

DRIP Committee

From: Gregory J. Pfof <Gregory.J.Pfof@co.maui.hi.us>
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To: DRIP Committee
Subject: Revised Text for Bill 105 read into record today
Attachments: Bill 105 draft revisions 02102025.docx

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Bill 105 – Draft Changes to CD1 Version – Reviewed by Planning, PW, Fire
(~~strikethrough~~ for text removed, and **bold underline** for text added):

*“(C)(1)(d)(ii). The repair or reconstruction is permitted in compliance with title 16., except that for residential projects, the fire chief may require compliance with chapters 16.25 and 16.26C, or portions of those chapters as may be necessary to improve public safety. **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.**”*

*E.2.b. The structure, may, with a permit in compliance with title 16, be repaired, reconstructed, expanded, renovated, or altered in a manner that does not increase the nonconforming use. The nonconforming use may be relocated in an equal proportion on the lot, or within a structure, as recommended by the fire chief to the director to improve public safety. **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 ~~the~~ a structure **or use area** will not increase ~~the~~ **a** nonconforming use. Evidence supporting the property owner’s burden of proof is subject to review and approval by the director.*