities in the Zoning Code, and there's nonconformities in the shoreline rules, and they're exclusive.

CHAIR PALTIN: Oh.

MR. HART: But there can be overlaps. So, like the use for the Jodo Mission, for example, would be the Title 19 nonconformity. The shoreline setback issue...I'm not going to say that they have a nonconforming status, but like that's its own thing, especially for existing legal structures. But, they'll just have to evaluate, you know, as they go through the process what the best steps are for them. And

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then I would point out though too, that once...once you complete a change in zoning, for example, and a community plan amendment to allow the thing that you proposed to do, the nonconformity...it evaporates basically.

CHAIR PALTIN: So, the belief is that the nonconformity for Jodo Mission is in the use, and not so much the structure. And if they move the use to a different location on the property, it could be okay? If they move it forward out of the shoreline or something like that, it would be okay? Because it doesn't increase the nonconformity. It was a church. They were using it as a church. They're still going to be using it as a church.

MR. HART: So, I don't know...I don't know enough about the site right now to...whether or not any structure exists. But let's say there were structures, and you were trying to determine if they were nonconforming. You would do one pass interpreting nonconformity on the Zoning Code, and then a different pass interpreting nonconforming status on the SMA level.

CHAIR PALTIN: So, we may need to come back for Jodo Mission possibly...depending?

MR. HART: The nonconformities are going to be exactly what they are. So, let's say any property owner that you're dealing with in the special management area, in order to get a development permit, you have to do a land use analysis. And the thing that you're proposing to do, structure and use, needs to be permitted in all the land use layers that you have. For the nonconformity aspect, Title 19 that we're dealing with right now, if the Planning Department got the application, they can say okay, yes, for this use, it's permitted. But it's only going to be whatever that thing is that they prove existed in the records, and that's it. So, it's...it is...on the one hand, it allows a whole lot of flexibility because you're not being required to run through other processes; but on the other hand, it's only exactly what was going on legally prior. If you did a land use designation change to Public/Quasi-Public for example, P-2, now anything that's permitted within that zoning district, including uses and scale, subject to whatever community plan or other regulations exist, you could do all of that, but you could qualify for a development permit for all of that that the Planning Commission would review. So, they would have more flexibility and options if they did the land use designation changes. But this was viewed as a relief valve basically, you know, like there's no way of knowing all these people who may come in because you can only really understand what the status is when they file their application. Then you start to really look at it and you say, okay, well, you can't do this for some reason. Because the schedule of the event, our existing Code would time all these people out before they would even be coming in for building permits. So, they would come in and say I want a build what we have, and we would say, well, 12 months has already passed, so you're gone already. So, this extends, but it's just

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an option to keep those scenarios valid when they file. And we won't know what they are until they actually are in.

CHAIR PALTIN: So, in other words, if this doesn't work, or the time frame doesn't work, then we may, down the road, do a CIZ, CPA, depending on if the use or the structure is wanted back in where...similar to where it was?

MR. HART: So...so, there's been some discussion during this proceedings about how the existing nonconformity section is written for attrition. And that would be basically like under normal circumstances, the expectation is that you either do the permit land use designation changes, or eventually the use goes away and you match your land use designation. So, permitted designations are always in the background, and more recently the Council's been assisting property owners and organizations more frequently than had happened in the past. So, that's...that would be the ideal resolution, is that you zone the property appropriate for its surrounding, you know, uses, and to recognize any proposed uses. But in order...in the event that that's not able to be mobilized in time, this would be the option to assist.

CHAIR PALTIN: Okay. Thank you. Members, any further questions about any of this? Because it is a complex subject, as we make the motions, if something comes up question-wise, I'll allow it just because it's pretty complex, and we don't know all the things that we don't know. Oh, Member Kama.

COUNCILMEMBER KAMA: Chair, I don't have any questions, and I understand the complexity of the issues, so I'm kind of glad we're going to let the Planning Director handle those things, let Fire Department handle those things. And then the things that they can't handle, hopefully they'll come back to us and say, hey, we need a policy amendment or change or something like that. But I'm ready, Chair.

CHAIR PALTIN: Okay. Let's just do a last call for Captain Vaas. Did he come on?

MR. PASCUAL: Apologies, Chair. Captain Vaas is not online.

CHAIR PALTIN: Okay. Shoot, this was his opportunity to tell us if he was okay, but I guess speak now or forever hold your peace. Because I really don't want to re-commit this after first reading unless Chair Lee lets us do work on the Council floor. But we gave him an opportunity to speak on the amendment, so hopefully they're okay with it, that's why they didn't come.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

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CHAIR PALTIN: Yeah, but I don't want to re-commit because I let folks know March 21 should be the date. And so, then they're getting their resources lined up. Okay, so my recommendation is passage of Bill 105. So, the Chair will entertain a motion to recommend passage of Bill 105 (2024) on first reading.

VICE-CHAIR U'U-HODGINS: So moved.

COUNCILMEMBER JOHNSON: Second.

CHAIR PALTIN: Moved by Member U'u-Hodgins, seconded by Member Johnson. The Chair will next entertain a motion to substitute Bill 105 with the proposed CD1 version posted on today's agenda.

VICE-CHAIR U'U-HODGINS: So moved.

COUNCILMEMBER JOHNSON: Second.

CHAIR PALTIN: Moved by Member U'u-Hodgins, seconded by Member Johnson. Any discussion? Member U'u-Hodgins

VICE-CHAIR U'U-HODGINS: Happy to support, Chair. Thank you for all your hard work on this. And thank you for all of our departments' hard work in explaining . . . *(laughing)* . . . what this means to us. I appreciate your entertaining of all of our questions. Thank you.

CHAIR PALTIN: Thank you. Member Johnson, any comments?

COUNCILMEMBER JOHNSON: Sure. Thank you, Chair. And thank you for working with...on this bill with so many departments and so many people involved. I think that's a sign of a good bill when we're kind of discussing the smaller details, not the overall big bill. And I think that's great because we did a lot of work with the departments, and I think that's how good legislation is made as they get them on board. So, thank all of the departments and everybody who worked hard on this. Mahalo, Chair.

CHAIR PALTIN: Thank you. Member Sugimura.

COUNCILMEMBER SUGIMURA: I just want to be sure that the CD1 version that we're voting on includes the amendments or the changes from Planning.

CHAIR PALTIN: Not yet. We're not there yet.

COUNCILMEMBER SUGIMURA: Okay, you have another one? Thanks.

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CHAIR PALTIN: Okay. And for my discussion, the CD1 version as it is incorporates the amendments from HLU, Chair Kama's ASF dated October 17th, 2024, which is on Granicus item number 19. It inserts the minor revisions Planning suggested in their October 23rd presentation on slide 7. That's Granicus attachment number 22. It amends the five-year time frame to reconstruct or reestablish a nonconforming structure or use to four years from the initial date of the Mayor's or Governor's emergency proclamation. It extends the time for nonconforming structures and uses that were affected by the August 2023 Maui Wildfire specifically to be reconstructed and reestablished until April 1st, 2029. Limits the authority of the Planning Director to grant a two-year extension of the deadline to complete the reconstruction or reestablishment of a nonconforming structure or use to properties within a historic district or within the special management area or both. It incorporates nonsubstantive revisions. And then we're going to have to do the two amendments to the CD1 version that Mr. Pfof recommended. So, we're two amendments deep. We'll have to take that...can we take case [sic] two amendments at the same time? Okay. So, if...if it's okay, Corp. Counsel, can I propose the amendment, and then Mr. Pfof read the exact wording, and then someone make that motion; is that okay? Okay. So, I propose that we amend 19.500.110(C)(1)(d)(ii) as follows. Mr. Pfof.

MR. PFOF: It shall read, "The repair or reconstruction is permitted in compliance with Title 16. The Fire Chief may require residential structures to exceed the standards of Chapter 16.08A by imposing the requirements of Chapter 16.25 and 16.26C, or portions thereof, as may be necessary to improve public safety."

CHAIR PALTIN: And Section 19.500.110(E)(2)(b) as follows?

MR. PFOF: "As determined necessary to improve public safety, the Fire Chief may require the relocation of an area of nonconforming use to a more suitable portion of a lot or structure. The property owner bears the burden of proof to establish that a structure or use area will not increase a nonconforming use. Evidence supporting the property owner's burden of proof is subject to review and approval by the Director."

CHAIR PALTIN: So, the Chair will entertain a motion to make those amendments to the CD1 version.

VICE-CHAIR U'U-HODGINS: So moved.

COUNCILMEMBER COOK: Second.

CHAIR PALTIN: Moved by --

COUNCILMEMBER KAMA: Second.

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CHAIR PALTIN: -- Member U'u-Hodgins, seconded by Member Kama. Discussion?
Member Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you again to the departments for making this make
sense for everyone.

CHAIR PALTIN: Member Kama.

VICE-CHAIR U'U-HODGINS: I think Member Rawlins-Fernandez . . . *(inaudible)* . . .

CHAIR PALTIN: Oh, Member Rawlins-Fernandez, followed by Member Lee.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo to the
Planning Department and the Department of Fire and Public Safety for this better
language. I think the work that folks invested has gotten us to a much better
place, more clearer for the departments and more clear for the public, and I did
see Captain Vaas sign on.

CHAIR PALTIN: Thank you. Captain Vaas, we were just making the amendments that
we hear that Planning Department and you folks worked on. And we just wanted
to check in how you're feeling about the bill with all the amendments that you
guys worked on.

MR. VAAS: Yeah. I think collectively we came to an agreement. And so, unless
something changed in this meeting in the last hour or so, I think we're good with
that.

CHAIR PALTIN: Awesome. Thank you. Member Lee.

COUNCILMEMBER LEE: Thank you, Chair. And thank you everybody for all your hard
work. I am concerned...I just want to...for the record, I am concerned that this
measure gives extraordinary discretion to the Fire Department. And I'm worried
about that because, you know, really, the County is not known for its speedy and
expedited...you know, expeditious actions. I wonder if we shouldn't put a time
limit on this...on this decision because they can drag their feet forever and not
give an answer. So, I'm wondering if the time limit is appropriate. Thank you,
Chair.

CHAIR PALTIN: Thank you, Member Lee. Are you looking for a comment on that
discussion by Captain Vaas, or was it just comments?

COUNCILMEMBER LEE: Not so much from Captain Vaas. I mean from our group, you
know, what's a reasonable time to get back to somebody? So, that part...because,

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you know, if that...let's say it's unreasonable. They take a long time, they finally give an answer, and it's unreasonable. Then the homeowner has to go through this long process with the BVA. I mean this...you know, this happens on a regular basis with the County. I mean I'm not pointing any fingers to any particular person, but this is the culture.

CHAIR PALTIN: Okay. I did see Member --

COUNCILMEMBER LEE: 30 days...30 days or something, you know...30 days.

CHAIR PALTIN: -- Rawlins-Fernandez's hand up, followed by Member Cook. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I hear Chair Lee's concerns, and yes, the County isn't known for its speediness necessarily. In this particular situation with nonconformities, if the Fire Department has concerns about the overall, you know, community safety regarding the reconstruction of a structure, I don't...if...I guess I would kind of trust the Department of Fire's opinion on, you know, like the overall safety of keeping the community from this happening again. And I don't know if, you know, we would want it to be exempted from...through the BVA appeals process. Because the concern is about the overall safety of rebuilding Lahaina. And so, if that's the concern, then, you know, going through the BVA to get that thing appealed, the decision appealed, then--the goal is to rebuild a Lahaina that's safer. And so, I almost feel like that would kind of be like counterproductive to the goal that we collectively are saying that we want seen happen. And then I guess I would like to hear what Captain Vaas has to offer in response to the comments about how, you know, quickly we could...our Department could do the review in order to expedite this process so that folks aren't waiting too long for County.

CHAIR PALTIN: Okay. I'll call on Captain Vaas, but I just did want to clarify that this bill doesn't only apply to the rebuild of Lahaina. It also would apply to a rebuild of Maui Island or Lānaʻi Island, as stated in the bill. If there were a disaster and a proclamation by the Mayor or Governor where there was damage and destruction...just so that people know that this bill goes beyond Lahaina for future disasters. But Captain Vaas?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that clarification, Chair.

CHAIR PALTIN: Sure. Captain Vaas, did you have any comments as to the time frame that the Department of Fire and Public Safety would take to make rulings? Because I guess, you know, we're trying to get people back to where they want to get to in a somewhat expected manner. So, any comment as to like if there is a

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need for a time frame, or how it would work under the implementation side on the Fire Department's end?

MR. VAAS: Sure. I think that's a very valid concern, especially since in good times, things weren't moving along as swiftly as we'd like them to. So, what I would say is that, you know, I appreciate you pointing out that these...you know, Kula is involved in this too, and anywhere else. As a matter of fact, I was--in the early days when we lost a house to fire, any individual home, I was calling around to the departments saying hey, can we put this thing on fast track? Number one, for the demo permit to remove the hazard; and number two, to get these people back in their home. Every department agreed to put this on top of the pile. So, if the best thing would be for these homeowner applicants that we advise them that they come to us to consult prior to permitting--and again, most of my focus is, are you building too close to your neighbor? We have about...I'd say two or three options that they could implement that gets them out of that predicament with us. Now, if none of those options work for them, or if the expense is that such it doesn't work for them, yes, things could drag on. But I will do my very best to respond to anyone who comes to us with this within a week to answer their questions. And if it's a permit, I will make sure it gets expedited and reviewed in that 15-day mark. Now, a lot of times people like to say the departments are slow. But in my experience here, what's been slow is the responses from the applicants. They don't know how to communicate that issue or if they need to reach out to other resources. So, we try to be as clear as we can. Here's what you need to do. If you do this, you pass go. If you don't, you need to come to me with options. I'm still not closing the door, but I'll present you three options. If you don't like them, you hire a professional to come to me with something to entertain. That process can drag out. I agree that BVA is not always the best way to go because the final decisionmakers aren't experts in the field. But I hope that expresses to you that we have an urgency to help these people get back into homes, and to any victim who lost their house in the fire. And so, that'll happen here. You won't get slow service from the Fire Department, that's for sure. And I will do my best to bring the other departments in as well.

CHAIR PALTIN: Thank you, Captain Vaas. Member Cook, did you...or Member Rawlins-Fernandez and Member Lee, does that satisfy your comments and question?

COUNCILMEMBER RAWLINS-FERNANDEZ: That satisfies my question. Mahalo, Chair. That satisfies my question.

CHAIR PALTIN: Sure. Member Lee?

COUNCILMEMBER LEE: I'd hate to slow up our process, so I wouldn't want to start another long discussion on how long they should have to respond. But if it's...if

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it becomes a situation where the departments take too long, we're going to have to revisit this ordinance. And so, the other thing is, this is...this is related because it has to do with timing and exemptions. But Chair, you were at the press conference where exemptions were established or proposed for the historic district SMA?

CHAIR PALTIN: I think it was just the SMA, and that proposal was through an emergency proclamation process. And so, I think at the State Legislature right now, they're working on legislation. Because if you remember the emergency proclamation process for, I believe, Kahoma Villages, it's just a way to get people started.

COUNCILMEMBER LEE: No, okay, but... Right.

CHAIR PALTIN: But they have to actually change the law.

COUNCILMEMBER LEE: Yeah, okay. So, I just wanted to make sure that they use as much time and analysis that we're applying to this situation for that exemption, which is a major exemption as well. Okay. Thank you.

CHAIR PALTIN: Yeah, it's...there's a few bills at the State Legislature, and I'll reserve comment on what they do at that building because that's...I'll just...

COUNCILMEMBER LEE: . . .*(laughing)*. . . Okay.

CHAIR PALTIN: I did have a follow-up question, though, for Captain Vaas. The Planning Department did comment that they're in possession of between 15 and 30--less than 60--permit applications for nonconforming. Have...they've been sharing that with you so that you can get a jump on this process? The 15 to 30 already in their possession of nonconforming permits?

MR. VAAS: I'm not aware that anything has been flagged as to nonconforming coming throughout because that's something I wanted to discuss with DSA, that...what is the awareness process?

COUNCILMEMBER LEE: See.

MR. VAAS: We just need to know...I mean this doesn't stop the bill from moving forward, but once this is adopted, we have to make sure that DSA says hey, this is a nonconforming, and then Fire would review it as to...or be told, what is the nonconformity? And like we said before, most nonconformities would be addressed by the regular review are a couple of these that we're thinking about, and then we could make sure we expeditiously review those.

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CHAIR PALTIN: Okay.

MR. VAAS: But yeah, we have to work that out on the back end, for sure. There's a conversation with DSA that we're going to have on adoption of this bill.

CHAIR PALTIN: Okay. So, just a heads up for Public Works and the Fire Department, Planning is in possession of 15 to 30 applications. We're anticipating hopefully second reading by March 21st, but feel free to work amongst yourselves on those 15 to 30 so there's no...it can be kind of seamless, hopefully. Just wanted to get that out there, that there's already a backlog--or I guess it's not a backlog until we pass the bill--but there's applications in already that the Planning Department, I believe, has possession of. I don't know if it can upload to MAPPS and DSA and Fire can review simultaneously, or...I guess you guys need to work out that implementation amongst yourselves. But, you know, our communities are counting on you, so let's, um...treat it with urgency. Okay. So, we were on the amendments that Planning and the Fire Department worked out that DSA and Corp. Counsel like, and we are wrapping up our discussion. Did anyone have any burning discussion before we take the vote on that amendment? Okay, all those in the favor of the amendment as read by Mr. Pfast, and moved by Member U'u-Hodgins and seconded by Member Kama, raise your hand and say "aye."

COUNCILMEMBER LEE: Aye.

COUNCILMEMBERS: Aye.

CHAIR PALTIN: That passes unanimously.

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CHAIR PALTIN: Member Sugimura.

MS. NAKATA: Thank you. And this is a motion to amend the motion to substitute.

CHAIR PALTIN: Correct.

MS. NAKATA: Thank you.

MR. PASCUAL: Chair, I apologize. This is Staff. Could this motion also include an amendment to Section 2 of Bill 105 to read as follows: "A. Nonconforming lots, structures, and uses may continue subject to the provisions and conditions of Subsection 19.500.110(B), (C), (D), (E), and (G), respectively."

CHAIR PALTIN: Is that okay with the movant?

COUNCILMEMBER KAMA: I'm fine with that . . .*(inaudible)* . . .

CHAIR PALTIN: And the seconder? Okay, it includes that. And Mr. Pascual, did you want to explain why that is needed to the Members?

MR. PASCUAL: This will just incorporate the new subsection that's being inserted with Member Cook's ASF. Thank you.

CHAIR PALTIN: Members, any further discussion on the amendment as amended of the main motion as substituted?

COUNCILMEMBERS: . . .*(laughing)* . . .

COUNCILMEMBER KAMA: I'm really pleased that we're able to respond immediately to members of the public that come and say, this is my situation--and I'm sure there's others--and is there something you all can do about it? And I'm very happy that Member Cook agreed to put it together. So, thank you.

CHAIR PALTIN: Thank you for doing the work, Member Cook, that we all didn't want to do. Member Sugimura, any discussion? Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I'll support the motion. And mahalo, Member Cook, for working on that amendment. I just...in response to Member Kama's comments, I just wanted to add the caveat that it doesn't guarantee that it...you know, those that came before us will be approved. They still have to go through the review process and, you know, get approved. So, this amendment doesn't guarantee that, you know, the operations will continue, it's just...it won't be a hinderance to it. Mahalo, Chair.

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CHAIR PALTIN: Thank you. Any further discussion on the amendment as amended? Okay. All those in favor, raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

CHAIR PALTIN: The...that amendment passes unanimously.

VOTE: AYES: Chair Paltin, Vice-Chair U‘u-Hodgins, and Councilmembers Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: Recommending APPROVAL of substitution

CHAIR PALTIN: Oh, I see the rest. I didn’t turn the page, that’s why Jarret had to step in. Okay. Members, any further amendments you wish the body to consider? Seeing none. Any further discussion on the main motion as amended?

MR. PASCUAL: Chair, I apologize. I think we’re on the motion to substitute as amended.

CHAIR PALTIN: Oh, okay. Any discussion on the motion to substitute as amended? All those in favor, raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

CHAIR PALTIN: The motion to substitute as amended passes unanimously.

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VOTE: **AYES:** **Chair Paltin, Vice-Chair U‘u-Hodgins, and Councilmembers Cook, Johnson, Kama, Lee, Rawlins-Fernandez, Sinenci, and Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **Recommending APPROVAL of substitution, as amended**

CHAIR PALTIN: And now we’re on the main motion as amended. Any discussion on the main motion as amended? Oh, Member Sinenci, go ahead.

COUNCILMEMBER SINENCI: Thanks, Chair. I too just wanted to thank and appreciate all the work that your Staff and the departments have put on it, and happy to support in the road to recovery. Mahalo.

CHAIR PALTIN: Thank you, Member Sinenci. And I also want to thank the Committee Staff. They put in a lot of hours on this behind the scenes. So, thank you so much to all our Committee Staff, and all the departments for working with them, Corp. Counsel and our...Corp. Counsel pinch-hitter First Deputy. So, with no further ado, we’re on the main motion. All those in favor, raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. The main motion as amended passes.

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VOTE: **AYES:** **Chair Paltin, Vice-Chair U‘u-Hodgins, and
Councilmembers Cook, Johnson, Kama,
Lee, Rawlins-Fernandez, Sinenci, and
Sugimura.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: Recommending **FIRST READING** of Bill 105, CD1
(2024) by C.R.

CHAIR PALTIN: And it’ll continue on to first reading likely March 7th, with second reading at March 21st. This concludes Disaster Recovery, International Affairs, and Planning Committee meeting. Thank you very much, everyone. The time is now 10:12. This meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 10:12 a.m.

drip:min:250211_r:ta

Transcribed by: Terianne L. Arreola

**DISASTER RECOVERY, INTERNATIONAL AFFAIRS,
AND PLANNING COMMITTEE MINUTES
Council of the County of Maui**

February 11, 2025

CERTIFICATION

I, Terianne L. Arreola, hereby certify that pages 1 through 28 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 5th day of March 2025, in Makawao, Hawai'i.



Terianne Arreola