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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

February 26, 2020

Director of Council Services  
Traci N. T. Fujita, Esq.

RECEIVED

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OFFICE OF THE  
COUNTY CLERK

The Honorable Alice L. Lee  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair Lee:

SUBJECT: **MORATORIUM ON TRANSIENT  
ACCOMODATION PERMITS ON LANAI** (PAF 20-  
004)

May I request the attached proposed resolution, entitled "REFERRING TO THE LANAI PLANNING COMMISSION A PROPOSED BILL TO ESTABLISH A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in cursive script that reads "Riki Hokama".

RIKI HOKAMA  
Councilmember

paf:alkl:20-004f

Enclosure

COUNTY COMMUNICATION NO. 20-193

# Resolution

No. \_\_\_\_\_

REFERRING TO THE LANAI PLANNING  
COMMISSION A PROPOSED BILL TO  
ESTABLISH A MORATORIUM ON TRANSIENT  
ACCOMMODATION PERMITS ON LANAI

WHEREAS, the Council is considering a proposed bill to set a moratorium on transient accommodation permits on Lanai; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commission review proposed land use ordinances and provide findings and recommendations to the Council; now therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it refers the proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI," a copy of which is attached as Exhibit "1," to the Lanai Planning Commission for appropriate action, in accordance with Sections 8.8.4 and 8.8.6 of the Revised Charter of the County of Maui (1983), as amended;
2. That it respectfully requests that the Lanai Planning Commission transmit its findings and recommendations to the Council as expeditiously as possible; and
3. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, and the Lanai Planning Commission.

**Resolution No.** \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY



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Deputy Corporation Counsel  
County of Maui

paf:alkl:20-004c

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Title 19, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**“Chapter 19.97**

**MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI**

Sections:

- 19.97.010 Purpose.
- 19.97.020 Moratorium.
- 19.97.030 Term.

**19.97.010 Purpose.** This chapter’s purpose is to declare a moratorium on the issuance of transient accommodation permits on Lanai, for up to one year, until caps for bed and breakfast home permits and short-term rental home permits are established, to protect the island’s unique community character.

**19.97.020 Moratorium.** For no longer than one year, transient accommodation permits on Lanai may not be granted. Transient accommodation permits are transient vacation rental permits, bed and breakfast home permits, short-term rental home permits, County special use permits, State special permits, conditional permits, and building permits that would allow transient vacation rental use or transient accommodations, except in any zoning district where transient vacation rental use is a permitted use.

**19.97.050 Term.** This chapter is effective for one calendar year after its effective date or until ordinances are enacted to

**EXHIBIT " 1 "**

establish a maximum number on bed and breakfast home permits and short-term rental home permits on Lanai, whichever is earlier.”

SECTION 2. This Ordinance takes effect upon its approval. This Ordinance shall not apply to permit applications that are complete prior to its effective date.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

paf:20-004a:alkl