

Disaster Recovery, International Affairs, and Planning Committee (2025-2027) on 2025-02-11 9:00 AM - Reconvened from 02/05/2025 at 1:30 p.m.

Meeting Time: 02-11-25 09:00

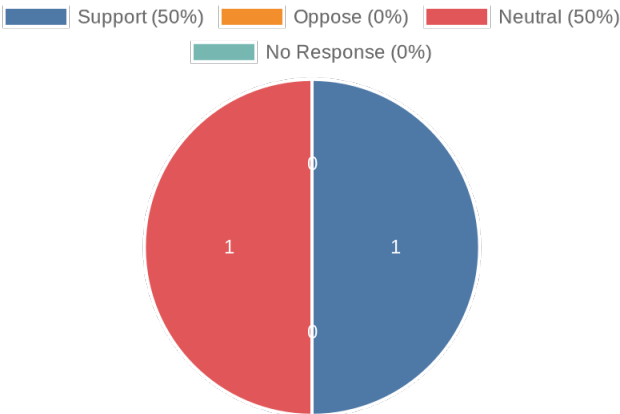
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Disaster Recovery, International Affairs, and Planning Committee (2025-2027) on 2025-02-11 9:00 AM - Reconvened from 02/05/2025 at 1:30 p.m.	02-11-25 09:00	2	2	1	0	1

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



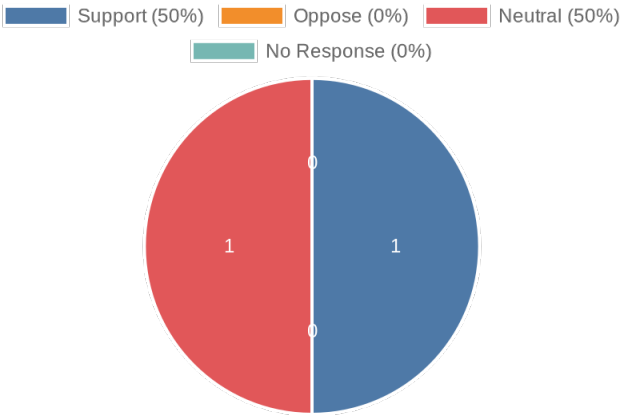
Disaster Recovery, International Affairs, and Planning Committee (2025-2027) on 2025-02-11 9:00 AM - Reconvened from 02/05/2025 at 1:30 p.m.
02-11-25 09:00

Agenda Name	Comments	Support	Oppose	Neutral
Bill 105 (2024) DRIP-4 BILL 105 (2024), AMENDING SECTION 19.500.110, MAUI COUNTY CODE, REGARDING NONCONFORMITIES	2	1	0	1

Sentiments for All Agenda Items

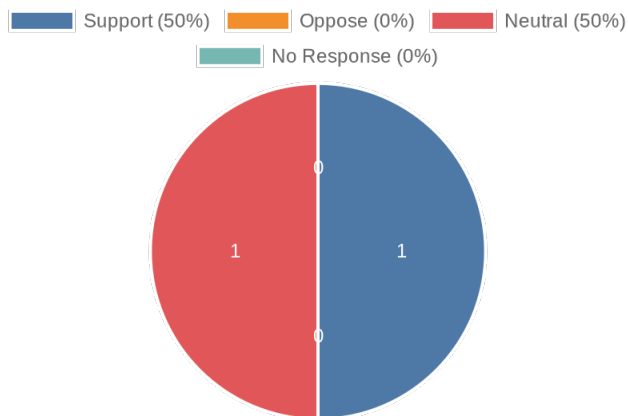
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Overall Sentiment



Agenda Item: eComments for Bill 105 (2024) DRIP-4 BILL 105 (2024), AMENDING SECTION 19.500.110, MAUI COUNTY CODE, REGARDING NONCONFORMITIES

Overall Sentiment



Thomas Croly

Location:

Submitted At: 9:18am 02-11-25

Proposed amendment to Committee Chair Paltin's ASF:

"G. Nonconforming transient vacation rental uses: exception. Notwithstanding subsection E, nonconforming transient vacation rental uses taking place on non owner occupied properties, that were discontinued for 12 consecutive months or more because the transient vacation rental was within a structure that was damaged or destroyed in an emergency or disaster, may not be resumed."

Jonathan Helton

Location:

Submitted At: 2:28pm 02-10-25

Please see attached.

Also this article that appeared in the print edition of the Maui News:

<https://www.grassrootinstitute.org/2025/01/bill-105-would-help-restore-lahainas-unique-old-charm/>

Feb. 11, 2025, 9 a.m.

Council Chamber, Kalana O Maui Building

To: Maui County Council Disaster Recovery, International Affairs and Planning Committee

Tamara Paltin, Chair

Nohelani U'u-Hodgins, Vice-Chair

From: Jonathan Helton, Policy Researcher

Grassroot Institute of Hawaii

RE: Bill 105 — A BILL FOR AN ORDINANCE AMENDING SECTION 19.500.110, MAUI COUNTY CODE, REGARDING NONCONFORMITIES

Aloha Chair Paltin, Vice-Chair U'u-Hodgins and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [Bill 105 \(2024\)](#), which would modify how nonconforming structures and uses can be rebuilt or restored after being destroyed by a natural disaster.

In particular, the bill would provide a five-year window during which nonconforming structures and uses could be restored, under certain conditions. The Maui planning director could extend that window an additional two years if the building owner were to demonstrate good cause that the extra time is necessary.

The Maui County Code currently requires that any structure 50% or more destroyed must be rebuilt under existing zoning codes, with limited exceptions for historic properties and certain multifamily dwellings. Likewise, nonconforming uses cannot be restored in a structure if they have been discontinued for 12 or more consecutive months.¹

These standards obviously present a major challenge to Maui residents attempting to rebuild the devastating wildfires of Aug. 8, 2023.

¹ Kate Blystone, "[A Bill For an Ordinance Amending Section 19.500.110, Maui County Code, Regarding Nonconformities](#)," Memo to the Maui, Molokai and Lanai Planning Commissions, Feb. 21, 2024.

For example, restoring Lahaina’s community-focused and walkable town center will not be possible without zoning changes such as the ones proposed in this bill.

After Hurricane Iniki struck Kauai in 1992, the Kauai County Council adopted an ordinance similar to this bill to foster the reconstruction of nonconforming structures and reinstitution of nonconforming uses.²

Grassroot’s recent policy brief, “[Six ways to speed up the recovery and rebuilding of Lahaina](#),” addresses Bill 105 (2024) in detail and discusses other strategies the Council could use to reduce barriers to rebuilding in Lahaina.

We would welcome further dialogue about this issue.

Thank you for the opportunity to testify.

Jonathan Helton
Policy Researcher
Grassroot Institute of Hawaii

² “[Iniki exceptions OK’d by Council](#),” Honolulu Advertiser, Feb. 11, 1993.