HLU Committee

From: Robin Van Der Mark <drvdm@hotmail.com>
Sent: Sunday, June 8, 2025 5:13 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9

> You don't often get email from drvdm@hotmail.com. Learn why this is important

Dear Chair Kama, Vice Chair U'u-Hodgins and Members of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning.

Background on Papakea

- Papakea was initially marketed and sold as a legal vacation rental property before any zoning restrictions limited transient vacation rentals in apartment zoned properties.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is not in a residential neighborhood and is located alongside a long stretch of hotel-zoned properties and directly adjacent to multiple commercially-zoned properties.

Unlike apartment buildings designed for long-term residential use, Papakea has a front desk, an activity concierge, shared activity space, and numerous other common resort amenities.

- Owners purchased condos at Papakea with the reasonable expectation that short-term rentals were legal based on ordinances as far back as 1989, and as recent as 2022.
- In reliance on the Maui County ordinances and published documents, Hawaii state law, and constitutional protections, owners invested in costly renovations, furnishings, and long-term financial commitments such as mortgages that make any phase out of short-term rental right offensive of each buyer's investment-backed expectations.

Papakea's Contributions to the Community

- Papakea's resort operations provide full-time, benefited, employment for 35 local resident employees; some have worked at the property for over 17 years; some started in entry-level positions and worked into supervisory roles.

- Papakea supports a wide variety of local trade professionals including pest control, HVAC, painting, plumbing, electrical, general contracting, masonry, tile and flooring, fitness instructors, entertainers, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means telling local entrepreneurs that worked hard to build a small business that they need to just go get a job somewhere else to make less money, have less flexibility, and be subject to oppressive corporate policies.
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- Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the hospital, and many other local organizations, and contribute to local philanthropic nd cultural efforts.

I would like to thank the committee for the opportunity to comment.

Sincerely,

Robin Van Der Mark

3543 Lower Honoapiilani Road, Apartment E203

2

HLU Committee

From: leslie stokes <stokesongreen@gmail.com>
Sent: Sunday, June 8, 2025 5:24 AM
To: HLU Committee
Subject: Kuleana/Owner ID 1904612

> You don't often get email from stokesongreen@gmail.com. Learn why this is important

Re: Bill 9
We oppose Bill 9 (2025)
We support the CDI Amendment

We feel that our ownership of 2 weeks per year, since 1987 is valid & worthy.
We have traded through RCI and have introduced new tourists to Maui.
Our small contribution has helped stimulate the Hawaiian economy and enhanced the lifestyle and earnings of the People of Maui.
Thank you,
Bill & Leslie Stokes

HLU Committee

From: Lou Bellardo <lou@bellardo.com>
Sent: Sunday, June 8, 2025 5:28 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9 as requested by the Maui Planning Commission
Attachments: Exclude Papakea from Bill 9.pdf

Importance: High

[You don't often get email from lou@bellardo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Respectfully submitted,

Lou Bellardo

3543 Lower Honoapiilani Road, Apartment L-404

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
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How to calculate real property taxes

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Location Address	3543 LOWER HONOAPIILANI RD UNIT C435 LAHAINA HI 96761
Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

Apartment District Properties Allowed to be Used for Short-Term Occupancy

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Community Plan
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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

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Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

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Resort area location

Resort operations supporting:

- **161** housekeepers
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Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Dana Inman <danainman2@gmail.com>
Sent: Sunday, June 8, 2025 5:55 AM
To: HLU Committee

> You don't often get email from danainman2@gmail.com. Learn why this is important

Dear Chair Kama, Vice Chair U‘u-Hodgins and Members of the Housing and Land Use Committee:

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I would like to thank the committee for the opportunity to comment.

Sincerely,

Dana Inman

3543 Lower Honoapiilani Road, Apartment F405

HLU Committee

From: David Pasta <guthpasta@pacbell.net>
Sent: Sunday, June 8, 2025 5:59 AM
To: HLU Committee
Subject: Please Exclude Papakea from Bill 9
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from guthpasta@pacbell.net. Learn why this is important

I Would respectfully ask that Papakea be excluded from Bill 9 for the reasons explained in the attachment.

David Pasta
Mobile: +1.415.279.6051

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

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PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

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Project Number
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City
Total Units to
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TMK #
Developer Name
Go

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From: Neil Johansen <neildjohansen@gmail.com>
Sent: Sunday, June 8, 2025 6:03 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9

> You don't often get email from neildjohansen@gmail.com. Learn why this is important

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I would like to thank the committee for the opportunity to comment.

Sincerely,

Neil Johansen

3543 Lower Honoapiilani Road, Apartment F405

HLU Committee

From: Jeffrey Turner <jeff@jeffturnercpa.com>
Sent: Sunday, June 8, 2025 6:07 AM
To: HLU Committee
Subject: Bill 9

> You don't often get email from jeff@jeffturnercpa.com. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,

I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.

The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. STRs, originally meant for housing, now operate as commercial businesses, consuming high volumes of water while local families remain displaced.

Returning STRs to long-term housing helps protect water access, push back against inequality, and put community needs first. With over 6,000 STRs on the Minatoya List, we have a clear opportunity to increase housing stock without using more water.

I urge you to stand with Lāhainā Strong and pass Bill 9.

I look forward to your approval and passage of Bill 9 to set a precedent in the State of Hawaii for similar legislation to be enacted for West Hawaii to reclaim affordable housing stock from the proliferation of STVR properties.

Ola i ka Wai — Water is Life.

Sincerely,

Jeff Turner
Kailua-Kona, Hawaii

HLU Committee

From: Dana Inman <danainman2@gmail.com>
Sent: Sunday, June 8, 2025 6:08 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9
Attachments: Exclude Papakea from Bill 9.docx

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Hi,

Please read our attachment.

Thank You!

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- Papakea supports a wide variety of local trade professionals including pest control, HVAC, painting, plumbing, electrical, general contracting, masonry, tile and flooring, fitness instructors, entertainers, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means telling local entrepreneurs that worked hard to build a small business that they need to just go get a job somewhere else to make less money, have less flexibility, and be subject to oppressive corporate policies.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui County Transient Accommodations Tax.

- Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, activities, state parks, the national park, and shops.

- Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the

hospital, and many other local organizations, and contribute to local philanthropic nd cultural efforts.

I would like to thank the committee for the opportunity to comment.

Sincerely,

Dana Inman

3543 Lower Honoapiilani Road, Apartment F405

HLU Committee

From: d g <danilfrisco@gmail.com>
Sent: Sunday, June 8, 2025 6:52 AM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from danilfrisco@gmail.com. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,
I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.
The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. STRs, originally meant for housing, now operate as commercial businesses, consuming high volumes of water while local families remain displaced.
Returning STRs to long-term housing helps protect water access, push back against inequality, and put community needs first. With over 6,000 STRs on the Minatoya List, we have a clear opportunity to increase housing stock without using more water.
I urge you to stand with Lāhainā Strong and pass Bill 9.
Ola i ka Wai — Water is Life.
Sincerely,

Danielle Guion, Makakilo, O'ahu, Hawai'i

HLU Committee

From: Doug Brandes <dougbrandes@gmail.com>
Sent: Sunday, June 8, 2025 7:02 AM
To: HLU Committee
Subject: Exclude Papakea Oceanfront Resort from Bill 9!
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from dougbrandes@gmail.com. Learn why this is important

Dear Committee Members,

Please see the attached request for the council to follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9.

Your consideration and time spent on this matter is highly appreciated by me and no doubt many other owners in Papakea Oceanfront Resort.

Sincerely,

Doug Brandes
Owner Papakea Resort C-404

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
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How to calculate real property taxes

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Neighborhood Code	OFHOTEL
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B2: Community Business

Community Plan
H: Hotel

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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

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Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
- **30** rental management companies
- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Leslie Knoles <hibiscusllc@gmail.com>
Sent: Sunday, June 8, 2025 7:05 AM
To: HLU Committee
Subject: Keep the condos short term!

> You don't often get email from hibiscusllc@gmail.com. Learn why this is important

We need the income to various classes of employment. It is not about non residents making money! It is about paying our housekeepers, maintenance people, landscapers, property managers managers

Leslie E Knoles
Cell (808) 283 5694
hibiscusllc@gmail.com

HLU Committee

From: Dave Futch <dave.futch@compass.com>
Sent: Sunday, June 8, 2025 7:18 AM
To: HLU Committee
Subject: Testimony - Minatoya

> You don't often get email from dave.futch@compass.com. Learn why this is important

On behalf of the residents of Maui, and in the interest of preserving property rights and our local economy, I hereby submit this testimony to make it known that:
I OBJECT to the ban on short term rentals for the properties on the Minatoya List.

Very sincerely,
Dave Futch

Dave Futch, R(S)

ABR, ePro, SFR, SRS, NARgreen

(808) 280-9600

HLU Committee

From: Joe Pluta <64jpluta@gmail.com>
Sent: Sunday, June 8, 2025 7:19 AM
To: HLU Committee
Subject: Bill 9

> You don't often get email from 64jpluta@gmail.com. Learn why this is important

Aloha.
I am strongly opposed to bill 9 unintended consequnces and potential catastrophic economic collateral damages to Maui County. Please do Not let this happen.
Malama Pono ame Mahalo
Joseph Pluta

HLU Committee

From: Judy A <jkamaui@hotmail.com>
Sent: Sunday, June 8, 2025 7:20 AM
To: HLU Committee
Subject: Protect short term rentals

[You don't often get email from jkamaui@hotmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I agree that maybe there needs to be some modifications, but many of the apartment zoned on Kihei Road, studios, one bedrooms, which really would not help out the local residence and it would definitely be a big problem for the economy losing out on the tourists that are booking these smaller Airbnb's. It'll really affect the economy. While people will not be visiting to stay in these short term rentals, it would be a big economic regression that will hurt the economy

Judy angel
Sent from my iPhone

HLU Committee

From: Jen Tempchin <jennifertempchin@gmail.com>
Sent: Sunday, June 8, 2025 7:23 AM
To: HLU Committee
Subject: Minatoya Ban - Oppose

> You don't often get email from jennifertempchin@gmail.com. Learn why this is important

I oppose Bill 9 because it threatens both our economy and community stability, especially in Kihei, where the stakes are incredibly high:

- **Better Alternatives:** Use existing STR tax revenue to expand affordable housing, not gut the core of Maui's economy.

- Over 5,000 legal short-term rental units in Kihei are on the chopping block—removing them now would devastate local jobs, businesses, and families who've already been hit hard by the loss of Lahaina. Kihei has become a vital economic refuge, and this bill would pull the rug out from under it.
- Shutting down these rentals risks millions in lost revenue, thousands of jobs, and critical tax funding—all while offering no clear solution to housing affordability. These units were never realistically part of the long-term housing stock.
- Maui's STRs are concentrated in resort areas, not residential neighborhoods. We should be focusing on shutting down the thousands of illegal rentals statewide—not punishing law-abiding owners and gutting an essential part of Kihei's recovery and resilience.

- **Local Ownership Matters:** STRs are the most accessible way for residents to benefit from tourism.
- **Economic Fallout:** UHERO predicts $900M lost and thousands of jobs gone.
- **Housing Myth:** Only 8% of owners will convert to long-term; the rest will sell or sit vacant.
- **Legal Risk:** Retroactive bans violate vested rights and invite lawsuits.

JenniferTempchin@gmail.com

HLU Committee

From: David K Shizuma <kawikasmail@gmail.com>
Sent: Sunday, June 8, 2025 7:40 AM
To: HLU Committee
Subject: Testimony re: Bill 9

> You don't often get email from kawikasmail@gmail.com. Learn why this is important

Aloha Chair and members of the Housing and Land Use Committee,

I am testifying in support of this Bill 9 and urge you to support it as well.

As long as we are not able to ensure that homes are being bought by residents, the building of new homes will never be the solution to our housing crisis. The simple logic is, the more homes we bill, the more outsiders and investors will continue to pay top-dollar (higher than residents can) and buy these homes. No matter the amount of homes being built, more homes will not be the solution, if non-residents and investors can buy the homes. There is simply more affluent and rich outsiders than there are rich residents. That is the simple logic of the housing issue.

We also cannot depend on an effort to stimulate the economy as a means to improve our housing situation. Again, the amount of money non-residents and investors have will ALWAYS out compete residents when it comes to buying a home. Thus, utilizing housing to stimulate the economy in order to improve our housing situation will not work.

Because of these reasons, we cannot depend on building more homes or utilizing exiting units to stimulate the economy as a solution to improve our housing situation. We need to utilize the tools that we do have. Zoning and Land Use regulations is the tool that is available and lawful, and Bill 9 does this. It allows the existing zoning to do what it was made for, providing homes (apartment units) for residents, and not to be used for to profit off of. It is a viable solution to address our housing crisis.

More needs to be done besides Bill 9, but Bill 9 is a good start.

Please be a part of the solution and help our people of Maui. Please do not continue efforts that will not actually address our housing situation. Please vote yes on Bill 9.

Mahalo for your consideration,
Keoni Shizuma

HLU Committee

From: Gloria Simmons <gloriaas2468@gmail.com>
Sent: Sunday, June 8, 2025 7:52 AM
To: HLU Committee
Subject: opposition to Bill 9
Attachments: bill 9 testimony.docx

> You don't often get email from gloriaas2468@gmail.com. Learn why this is important

June 6, 2025

Aloha Chair, Vice Chair and Committee Members:

My name is Gloria Simmons and I own a short term rental in Kihei, in the Resort District. I am writing today to support my fellow STR owners in the Apartment Districts who may lose their ability to offer wonderful aloha stays to families or individuals who would not enjoy Maui if there was not this opportunity. Hotels are extremely expensive for families and more people who love to cook the local fare instead of going to restaurants for each meal are coming in. People also enjoy acting as a local, having a front door, a backyard to enjoy the real life with local residents. The vacation rental complexes are not full of short term people, there are full time residents living there as well. Of course, I am concerned, because the Council can determine, in years to come, to outlaw ALL STRs from Maui, not just in the Apartment Districts.This would destroy the economy of Maui!

Over the 10 years of ownership I have 4 families that come for 1-2 month stays from cold weather areas, each year. One woman has come to my complex for 40 years every March from Seattle and at 92 can still travel. Please do not take this experience away from loyal people like them.

We all support the mom/pop shops, restaurants, grocery stores, water ice palaces, bazaars, farmers markets and the arts. These local economic sources will suffer more than during the covid experience! My cleaners who reset the condo each time would be out of work. My handyman who I rely on said he would have to move to the mainland as his income has drastically reduced- he is a native! Even Home Depot and Lowes would suffer.

The reality of owning these condos or small homes has not been easy. I have high HOA costs, high maintenance costs as these were build in the 70s. Insurance rates are insane after the fires and floods and very high taxes. Those living in Maui looking for permanent housing could not bear the cost of living in these places! Also, they are built for visitors- not for large families with more than 1 vehicle either. Let's be realistic here and not take work away from those who are employed and lets not take away the opportunity of return visitors each year. We also provide rental spaces for short term doctors, nurses, construction workers, etc. who are coming to provide important services to Maui residents.

To conclude, I am in opposition of Bill 9.

Gloria Simmons
73 N Kihei Rd
Kihei Hi 96753

HLU Committee

From: Andrew White <mrandrewscottwhite@gmail.com>
Sent: Sunday, June 8, 2025 8:03 AM
To: HLU Committee
Subject: Bill 9 Vote

> You don't often get email from mrandrewscottwhite@gmail.com. Learn why this is important

Aloha, my name is Andrew White and I'm here today to share a deeply personal story about how short term rentals have shaped my life and my family's future. Several years ago, my mother used her entire life savings and I took out a significant loan so we could purchase a dream condo on Maui. The goal was simple: to provide her with a modest, reliable retirement income while also giving her a place to stay when visiting me. We made this decision with the belief that we were investing in both our futures and in the island community we love. I also work in property management for short term rentals it's not just a job, it's my livelihood and my connection to Maui's hospitality industry.

Ending short term rentals would devastate our family. I would lose my job and be financially underwater with a condo I could no longer afford. The mortgage and high maintenance fees are only manageable because of short term rental income. My mother would lose the savings she worked her whole life to build, and the value of the condo would plummet, making it impossible to sell or rent long term at rates that cover the cost. This policy change would not create affordable housing it would simply shift hardship from one local family to another. Please do not hurt one family in an attempt to help another.

Instead, let's focus on real solutions like building more housing that meets the needs of local residents. For example, our unit is a one-bedroom, one-bath condo with a single parking space. It can realistically support only one or two people and isn't suitable for most families or long-term tenants. Even with my stable income, I couldn't afford to live there myself. So who does this really help? I respectfully ask that you consider the real human impact of this decision and the many local families, like mine, who depend on short term rentals to survive. Mahalo for your time and consideration.

HLU Committee

From: Joan Padgett <kulapadget@icloud.com>
Sent: Sunday, June 8, 2025 8:04 AM
To: HLU Committee
Subject: Minatoya ban

[You don't often get email from kulapadget@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Sent from my iPhone
Aloha - I am a resltor and a short term rental owner and am not in favor of a ban on short term rentals. It does not make sense to delete our main source of income - which is direct from tourists to local owners . Also the people who clean our units rely on short term tourist income. The units on the list are old - will require more maintenance - pipe replacement , spalling , which is already causing owner assessments in these complexes. The off island owners may just keep the units empty and several studies have indicated this is true - which defeats the purpose of converting. The units usually have one parking stall - and most families have at least 2 cars - street parking is limited on Maui - the units do not have storage needed for full time living - the carrying costs of the HOA have only increased .
This is not a good ban - make it easier to build affordable housing housing - decrease the red tape to get projects approved - new complexes are more efficient and can be tailored to long term needs - the lose of TAT income and property tax income will create true hardship for maui - with lower tourism and no income stream replacement maui will be in a recession The studies show this is a bad idea!!!!!
I am against the STR ban.

Joan Padgett
808-283-1020
Kulapadget @hotmail.com
52 Akea Pl.,Kula ,Hi

HLU Committee

From: Bill Diehl <upperfrenchriver@gmail.com>
Sent: Sunday, June 8, 2025 8:13 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9_
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from upperfrenchriver@gmail.com. Learn why this is important

See attached!

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

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Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

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894	PAPAKEA PHASE II	A2 & H2	244001055	3543 HONOAPIILANI HWY	LAHAINA	HONOKAWAI-KAANAPALI	148

Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
- **30** rental management companies
- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: tracyapaxton@gmail.com
Sent: Sunday, June 8, 2025 8:34 AM
To: HLU Committee
Subject: Bill 9 testimony

[You don't often get email from tracyapaxton@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Aloha,

In the spirit of transparency, I lived on Maui for five years and own an STR.
I'm writing in regard to Bill 9 (sunsetting STRs in apartment districts). As we all know, Maui housing prices are astronomical and wages are stagnant. While, in theory, I agree that something needs to be done about increasing access to housing; however, I don't believe Mayor Bissen or Maui County Council are being fully transparent in what banning STRs really mean to current Maui residents and homeowners. The Mayor stated it was simple supply/demand economics; unfortunately, this is an oversimplification of a complex issue about the cost of housing on Maui. The UHERO report states housing prices are dropping and could drop further, but that means ALL housing costs drop, not just STRs. What the Mayor doesn't mention is that this decrease in housing prices means Maui resident homeowners will be upside down on mortgages. The ramifications of this will be: not being able to refinance they're homes, not being able to get a home equity loan, not being able to sell their homes, and losing whatever equity they had in their homes. The cost of ownership is also not being highlighted: mortgage, HOA fees (~$1000 for even a small unit (642 sq ft), and homeowners insurance. The monthly cost is easily between $3800 to $4000 for a $550,000 1 bedroom/ 1 bathroom condo with no assigned parking, no pets.
Something does need to be done about increasing access to housing on Maui, and Mayor Bissen and Maui County Council are obligated to share the impact of decrease housing prices for all of Maui residents.
The Mayor also stated that tourism isn't the only industry on Maui, which true, but it's the biggest industry and any other industry will not be able to absorb all of the jobs lost on Maui because of this ban. Which means people will be forced to move, and if they own a home, may not be able to sell because they're upside down on their mortgage.
In conclusion, this current catastrophe is not simple supply/demand economics and to state it as such is offensive to the intellect of all of Maui residents.

Aloha,
Tracy

HLU Committee

From: Clare Evangelista <joanneevangelista@icloud.com>
Sent: Sunday, June 8, 2025 8:35 AM
To: HLU Committee
Subject: Written Testimony : Bill 9 Vote

> You don't often get email from joanneevangelista@icloud.com. Learn why this is important

Joe & Karen Johnson
1520 Halama St
Kihei HI 96753
Joemaui@gmail.com

June 8, 2025

Maui County Council
200 South High Street
Wailuku, HI 96793

Aloha Councilmembers,
We are writing to express my deep concern about the proposed ban on short-term vacation rentals (STVRs) in Maui County. While we understand the need to address housing challenges, we believe this ban is not only unconstitutional but will also have severe economic consequences for our community and the thousands of local families whose livelihoods depend on STVRs.

Constitutional Concerns
The Fifth and Fourteenth Amendments of the U.S. Constitution guarantee property owners the right to due process and to the reasonable use of their property. Blanket prohibitions on STVRs without fair compensation or individualized consideration infringe upon these fundamental rights. Many owners of these properties have invested substantial resources based on existing laws that permitted STVRs. A sudden ban without proper due process or grandfathering existing legal operations would amount to an unconstitutional taking.

Economic Impact
STVRs are a significant driver of Maui's economy. They generate substantial revenue through taxes, visitor spending, and direct employment for local families—cleaners, landscapers, maintenance workers, and property managers. Removing STVRs will not only eliminate thousands of jobs but also diminish the revenue flowing to small businesses that rely on tourism. At a time when Maui's economy is still recovering from the Lahaina fires and pandemic-related downturns, this ban could be devastating.

Significant TAT Revenue for Maui
In 2019, Maui generated approximately **$207.8 million** in Transient Accommodations Tax (TAT) revenue for the state, accounting for about 33% of the total statewide TAT. With the Maui County Transient Accommodations Tax (MCTAT) implemented in 2021, Maui County has also directly benefited—collecting over **$56.9 million** in MCTAT revenue in fiscal year 2022 alone. This tax revenue funds essential county services, infrastructure, and community programs. Reducing or eliminating STVRs

would significantly impact this critical revenue stream, harming not just homeowners and workers, but also the county's financial stability.

Vacation Rentals are Not Ideal Workforce Housing

It's important to recognize that most STVR units are not well-suited to meet the housing needs of local families. Many of these properties are small—often just studios or 1-2 bedrooms—and come with high monthly condo association fees, maintenance dues, and price points far above what most working families can afford. Simply removing STVRs from the rental market will not magically create more workforce housing. Instead, these units will likely sit empty or remain out of reach for families who need stable, affordable homes.

A Better Approach: Cutting Red Tape for Workforce Housing

If the county's goal is to create more housing for local residents, I strongly encourage efforts to cut red tape and streamline the development of true workforce housing. Fast-tracking permits for affordable and workforce housing, reducing excessive fees and regulatory hurdles, and prioritizing infrastructure improvements would go a long way to address our housing crisis—without punishing the many families who depend on STVR income.

Balanced Solutions

Instead of a blanket ban, I encourage you to consider policies that balance community needs with economic realities. These could include:

- **Local Ownership Matters:** STRs are the most accessible way for residents to benefit from tourism. 1000+ Hawaiian families own STVRs.
- Use existing STR tax revenue to expand affordable housing, not gut the core of Maui's economy
- Implementing reasonable caps or zoning restrictions in designated areas
- Creating clear, fair pathways for legal operation and good-neighbor practices
- Actively reducing barriers to workforce housing development
-

Conclusion

We respectfully urge you to reconsider this proposal and work collaboratively with homeowners, local businesses, and workers to find a balanced approach that protects housing for locals while sustaining the economic and cultural vitality of our island. Cutting red tape for workforce housing is the real solution—one that addresses the root of the problem, rather than simply eliminating STVRs and harming local families.

Mahalo for your time and thoughtful consideration of this important matter.

Respectfully,

Joe & Karen Johnson
1520 Halama St
Kihei HI 96753

HLU Committee

From: BRETT MACKINNON <brett725@pacbell.net>
Sent: Sunday, June 8, 2025 8:37 AM
To: HLU Committee
Subject: Opposition to Bill 9

> You don't often get email from brett725@pacbell.net. Learn why this is important

Dear Chair Kama and Members of the Housing and Land Use Committee:

My name is Brett MacKinnon and with my wife Tammy have owned a Kapalua Bay Villa for 40 years. As explained to the Planning Commission in writing and in person I am strongly opposed to Bill 9 because it's not going to solve the Housing Affordability issue but instead become a distraction from measures that will. It may well make things worse for the very people it is supposedly trying to help.

If Bill 9 or something like it is passed let's go down the road and look at what most likely will happen:

>Many very well financed lawsuits filed to contest it.

>Strong chance a temporary injunction blocking it will be granted.

>Endless appeals through the court system; perhaps up to the US Supreme Court.

>Major hit to the Maui Economy estimated to be from $900 million to $1.3 billion.

>Jobs lost estimated to be from 1,900 to 14,000.

> Loss of Tax Revenue estimated to be from $91.8 to $137 million annually.

While not familiar with many of the individual properties on the so-called Minatoya List I am familiar with Kapalua from my 40 years there to see:

>Kapalua properties never were and never will be will Affordable or Workforce Housing. They were built as Resort Properties and are just too costly even if the prices drop by 50%.

>Carrying costs for Kapalua properties will never be in the range for Affordable Housing with excessive and increasing maintenance costs, astronomical HOA fees, and high property taxes (even as long-term rentals).

>If Bill 9 is passed the majority of Kapalua homes will become 2nd homes that typically are occupied for 8 weeks or less per year. This will occur even with an "Empty Homes Tax" that will start yet another round of lawsuits.

Who will Benefit from an STR Ban?

>People purchasing 2nd homes if prices drop

>Attorneys participating in the endless plethora of lawsuits

>Hotels - Eliminating STRs will reduce competition

Who will be Harmed by an STR Ban?

>The Maui residents who earn a living maintaining and managing STRs. Part of the very "Workforce" this bill is supposed to help. Over my 40 years on Maui I have gotten to know many who see Bill 9 as a real threat to their livelihood.

>The Maui residents and businesses that provide services and goods to the visitors staying in STR's. There are far fewer customer days from 2nd home stays than vacation visitor days.

> The people of Maui who will be affected one way or another by the overall drop in economic activity.

>The people of Maui who will have either fewer government services, higher taxes or both from the loss of STR tax revenue.

> People in need of Affordable Housing which will be delayed as this distraction plays out.

As has been clearly shown eliminating STRs in Kapalua will do nothing to provide Affordable Housing but instead will hurt the residents of Maui that earn their living supporting the STR hospitality industry there. Thus, I respectfully ask you to defeat Bill 9 now as it is not going to help solve the issue of Affordable Housing but instead make things worse for many Maui residents. The controversy and inevitable lawsuits will be a distraction from measures that will really help solve Housing Affordability. Delaying this to 2030 is simply "kicking the can down the road" delaying real solutions.

Respectfully,

Brett & Tammy MacKinnon

HLU Committee

From: JoAnne Evangelista <luckyevangelistas@gmail.com>
Sent: Sunday, June 8, 2025 8:40 AM
To: HLU Committee
Subject: Protect Local Families and Maui's Economy – Oppose Bill 9

> You don't often get email from luckyevangelistas@gmail.com. Learn why this is important

Aloha Honorable Councilmembers,

I'm writing to urge you to oppose Bill 9, a measure that would eliminate thousands of local-owned vacation rentals protected under the Minatoya Opinion and codified in 2014. If passed, this bill threatens to dismantle a vital economic pillar for our community, harm local families, and further centralize tourism power under mainland hotel chains.

1. Local Ownership is a Lifeline for Our Residents

The 7,172 short-term rentals protected by Minatoya are more than just numbers—they represent firefighters, teachers, kupuna, and small business owners who rely on these rentals to make ends meet. In an island economy where tourism accounts for 70-80% of private-sector income, removing these lawful, longstanding rights will sever local families from the very industry that sustains them.

2. Bill 9 Will Not Solve Our Housing Crisis

Only 8% of these owners plan to convert to long-term rentals if stripped of their STR rights. This is not a housing fix—it's a forced economic realignment that will likely push these homes into the hands of mainland investors, not Maui families.

3. Devastating Economic Consequences

The economic impact of Bill 9 is staggering:

- Nearly $1 billion in lost visitor spending each year
- Thousands of jobs lost
- A 20% hit to restaurant revenues
- $60 million in lost property-tax revenue
- A $10,000 drop in household income, according to UHERO

This economic blow is especially severe as Maui recovers from the 2023 fires.

4. Legal and Ethical Concerns

The 2001 Minatoya Opinion and subsequent County ordinances recognize these rentals' vested rights under HRS §46-4 and the Hawai'i Constitution. Stripping them retroactively will likely spark costly lawsuits—lawsuits Maui County would almost certainly lose.

5. Better Solutions

Instead of gutting a core part of our local economy, we should focus on real housing solutions. Let's use existing STR tax revenues to expand affordable housing and create pathways for local homeownership.

In Closing

I may never hold public office, but I can see the writing on the wall: Bill 9 will harm our families, diminish our economy, and do nothing to solve the housing crisis. I respectfully ask you to vote no on Bill 9 and instead work to protect the livelihoods of local families who have relied on these lawful rentals for decades.

Mahalo for your time and service to our community.

With aloha and respect,
JoAnne Evangelista
120 Walua Place, Kihei HI 96753

808-344-4229

HLU Committee

From: Cathy Quaglia <cathyq@aspeneast.com>
Sent: Sunday, June 8, 2025 8:45 AM
To: HLU Committee
Subject: Bad move for Maui

> You don't often get email from cathyq@aspeneast.com. Learn why this is important

The **2001 Minatoya Opinion**, later codified in 2014, protects pre-1989 STR rights under HRS §46-4 and constitutional law. Legal experts warn: retroactive removal of these rights could trigger expensive lawsuits the County would likely lose.

All those units were sold under STR legality, making them attractive for a combination of owner use and investment. There will certainly be a class action by homeowners and their HOAssociations. Those units are not affordable options for renting or buying, especially with the condo fees. Plus most are not large enough for local families. And the properties will be trashed, making the existing owners leave and the complexes fail.. You will wreck jobs, the economy, and tourism which provide important tax revenue the state relies on. Go ahead with this misguided scheme and also destroy the real estate market.

Killington Valley Real Estate

Thanks!
Cathy Quaglia, GRI, Broker
Killington Valley Real Estate
Cell 802-345-3797

HLU Committee

From: Susan Civitarese <sciv66@icloud.com>
Sent: Sunday, June 8, 2025 9:00 AM
To: HLU Committee
Subject: STR

[You don't often get email from sciv66@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I support Bill 9!!
People who live on island full time should have priority housing over outside investments!!
Period!!!!
My children and grandchildren deserve better than this!!
Susan Civitarese
Sent from my iPhone

HLU Committee

From: Van Fischer <vanfischer@gmail.com>
Sent: Sunday, June 8, 2025 9:25 AM
To: HLU Committee
Cc: Tamara A. Paltin
Subject: In Support of Bill 9 Short Term Rentals Ban

Aloha,

I am a resident in Kahana and for over twenty years I have been selling homes and condos to full time residents. Over this time I have personally seen the enormous shift in the occupancy uses of the condos up and down the Westside from long term rentals into short term vacation rentals. Complexes such as Maui Lani Terrace, Napili Ridge and Pohailani were filled with local residents and with the advent of VRBO and AirBNB these units were bought up by investors and the tenants kicked out. I have dozens of friends, young families with little kids and young adults living with roommates kicked out of units they had rented for years. I also have friends that own STR's or are STR property managers and I understand their desire to maintain the very profitable businesses they have built to support the massive short term rental business that has exploded on Maui. But the bottom line is that these condominiums were never built to be hotels and the conversion of these units to STR's has devastated the Westside rental market. The following is my explanation of why this bill must be passed.

With very few exceptions, the units on the Minatoya list are in areas zoned apartment which does not allow short term rentals. It was only by an amendment that apartments built before a certain date in this zone could be rented as STR's. While I'm sure it was done with good intention, they could have never imagined what would happen with Vrbo and AirBNB. When the Minatoya Opinion was first written, it was just that, an opinion and an incorrect one at that as it had no basis in zoning code. When the Minatoya Opinion was modified, it should have just been eliminated.

The argument that these units were never built for long term use is absolutely incorrect. If they were originally built as a hotel property, they would have been issued a permit as such and been taxed as a hotel. The fact that some added a front desk is immaterial.

The argument that the units are too small and don't have enough parking for long term renters is also false. I personally lived at the Honokowai Kaleialoha condos in 1978 in a studio with three other people. The complex was full of young families and kids like us that worked in the restaurants and stores. Many had no car at all or shared a car. The rest were Snowbirds that also rented their units for six months through the summer.

The value of these units and the associated rise in HOA fees is directly tied to the fact that they are income generating machines. Prices of condos have already dropped 30% in the last year due to the threat of this bill and its passage will cause the values to drop substantially as they are currently artificially inflated by the income they generate. This is not taking away people's property values. It is a reset of something that should have never happened in the first place. Prior to the explosion of STR's, a 1Br condo at Maui Lani sold for $175,000. They now sell for $600,000 due solely to the fact that they can STR. There are many families out there that would buy a unit in these complexes if the prices were in the $3-400,000 range.

There is no disputing that the passage of this bill will cause a big reduction in income and work for the STR industry. But I spoke with 4 friends that manage STR's and all said that they have enough units that are not affected that they will be fine. And that the income and demand for those units will go up. Businesses all over Maui are begging to find help and the STR support employees will have many options for new employment.

Values are going to drop and the owners of these units will see their values drop. BUT, if they bought a unit in the last two decades, they were told their unit was on the Minatoya List. They chose to make an investment on a risky property and the result is their own doing. They have profited immensely off units that should have never been used as hotel properties. For those owners that bought their units over twenty years ago, their cost in the unit is so low that they will continue to make a substantial return on their original investment.

The burden on long term residents in these complexes is heavy with vacationers partying late into the night and displaying entitled behavior as they paid big money for their rental unit. If the County really wants to have more condo type units available, they should rezone parcels in the resort areas where developers can build them. But it is not fair to the long term residents that they cannot just peacefully enjoy their homes.

Lastly, I want to share that as a well known real estate agent on the Westside, I get calls weekly from people looking for any rentals on the Westside. They are beside themselves that they are being forced to move because their home or condo was sold and the new owners are switching to TVR. In addition to the thousands of units on the Minatoya List, there are thousands more that are being illegally rented short term. Not only must the County pass this bill, they must also put into place an enforcement program to shut down illegal rentals. Many of these owners will continue to rent short term believing they will never get caught.

I respectfully request that you vote to approve this bill as is with no modifications. Had the Minatoya Opinion simply been voided all these years ago, we would not be where we are today. The Planning Commission, the body charged with interpreting the zoning and land use issues passed this bill as is without changes. Your doing the same will finally put an end to this nightmare and open up thousands of units to long term renters and new homeowners.

Thanks,
Van

VAN FISCHER
808-419-2766
vanfischer@gmail.com

HLU Committee

From: Clint Hansen <clinthansen33@gmail.com>
Sent: Sunday, June 8, 2025 10:00 AM
To: HLU Committee
Subject: Testimony in opposition to bill 9
Attachments: testimoney.pdf

> You don't often get email from clinthansen33@gmail.com. Learn why this is important

Aloha Council members and Honorable Mayor Bissen,

I am writing to express my strong opposition to the proposed removal of Minatoya protections for vacation rental properties in Maui County. This proposal not only misrepresents the legal foundation of vested land use rights, but also threatens to destabilize our economy and expose the county to significant legal risk. The harm to our community; financial, legal, and social, would be profound and enduring.

The Minatoya Opinion, issued in 2001 by Deputy Corporation Counsel Richard Minatoya, and later codified into law 2014, clarified that certain apartment-zoned properties with lawful short-term rental use prior to April 20, 1989, possess vested rights to continue such use. This was not a loophole or special exemption, but a recognition of longstanding, legally compliant use. These rights are protected under Hawaii Revised Statutes §46-4 and supported by both the Hawaii and United States Constitutions, which prohibit the retroactive elimination of lawful uses without due process. To now require these owners to apply for permits or rezone their properties undermines the very foundation of legal continuity and trust in government.

Former Attorney General David Louie testified that such actions would constitute a violation of vested rights and open the county to significant litigation. Emeritus Professor David Callies, a national authority on land use law, has echoed this warning and reaffirmed that property rights of this kind are deeply rooted in constitutional protections.

Beyond the legal jeopardy, the economic consequences would be catastrophic. According to UHERO, the University of Hawaii Economic Research Organization, removing Minatoya-protected vacation rentals would reduce visitor spending by $900 million annually. That's not just 4% of GDP, it's nearly 21% of capital inflow, the actual cash sustaining our local economy. If you remove the Minatoya protections, you shut off one of the critical economic hoses feeding Maui's economic bucket when our capital outflows are higher than ever. Average household income on Maui would drop nearly 10%. UHERO's own estimates show that the average income would fall from $109,000 to about $99,000. That means nearly every family would take a major direct financial hit. Restaurants stand to lose roughly 20% of their revenue, equivalent to $171 million annually, with closures likely in places like Kihei, Napili, and Honokowai where vacation rental guests directly support local eateries and businesses. These are not theoretical impacts; this is food off tables and doors closing permanently. Job losses are severely underestimated. While UHERO conservatively projects 1,900 jobs lost, this doesn't reflect the multiplier effect that vacation rentals have on the broader economy. A more realistic estimate, based on industry feedback and comparative data, suggests over 10,000 jobs could be lost. That includes not just property managers, but housekeepers, landscapers, maintenance crews, tour operators, artists, farmers, and the hundreds of small business owners who depend on sustained visitor spending.

This isn't just about economic math, it's about people. It's about residents like myself, our families, and our children who rely on an economy that, for better or worse, is still powered by tourism. Approximately 70-80% of every dollar spent in Maui comes either directly or indirectly from tourism.

While I fully support the long-term goal of economic diversification, we cannot destroy the one functioning engine we have without first securing a reliable replacement.
Let's not forget how we got here. After WWII, South Maui was nearly abandoned as it hemorrhaged population. The county worked hand-in-hand with developers to rebuild the economy through the promotion of tourism. Infrastructure was expanded. The Kihei Master Plan reshaped land use for visitor-based growth. Vacation rentals weren't some unregulated surge, they were encouraged, zoned, and legitimized through county partnerships. To now tell property owners they never had the right is not just inaccurate, it's a betrayal of decades of legal policy and public investment. We can, and should, address non-compliant rentals that were never legally grandfathered. We should enforce existing laws where appropriate. But eliminating all Minatoya properties under the guise of housing reform is not just misguided, it's dangerous.
This will not create affordable housing. Instead, it will push more families into crisis, reduce tax revenues, and deepen our dependence on hotel conglomerates that export their profits out of state. Let's use the hundreds of millions in tax revenue from legal vacation rentals to invest in affordable housing. Let's foster public-private partnerships. Let's plan, not punish. As Professor Callies has said, "You can't regulate your way to more housing. Regulation by its very nature restricts building."
Let's avoid rash political decisions and instead pursue smart, sustainable solutions grounded in legal clarity and economic reality. If we dismantle this pillar of our economy without a clear and proven alternative, the result will not be progress, it will collapse. I urge you to stand for legal certainty, for our working families, for economic balance, and for the fair treatment of residents who have operated in good faith under the law. Preserve the Minatoya protections. Let us not destroy what's working to chase what simply feels good. Let's build a Maui that honors its past, protects its present, and invests in its future.

Mahalo for your time and thoughtful consideration.

Clint Hansen,
Aloha Rental Management, Broker/Owner
Hawaii Film Studios, Executive Producer
Maui Luxury Real Estate, Broker
Maui Real Estate Radio, Host

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Let's avoid rash political decisions and instead pursue smart, sustainable solutions grounded in legal clarity and economic reality. If we dismantle this pillar of our economy without a clear and proven alternative, the result will not be progress, it will be collapse. I urge you to stand for legal certainty, for our working families, for economic balance, and for the fair treatment of residents who have operated in good faith under the law. Preserve the Minatoya protections. Let us not destroy what's working to chase what simply feels good. Let's build a Maui that honors its past, protects its present, and invests in its future.

Mahalo for your time and thoughtful consideration.

Clint Hansen,
Aloha Rental Management, Broker/Owner
Hawaii Film Studios, Executive Producer
Maui Luxury Real Estate, Broker
Maui Real Estate Radio, Host

HLU Committee

From: Tommy Voss <tomv@metaltechus.com>
Sent: Sunday, June 8, 2025 10:09 AM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from tomv@metaltechus.com. Learn why this is important

Aloha Chair, Vice Chair, and Council Members,

My name is Thomas Voss and I OPPOSE Bill 9.

My wife and I own two short-term rental condominiums in Kihei. We invested in these properties over two decades ago as part of our long-term retirement plan - not as speculators, but as individuals who worked hard to create stability for our future.

The proposed Bill 9 represents not only a significant financial hardship - with an estimated $200,000 per unit already lost in value due to this legislation - but also raises serious fairness concerns. While small, individual owners like us are targeted, large resort operators remain unaffected. The burden of this policy is being placed entirely on private individuals while major corporate entities are allowed to continue operations without restriction.

Our properties directly support Maui's economy through employment of local service providers -cleaners, maintenance staff, landscapers, and contractors - many of whom have become long-standing partners and friends. Our guests contribute significantly to small local businesses throughout the island that depend on visitors who prefer alternative accommodations.

We recognize the importance of addressing Maui's housing needs, but dismantling the STR sector while exempting powerful resort interests is not an equitable or balanced solution. I respectfully request that the Council pursue regulations that address housing while preserving the livelihoods of both small owners and the many local workers who depend on us.

Mahalo for your consideration.
Sincerely,
Thomas Voss
tomv@metaltechus.com

HLU Committee

From: Bill & Janet Anderson <bjbodega@gmail.com>
Sent: Sunday, June 8, 2025 10:15 AM
To: HLU Committee
Subject: Bill 9

> You don't often get email from bjbodega@gmail.com. Learn why this is important

Why has the burden of 40 years of a known housing problem been dropped in the lap of small apartment owners? We purchased a 468 square foot unit in 2002 (south Kihei) with the initial intention of retiring there. We rented long term to locals until the 2008 recession and had to change over to a short term rental just to keep above water. Then Covid came along. Now you are asking us to make it an affordable family abode which requires almost $2800 a month, an older complex requiring excessive maintenance. Covering our $890 mortgage, very high $886 HOA fees, property taxes ($750/mo.) and utilities make it very unaffordable for any family. One bedroom, no storage and one parking spot, not a family friendly setup.

Again, the real problem goes back 40 years. Where have all the excessive short term rental property taxes gone? We pay almost $10,000/year. To pass this problem onto small owners like ourselves is politics at its finest. Needless to say, we oppose Bill 9. Assume the responsibility you created.

Thank you for listening, Bill & Janet Anderson

HLU Committee

From: jane mcmillan <mjmcm41@hotmail.com>
Sent: Sunday, June 8, 2025 10:22 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9
Attachments: Exclude Papakea from Bill 9.eml

> You don't often get email from mjmcm41@hotmail.com. Learn why this is important

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Jennifer A. Yamashita

From: jane mcmillan <mjmcm41@hotmail.com>
Sent: Sunday, June 8, 2025 10:15 AM
To: HLU.Committee@mauicountry.us
Subject: Exclude Papakea from Bill 9

Dear Chair Kama and Members of the Housing and Land Use Committee

I oppose Bill 9 as drafted and propose that council amend Bill 9 to exclude Papakea Oceanfront Resort as it has historically been identified as having A2-H2 zoning.

Papakea was initially marketed as a legal vacation rental property before any zoning restrictions limited STR and operated legal vacation rentals for almost 50 years.
Papakea is not a property that converted from workforce housing to transient vacation rental use.
The majority of the units are under 600 square feet and have very limited parking spaces.

Papakea is located alongside many hotel zoned properties and adjacent to many commercially zoned properties.

Owners purchased condos at Papakea with the understanding that STRs were legal based on ordinances as far back as 1989. Owners invested in costly renovations on Maui based on Maui County ordinances.

Papakea contributes to the community.
Provides full time employment for 35 local resident employees.
Provides many jobs in small businesses such as housekeeping, pest control, HVAC, tree trimming, contractor services and many more.

Many people in these small businesses would become unemployed if Papakea were to be shut down as STR.

Also, Papakea STRs support the government of Maui through payment of taxes.

Many guests to Papakea support small businesses such as restaurants, food trucks, tours, shops. Owners regularly help various groups and organizations on Maui.

I appreciate you considering my comments .
Thank you, Mary Jane McMillan Papakea C 406

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HLU Committee

From: Michael Mitchell <lovinkauai2@gmail.com>
Sent: Sunday, June 8, 2025 10:48 AM
To: HLU Committee
Subject: Minatoya List and STR ban

> You don't often get email from lovinkauai2@gmail.com. Learn why this is important

Aloha all,
I would respectfully like to say that if the short term rental ban is enacted, it will financially ruin me.
I added up my monthly expenses for my 596 square-foot condo in Papakea and it comes to $4102 per month. This does not include a mortgage, but includes insurance, land rent, AOAO fee, property tax, electricity, maintenance and repair fees.
How will a couple of low to medium income afford to pay over $4000 a month for a one bedroom condo?
Will there be government subsidies to assist them or me or will I be required to lose money every month?
Thank you for considering the economics on this individual scale.

Respectfully,
Mike Mitchell
20+ year Kauaian resident

HLU Committee

From: Jacqui Rouse <jacquirouse@gmail.com>
Sent: Sunday, June 8, 2025 10:48 AM
To: HLU Committee
Subject: Bill 9 - Short Term Rental

> You don't often get email from jacquirouse@gmail.com. Learn why this is important

Maui Housing and Land Use Committee
c/o Maui County Council
200 South High Street
Wailuku, HI 96793

June 8, 2026

Dear Maui Housing and Land Use Committee Members,

I am writing as a concerned property owner regarding the proposed ban on short-term rental units in the area. Our family owns a condo in the area under consideration, and it has become a beloved gathering place for us; hosting at least seven different family groups annually. Each time we visit, we contribute significantly to the local economy by spending at locally owned restaurants, shops, and activities that support local jobs and businesses.

We strongly oppose the proposed ban on short-term rentals. Such a ban would not only affect our family's ability to continue visiting Maui, but it would also harm the many local businesses that depend on the steady flow of visitors staying in condos like ours.

Instead of targeting small condo owners and family-friendly visitors, I urge the committee to focus on the real drivers of unaffordable housing and land use challenges. For example, luxury estate developments—like those built by celebrities and billionaires—consume vast swaths of land while contributing far less to the local economy than smaller-scale visitor accommodations do. Rather than restricting short-term rentals that enable middle-class families to visit, why not prioritize policies that limit oversized estates and encourage the construction of condos and apartments, which benefit both residents and tourists alike?

I respectfully ask the committee to consider solutions that truly address Maui's housing and land use needs—solutions that protect local jobs and preserve Maui's unique charm and character, rather than unfairly penalizing small property owners and visitors who love and support the island.

Thank you for your time and consideration.

Sincerely,

Jacqui Rouse and Matthew Fitterer
250-729-5212

HLU Committee

From: Ted Schroder <tedflies777@yahoo.com>
Sent: Sunday, June 8, 2025 10:53 AM
To: HLU Committee
Subject: Bill 9
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from tedflies777@yahoo.com. Learn why this is important

Dear Chair Kama, Vice Chair U‘u-Hodgins and Members of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning.

Background on Papakea

- Papakea was initially marketed and sold as a legal vacation rental property before any zoning restrictions limited transient vacation rentals in apartment zoned properties.
- Papakea owners have been operating legal vacation rentals for almost fifty years.
- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.
- The majority of units at Papakea are under 600 square feet and the property has limited parking.
- Papakea is not in a residential neighborhood and is located alongside a long stretch of hotel-zoned properties and directly adjacent to multiple commercially-zoned properties.

Unlike apartment buildings designed for long-term residential use, Papakea has a front desk, an activity concierge, shared activity space, and numerous other common resort amenities.

- Owners purchased condos at Papakea with the reasonable expectation that short-term rentals were legal based on ordinances as far back as 1989, and as recent as 2022.
- In reliance on the Maui County ordinances and published documents, Hawaii state law, and constitutional protections, owners invested in costly renovations, furnishings, and long-term financial commitments such as mortgages that make any phase out of short-term rental right offensive of each buyer’s investment-backed expectations.

Papakea’s Contributions to the Community

- Papakea's resort operations provide full-time, benefited, employment for 35 local resident employees; some have worked at the property for over 17 years; some started in entry-level positions and worked into supervisory roles.

- Papakea supports a wide variety of local trade professionals including pest control, HVAC, painting, plumbing, electrical, general contracting, masonry, tile and flooring, fitness instructors, entertainers, and tree trimming.

Individual Owner Contributions to the Community

- Many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means telling local entrepreneurs that worked hard to build a small business that they need to just go get a job somewhere else to make less money, have less flexibility, and be subject to oppressive corporate policies.

- Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui County Transient Accommodations Tax.

- Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, activities, state parks, the national park, and shops.

- Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the hospital, and many other local organizations, and contribute to local philanthropic and cultural efforts.

I would like to thank the committee for the opportunity to comment.

Sincerely,

John Schroder

3543 Lower Honoapiilani Road, Unit B209

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2024	HOTEL / RESORT	$59,108,300	$0	$59,108,300	$0	$59,108,300	$0	$59,108,300

How to calculate real property taxes

Parcel Information

Parcel Number	440010550000
Location Address	3543 LOWER HONOAPIILANI RD UNIT C435 LAHAINA HI 96761
Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

Apartment District Properties Allowed to be Used for Short-Term Occupancy

PROJECT PROPERTY	MASTER TMK	ADDRESS	YR BLT	COUNTY ZONING	COMMUNITY PLAN DESIGNATION	NUMBER OF UNITS
NOHONANI	430060070000	3723 Lower Honoapiilani Rd	1974	A2	MF	28
MAKANI SANDS	430060120000	3765 Lower Honoapiilani Rd	1974	A2	MF	30
KALEIALOHA	430060130000	3785 Lower Honoapiilani Rd	1973	A2	MF	67
HONO KOA	430060140000	3801 Lower Honoapiilani Rd	1980	A2	MF	28
LOKELANI	430060160000	3833 Lower Honoapiilani Rd	1971	A2	MF/OS	36
HALE MAHINA BEACH	430060410000	3875 Lower Honoapiilani Rd	1981	A2	MF	53
HALE ONO LOA	430060440000	3823 Lower Honoapiilani Rd	1969	A2	MF	67
PIKAKE	430060630000	3701 Lower Honoapiilani Rd	1966	A2	MF	12
MAHINAHINA BEACH	430080010000	4007 Lower Honoapiilani Rd	1979	A1	MF	32
POLYNESIAN SHORES	430080020000	3975 Lower Honoapiilani Rd	1972	A1	MF	52
KULEANA	430080040000	3959 Lower Honoapiilani Rd	1972	A1	MF	18
KULEANA	430080050000	3959 Lower Honoapiilani Rd	1974	A1	MF/OS	100
HOYOCHI NIKKO	430080060000	3901 Lower Honoapiilani Rd	1973	A1	MF	17
NOELANI	430090020000	4095 Lower Honoapiilani Rd	1974			50
MAHINA SURF	430090050000	4057 Lower Honoapiilani Rd	1969			44
HONOKOWAI PALMS	440010410000	3666 Lower Honoapiilani Rd	1965			30
HALE KAI I	440010420000	3691 Lower Honoapiilani Rd	1967			40
PAKI MAUI III	440010500000	3615 Lower Honoapiilani Rd	1978			28
PAKI MAUI I & II	440010510000	3601 Lower Honoapiilani Rd	1975		MF/OS	80
PAPAKEA	440010550000	3543 Lower Honoapiilani Rd	1977	A2/H2	MF/H2/OS2	364
HALE KAANAPALI	440060110000	45 Kai Ala Dr	1967	A2/H/OS	H	258
MAUI ELDORADO	440080210000	2681 Kekaa Dr	1968	A2	H	205
KAANAPALI ROYAL	440080230000	2560 Kekaa Dr	1980	A2	MF/OS	105
PUUNOA BEACH ESTATES	450040020000	45 Kai Pali Pl	1984	A1	MF	10
LAHAINA ROADS	450130270000	1403 Front St	1969	A2	MF	41
THE SPINNAKER	460100020000	760 Wainee St	1979	A-1	MF	57
KENANI KAI	510030130000	50 Kepuhi Pl	1983	A-1	MF	120
WAVECREST	560040550000	7142 Kamehameha V Hwy	1975	A2/Interim	MF	126
104				Total Apartment District Vacation Rental Units:		7167

Legend:
Zoning
A1 or A2: Apartment
AG: Agriculture
B2: Community Business

Community Plan
H: Hotel

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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

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No.	Name	Zoning	TMK	Address	City	Developer	Total Units
657	PAPAKEA	A-2/H-2	244001055	3543 L HONOAPIILANI HWY	LAHAINA	HONOKOWAI KAAMAPALI	216
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Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
- **30** rental management companies
- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Laura F <foodielsf12@hotmail.com>
Sent: Sunday, June 8, 2025 10:59 AM
To: HLU Committee
Subject: Exclude Papakea from Bill 9
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from foodielsf12@hotmail.com. Learn why this is important

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

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"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
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P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

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Honokowai, Kaanapali
Maui, Hawaii

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(For) DOUGLAS R. SODETANI, Chairman
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STATE OF HAWAII

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Front desk located in resort operations building

HLU Committee

From: Marina Batham <Marina@marinaonmaui.com>
Sent: Sunday, June 8, 2025 11:05 AM
To: HLU Committee
Subject: Minatoya Testimony

> You don't often get email from marina@marinaonmaui.com. Learn why this is important

I'm a relator and in my 23 years in the business on this island and as a Broker In Charge and Principal Broker across the State my first thought when I heard of this bill was the lawsuits! The avalanche of lawsuits against Maui County and ultimately paid for by our citizens. Why against Maui County? Because you became the source of the information. Your website is what we reference when listing a property that told us who authorized these short term rental properties.

The ripple effect is lost jobs, lost income, increased taxes - and don't forget Maui County's financial rating. It's going to drop making loans more expensive, bonds won't hold their value and in the end, the tax payers pay yet again!

Marina Batham, RB-19752
Coldwell Banker Island Properties
Marina@MarinaOnMaui.com
808-283-5355
RB-19752

HLU Committee

From: MauiMarilyn <mauimarilyn1@gmail.com>
Sent: Sunday, June 8, 2025 11:09 AM
To: HLU Committee
Subject: Against Bill 9

[You don't often get email from mauimarilyn1@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

A very expensive budget was just passed, several County workers got a raise! I don't see how you're going to balance any budget if you pass this bill. The county needs the tax revenue from the short term rentals and the local businesses need the vacationers business. These vacation rentals are not the kind of housing that is needed. Locals don't want to live in a complex with extremely high maintenance fees, only one parked car allowed and no dogs.

The Mayor has said that some of these condos may be re-zoned Hotel, but the one or two complexes that have tried have been denied and they were absolutely built for short term rental vacations. That's not right either. Ever since the idea of this bill came along, it has had a severe negative effect on Maui. Many businesses have gone under because of it and more businesses will go bankrupt or out of business due to what's already happened and the bill isn't even passed yet. The economy is at a standstill, stagnant.
If this bill is passed, it will hurt too many businesses on Maui and the local people.
This is not the answer to Maui's housing problem, and it will not solve the housing problem.

I have owned and live full-time in Maui for 25 years now, in Kihei.

Sincerely, a concerned citizen!
Marilyn Steinmetz
2575 S. Kihei, Apt. 404
Kihei, HI 96753

HLU Committee

From: P F <patf05@msn.com>
Sent: Sunday, June 8, 2025 11:21 AM
To: HLU Committee
Subject: Exclude Papakea From Bill 9
Attachments: STR Letter 6-2024.docx; Exclude Papakea from Bill 9_.pdf

> You don't often get email from patf05@msn.com. Learn why this is important

Please see the attached and thank you for your time,

Pat

Pat Frambach

June 8, 2024

Dear Chair Kama, Vice Chair U'u-Hodgins and Members of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning.

Papakea Resort is a property that is 46 years old and was initially sold as vacation rental property. This property has never been workforce housing and therefore was never converted from workforce housing to transient vacation rental use. The majority of units at Papakea are under 600 square feet and the property has limited parking. Its location is such that it is part of a section of hotel-zoned and multiple commercial properties and is not in a residential neighborhood. Unlike apartment buildings designed for long-term residential use, Papakea has a front desk, an activity concierge, shared activity space and numerous other common resort amenities.

The resort employs 35 island residents and relies on a variety of local professionals to provide services such as pest control, plumbing, electrical HVAC and tree trimming. And as an owner, I rely on many small businesses owned and operated by local residents to keep my condo up and running and thereby boost Hawaii's economy. This includes a property management company, the independent housekeepers that they hire, my handyman, along with upholstery and carpet cleaning services.

As a Papakea owner, I provide payment for property taxes, Transient Accommodations Tax, General Excise Tax and Maui Transient Accommodations Tax, which in turn helps support the State of Hawaii and the County of Maui. And, as guests of the island visit my Papakea unit, they in turn support restaurants, grocery stores, island adventures, food trucks and shopping which fuels small, local businesses.

I would like to thank the committee for the opportunity to comment.

Sincerely,

Pat Frambach
3543 Lower Honoapiilani Road, UnitD202

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

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DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2024	HOTEL / RESORT	$59,108,300	$0	$59,108,300	$0	$59,108,300	$0	$59,108,300

How to calculate real property taxes

Parcel Information

Parcel Number	440010550000
Location Address	3543 LOWER HONOAPIILANI RD UNIT C435 LAHAINA HI 96761
Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

Apartment District Properties Allowed to be Used for Short-Term Occupancy

PROJECT PROPERTY	MASTER TMK	ADDRESS	YR BLT	COUNTY ZONING	COMMUNITY PLAN DESIGNATION	NUMBER OF UNITS
NOHONANI	430060070000	3723 Lower Honoapiilani Rd	1974	A2	MF	28
MAKANI SANDS	430060120000	3765 Lower Honoapiilani Rd	1974	A2	MF	30
KALEIALOHA	430060130000	3785 Lower Honoapiilani Rd	1973	A2	MF	67
HONO KOA	430060140000	3801 Lower Honoapiilani Rd	1980	A2	MF	28
LOKELANI	430060160000	3833 Lower Honoapiilani Rd	1971	A2	MF/OS	36
HALE MAHINA BEACH	430060410000	3875 Lower Honoapiilani Rd	1981	A2	MF	53
HALE ONO LOA	430060440000	3823 Lower Honoapiilani Rd	1969	A2	MF	67
PIKAKE	430060630000	3701 Lower Honoapiilani Rd	1966	A2	MF	12
MAHINAHINA BEACH	430080010000	4007 Lower Honoapiilani Rd	1979	A1	MF	32
POLYNESIAN SHORES	430080020000	3975 Lower Honoapiilani Rd	1972	A1	MF	52
KULEANA	430080040000	3959 Lower Honoapiilani Rd	1972	A1	MF	18
KULEANA	430080050000	3959 Lower Honoapiilani Rd	1974	A1	MF/OS	100
HOYOCHI NIKKO	430080060000	3901 Lower Honoapiilani Rd	1973	A1	MF	17
NOELANI	430090020000	4095 Lower Honoapiilani Rd	1974			50
MAHINA SURF	430090050000	4057 Lower Honoapiilani Rd	1969			44
HONOKOWAI PALMS	440010410000	3666 Lower Honoapiilani Rd	1965			30
HALE KAI I	440010420000	3691 Lower Honoapiilani Rd	1967			40
PAKI MAUI III	440010500000	3615 Lower Honoapiilani Rd	1978			28
PAKI MAUI I & II	440010510000	3601 Lower Honoapiilani Rd	1975		MF/OS	80
PAPAKEA	440010550000	3543 Lower Honoapiilani Rd	1977	A2/H2	MF/H2/OS2	364
HALE KAANAPALI	440060110000	45 Kai Ala Dr	1967	A2/H/OS	H	258
MAUI ELDORADO	440080210000	2681 Kekaa Dr	1968	A2	H	205
KAANAPALI ROYAL	440080230000	2560 Kekaa Dr	1980	A2	MF/OS	105
PUUNOA BEACH ESTATES	450040020000	45 Kai Pali Pl	1984	A1	MF	10
LAHAINA ROADS	450130270000	1403 Front St	1969	A2	MF	41
THE SPINNAKER	460100020000	760 Wainee St	1979	A-1	MF	57
KENANI KAI	510030130000	50 Kepuhi Pl	1983	A-1	MF	120
WAVECREST	560040550000	7142 Kamehameha V Hwy	1975	A2/Interim	MF	126
104				Total Apartment District Vacation Rental Units:		7167

Legend:
Zoning
A1 or A2: Apartment
AG: Agriculture
B2: Community Business

Community Plan
H: Hotel

DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

No.	Name	Zoning	TMK	Address	City	Developer	Total Units
657	PAPAKEA	A-2/H-2	244001055	3543 L HONOAPIILANI HWY	LAHAINA	HONOKOWAI KAAMAPALI	216
894	PAPAKEA PHASE II	A2 & H2	244001055	3543 HONOAPIILANI HWY	LAHAINA	HONOKAWAI-KAANAPALI	148

Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
- **30** rental management companies
- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: James Harris <jimmaui@mac.com>
Sent: Sunday, June 8, 2025 11:24 AM
To: HLU Committee
Subject: I oppose Bill 9

> You don't often get email from jimmaui@mac.com. Learn why this is important

I strongly oppose Bill 9 as it definitely steals the rights of homeowners and their ability to exercise there Constitutional right to their use of their own legally acquired property. Further this is yet another scam by our state government to bow down to out of state hotel lobbies.
Further, yet, this would be an economic disaster for Maui, whose economy is already hanging by a thread.
Stop this bill now!

James M. Harris

163 Kualapa Place

Lahaina, Maui, Hawaii 96761

HLU Committee

From: Harley Broyles <hbroyles@earthjustice.org>
Sent: Sunday, June 8, 2025 11:28 AM
To: HLU Committee
Cc: Mahesh Cleveland; Marti Townsend
Subject: Earthjustice Testimony in Support of Bill 9
Attachments: 2025-6-8 Earthjustice Testimony Bill 9.docx; 2025-6-8 Earthjustice Testimony Bill 9.pdf

> You don't often get email from hbroyles@earthjustice.org. Learn why this is important

Aloha Chair Kama, Vice Chair U‘u-Hodgins, and Members of the Maui County Council Housing and Land Use Committee,

Attached is Earthjustice’s testimony in support of Bill 9 (2025), Amending Chapters 19.12, 19.32, and 19.37, Maui County Code, Relating to Transient Vacation Rental in Apartment Districts, in Word and PDF formats.

Mahalo nui for this opportunity to submit testimony.

Best,

Harley M. Broyles (*she/her*)
Associate Attorney
Earthjustice
earthjustice.org
Admitted to practice in Hawai‘i

facebook.com/earthjustice
twitter.com/earthjustice

EARTHJUSTICE

Because the earth needs a good lawyer

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EARTHJUSTICE

June 8, 2025

Tasha Kama, Chair
Nohelani U'u-Hodgins, Vice Chair
Tom Cook
Gabe Johnson
Alice Lee
Tamara Paltin
Keani Rawlins-Fernandez
Shane Sinenci
Yuki Lei Sugimura

NĀ LĀLĀ 'AHA
MAUI COUNTY COUNCIL
HOUSING AND LAND USE COMMITTEE

Testimony in Support of Bill 9 (2025), Amending Chapters 19.12, 19.32, and 19.37, Maui County Code, Relating to Transient Vacation Rental in Apartment Districts

Aloha Chair Kama, Vice Chair U'u-Hodgins, and Members of the Maui County Council Housing and Land Use Committee:

Earthjustice is a non-profit law firm with extensive experience advocating on behalf of communities seeking restoration of healthy waters and waterways throughout the pae 'āina and has worked for decades to protect the public's interests in Hawai'i's water resources. Based on that experience, Earthjustice submits this testimony supporting passage of Bill 9 (2025), entitled "A Bill For An Ordinance Amending Chapters 19.12, 19.32, And 19.37 Maui County Code, Relating To Transient Vacation Rentals in Apartment Districts." Communities in West Maui ("Maui Komohana"), in particular, face unprecedented housing and water crises that Bill 9 will help to address by phasing out transient vacation rentals ("TVRs") in the County's apartment district. Bill 9 would help to ensure that more Maui County residents can find homes in their own communities. Attempting to address these issues with even more new development—beyond what will be required for Lāhainā's rebuilding process, which has barely begun—would place an even heavier burden on the area's already severely limited water resources. Converting TVRs to long-term housing as soon as possible will make existing housing more immediately available to the community members who need it and, because these residences in the apartment district already have existing water supplies, these units should be made available to permanent residents to ensure that as Lāhainā is rebuilt, limited water resources are managed and apportioned based on the community's true water needs.

MID-PACIFIC 850 RICHARDS STREET, SUITE 400 HONOLULU, HI 96813

T: 808.599.2436 F: 808.521.6841 MPOFFICE@EARTHJUSTICE.ORG WWW.EARTHJUSTICE.ORG

I. Maui Komohana's Public Water Systems Faces Severe Shortages.

In June 2022, the State Commission on Water Resource Management ("CWRM") took action to designate Maui Komohana as a water management area for both surface and ground water, noting "excessively declining" surface water levels; conflicts over surface water use that "have persisted for generations"; groundwater pumpage approaching or exceeding 90% of sustainable yield and "threaten[ing] the aquifer due to saltwater intrusion"; "reduction in [aquifer] recharge" by up to two-thirds in some ahupuaʻa; increased chloride content (i.e., salinity) in several Honolua, Honokōwai, and Launiupoko wells; and serious disputes concerning groundwater use.[1] Communities throughout Maui Komohana rallied behind CWRM to support designation, because it was already clear to many kānaka ʻoiwi and other residents that water resources in the region would need to be "managed in an integrated manner" to address "climate uncertainty and potential drought and decline in rainfall and recharge."[2]

The County of Maui Department of Water Supply ("DWS") and CWRM staff continue to confirm that Maui Komohana is in the midst of a water supply crisis, and that conditions have only worsened over the last three years since CWRM designated the area for direct management. Earlier this year, the County of Maui Board of Water Supply sent to CWRM a letter noting that "groundwater wells are already, at times, producing salty water," citing "dramatic changes in the depth to fresh water" in the Honokōwai aquifer, and admitting that the County has "no idea what is going on in the other five" groundwater aquifers in Maui Komohana.[3] Furthermore, the Honokōwai and Honolua aquifers have demonstrated climbing chloride levels (i.e., saltiness) in wells, evidencing rapidly declining aquifer health.[4]

II. Phasing Out Transient Vacation Rentals Aligns With Water Conservation Efforts

The housing crisis Maui County communities face must be addressed hand-in-hand with water supply shortages, particularly in Maui Komohana. Nearly two years after fires devastated Lāhainā, many of those who lost their homes are still in need of housing or have been forced to leave their communities. The apartment units currently being used as TVRs must

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[1] CWRM Submittal C-1 at 27-28, 30-32 (Jun. 14, 2022) https://files.hawaii.gov/dlnr/cwrm/submittal/2022/sb20220614C1.pdf (last visited June 7, 2025) ("Designation Submittal"); *see* Haw. Rev. Stat. §§ 174C-44 ("Ground water criteria for designation"), -45 ("Surface water criteria for designation").

[2] *See* Designation Submittal at 35.

[3] CWRM's Exhibit 5 to staff's withdrawn submittal B.1 for the April 28, 2025 CWRM meeting ("B.1 submittal") at 24-25 https://files.hawaii.gov/dlnr/cwrm/submittal/2025/sb20250428B1E.pdf (last visited June 7, 2025).

[4] CWRM's Exhibits 2 and 3 to the B.1 submittal at 10-19 https://files.hawaii.gov/dlnr/cwrm/submittal/2025/sb20250428B1E.pdf (last visited June 7, 2025).

be made available as long-term residences to avoid the likelihood that Maui County will not have sufficient water supplies available to support *both* the necessary rebuilding of homes destroyed by the fires *and* any new developments that may be proposed as alternatives to Bill 9.

Bill 9 will support significantly more long-term housing options for Maui residents. Converting TVRs to long-term housing will avoid exacerbating water supply shortages because the related water infrastructure for these units is already established to serve these existing uses.[5] In other words, the water resources needed for these existing apartment units are already included in calculations of water demand relative to limited supplies. Phasing out TVRs, moreover, would conserve water resources by ensuring these apartments are used for long-term rental residents, which, according to DWS, consume less water.[6]

Furthermore, Bill 9 aligns with the County's fundamental constitutional duties to conserve and protect public trust resources. *See* Haw. Const. art. XI, § 1. According to the U.S. Drought Monitor, as of June 3, 2025, Maui Komohana is experiencing D2 level severe drought intensities, and all of Maui County is experiencing D1 level moderate drought.[7] Water resource shortages in Maui Komohana are so dire that permitting decisions for new housing projects are at a standstill[8] and lawmakers have proposed to raise water rates to encourage users to cut back on water use.[9] Additionally, shifts in climate conditions are only getting worse, making it all the more pressing that the County pursue every avenue possible to conserve water resources.[10]

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[5] *See* Haw. Admin. Rules § 13-171-19 ("A permit user of water in an existing water management area, with a continuous reduced water usage, shall be given priority to reobtain its permitted level of water usage over any other application; provided that the use remains the same and is reasonable and beneficial and water is available.")

[6] *See* Letter from John Stufflebean, P.E., Director of the DWS County of Maui, to Richard T. Bissen Jr., Mayor, County of Maui (Apr. 21, 2025) (https://mauicounty.legistar.com/View.ashx?M=F&ID=14263364&GUID=CE635510-CB1A-41FF-9C7C-9245A66416F7).

[7] The U.S. drought monitor is available here: https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx?fips_15009 (last visited June 6, 2025).

[8] *See* Colleen Uechi, *Decline in West Maui water supply means new housing projects will have to wait*, MauiNow, (April 14, 2025) https://mauinow.com/2025/04/14/decline-in-west-maui-water-supply-means-new-housing-projects-will-have-to-wait/ (last visited June 7, 2025).

[9] *See* Colleen Uechi, *Hotels, highest residential users could see higher water rates as county tries to conserve more amid drought*, MauiNow (Apr. 18, 2025) https://mauinow.com/2025/04/18/hotels-highest-residential-users-could-see-higher-water-rates-as-county-tries-to-conserve-more-amid-drought/ (last visited June 7, 2025).

[10] *See* Maui County, *Maui Island Water Use and Development Plan* at 29 (Feb. 2025) https://waterresources.mauicounty.gov/DocumentCenter/View/722/2025-MAUI-ISLAND-WUDP-SUMMARY-DOCUMENT (last visited June 7, 2025).

Enacting Bill 9 effectuates the County's constitutional duty to ensure the conservation of water resources for present and future generations.

In sum, Earthjustice strongly supports Bill 9 and the prompt phase-out of TVRs, which will increase housing availability for community members and help to conserve severely limited water resources. Mahalo for the opportunity to testify on this critically important issue.

/s/ Harley Broyles
MAHESH CLEVELAND
HARLEY M. BROYLES
EARTHJUSTICE

HLU Committee

From: Teri Corpuz <tpcorpuz@yahoo.com>
Sent: Sunday, June 8, 2025 11:42 AM
To: HLU Committee
Subject: Testimony in Support of Bill 9

> You don't often get email from tpcorpuz@yahoo.com. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,
I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts.
I believe this bill is an essential component to addressing several issues facing Maui.
1. Maui's housing crisis: STRs, originally meant for housing, now operate as commercial businesses, while local families remain displaced. With over 6,000 STRs on the Minatoya List, there's a clear opportunity to increase housing stock.
2. Protecting our most vital resource, water: The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. Returning STRs to long-term housing helps protect water access, push back against inequality, and put community needs first.
3. Over tourism: STRs on the Minatoya now support even more tourists on Maui. Returning STRs to long-term housing would greatly help manage tourism here on Maui. There are a lot of rooms already available at hotels in areas designated for STRs.
I urge you to stand with Lāhainā Strong and pass Bill 9.
Sincerely,
Teri Corpuz
Raised in Lahaina, now living in Pukalani

HLU Committee

From: RICH and Wanda HOLMER <richandwanda@sbcglobal.net>
Sent: Sunday, June 8, 2025 11:43 AM
To: HLU Committee
Subject: Oppose Bill 9 for Papakea Oceanfront Resort

[You don't often get email from richandwanda@sbcglobal.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Chair Kam, Vice Chair U'u-Hodgins and embers of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and proposed that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning.

Background on Papakea:

*After the Lahaina fire, my husband and I rented our 458 square foot apartment to survivors of the fire who had had their house burned down. They were a couple but, after nine months of renting our unit, they found it simply to be too small for long term occupancy and they found another place to rent. Their experience clearly illustrated to us that long term rentals are not a good use for our property. The majority of the apartments are 600 square feet and the property has limited parking. The units have very limited storage inside for long term use.

*Papakea was initially marketed and sold as a legal vacation rental property before any zoning restrictions limited transient vacation rentals in apartment zoned properties. Please note that this property is zoned A2-H2. The H2 recognizes that Papakea has always had a short term rentals.

*Papakea owners have been operating legal vacation rentals for almost fifty years. My husband and I have always had paid the GE and TAT taxes and the increased property assessments for property tax. We contribute to Maui's economy.

*Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use. Papakea has two swimming pool, three tennis courts, two putting greens, two shuffle board courts and other resort amenities. It was clearly developed as a resort property.

*Papakea is not in a residential neighborhood and is located alongside a long stretch of hotel-zoned properties and directly adjacent to multiple commercially-zoned properties.

* Unlike apartment buildings designed for long term use, Papakea has a front desk, n activity concierge, shared activity space and numerous other common resort amenities.

* Owners, including myself and my husband, purchased condos at Papakea with the reasonable expectation that short term rentals were legal based on ordinances as far back as 1989, and as recent as 2022.

* In reliance on the Maui County ordinances and published documents, Hawaii state law, and constitutional protections, owners invested in costly renovations, furnishings, and long-term financial commitments such as mortgages that make any phase out of short term rentals right offensive of each buyer's investment backed expectations.

Papakea's Contribution to the Community

*Papakea's resort operations provide full-time, benefited, employment for 35 local resident employees; some have worked at the property for 17 years; some started in entry-level positions and worked into supervisory roles. Many of these positions serve in roles that might be eliminated if Papakea is not allowed to operate as a resort.

* Papakea supports a wide variety of local trade professionals including pest control, HVAC, plumbing, electrical, general contracting, masonry, tile and flooring, fitness instructors, entertainers, and tree trimming.

*We have spent over $100,000 on remodeling and upgrades to our unit. These improvements have benefited the local contractors ht we employed to work on our unit.

Individual Owners Contributions to the Community:
* Many small businesses owned and operated by local residents from Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means telling local entrepreneurs that worked hard o build a small business that they nee$ to get a job somewhere else for less money, have less flexibility, and be subject to oppressive corporate policies.

* As shon in the University of Hawaii study, Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short term rentals rate), Transient Accommodations Tax, General Excise Tax, and Maui County Transient Accommodations Tax.

* Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, activities, state parks, the national park, and shops.

*Papakea owners and guests regularly participate in community services including volunteering at beach cleanups,Maui Humane Society, the hospital and many other local organizations, and contribute to local philanthropic and cultural efforts.

* My husband and I have been coming to Maui for over 45 years. We are boosters for getting people to come to Maui as we share our experiences and our love for Maui with friends and acquaintances.

I would like to thank the committee for the opportunity to comment.

Sincerely,

Wanda Holmer
3543 Lower
Honoapiilani Road, Apartment A206

Sent from my iPad

HLU Committee

From: james foster <jmnpg@yahoo.com>
Sent: Sunday, June 8, 2025 11:49 AM
To: HLU Committee
Subject: Opposition

[You don't often get email from jmnpg@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Committee:
My wife and I have been residents of Molokai since 2000. We have owned a condo at Ke Nani Kai at 50 Kepuhi place, Maunaloa, Hawaii 96770 since 2016. We have enjoyed meeting short term visitors from all over. There is no doubt that Molokai's economy benefits from these short term visitors. The numerous athletes that come for the canoe and paddle races are also a real support for Molokai. You must understand, Molokai has no hotels to accommodate these visitors. We are not Maui. So it would be detrimental to Molokai to stop our short term rentals.

James and Margaret Fostet
Sent from my iPhone

HLU Committee

From: Monica Feldman <monfeldman@gmail.com>
Sent: Sunday, June 8, 2025 11:59 AM
To: HLU Committee
Subject: Bill 9 testimony letter submission
Attachments: 250608 Letter for Bill 9.pdf; Exclude Papakea from Bill 9_.pdf

> You don't often get email from monfeldman@gmail.com. Learn why this is important

Hello,
I am emailing my testimony letter and an attachment for Bill 9 to this email address as I cannot register for an account on the County of Maui. The Email Validation email never arrived.

Thank you for your help with this matter. It is important that this letter be submitted. If you are available to send me instructions on how to submit please let me know.

Kind regards,
Monica

June 8, 2025

AT PAPAKEA RESORT

TO: The Housing and Land Use Committee

From: Monica Feldman - Aston at Papakea Resort

RE: Bill No. 9

Dear Chair Kama, Vice Chair U'u-Hodgins and Members of the Housing and Land Use Committee,

Mahalo for the opportunity to comment on Bill No. 9.

I am writing in OPPOSITION to Bill No. 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning.

- Papakea Resort was initially marketed and sold as a legal vacation rental property before any zoning restrictions limited transient vacation rentals in apartment zoned properties.

- We have been Papakea owners for almost 30 years and have been operating our unit as a legal vacation rental. Papakea has been run like this for almost 50 years.

- Papakea has a front desk, and activity concierge, shared activity space, resort amenities and employs many private businesses and individuals for cleaning, repairing, property managaing, maintenance, events coordinating and caregiving. Shutting down short-term rentals at Papakea means telling local entrepreneurs, that worked hard to build a small business, that they need to just go get a job somewhere else to make less money, have less flexibility, and be subject to oppressive corporate policies.

- Papakea has never been workforce housing so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.

- Our unit, and the majority of units at Papakea, is under 600sq.ft. with little storage and the property has limited parking.

- Papakea is not in a residential neighborhood and is located alongside a long stretch of hotel-zoned properties and directly adjacent to multiple commercially-zoned properties.

- In reliance on the Maui County ordinances and published documents, Hawaii state law, and constitutional protections, owners invested in costly renovations, furnishings, and long-term financial commitments such as mortgages that make any phase out of short-term rental right offensive of each buyer's investment-backed expectations.

- Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, activities, state parks, the national park, and shops.

- Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the hospital, and many other local organizations, and contribute to local philanthropic and cultural efforts.

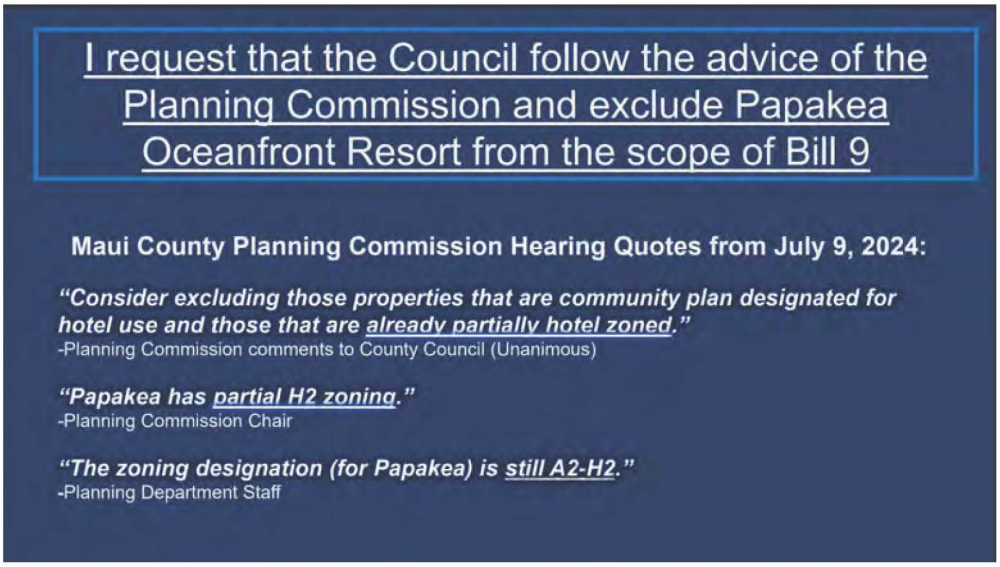
Please see on the next page an example of the attachment to this letter. I would like to thank the committee again for the opportunity to comment.

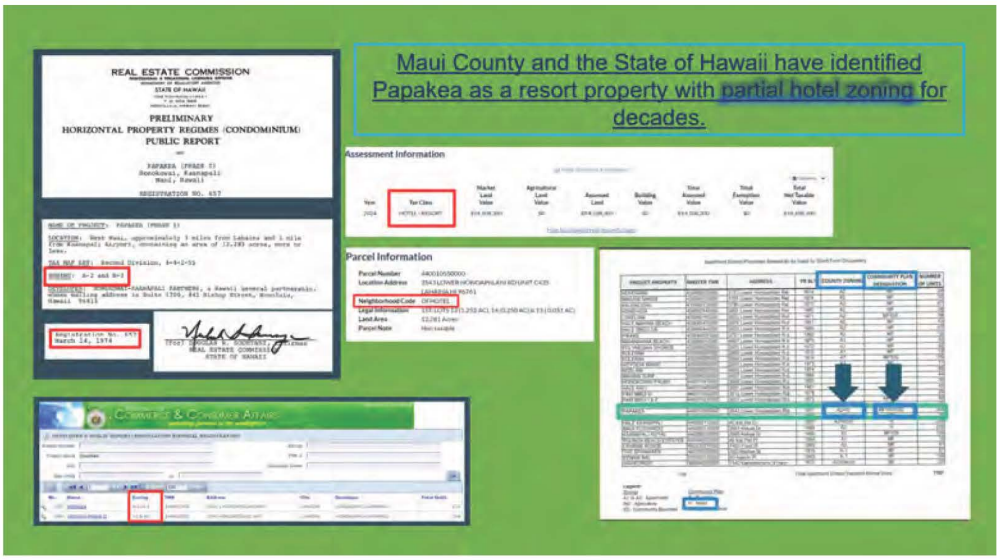
Sincerely,

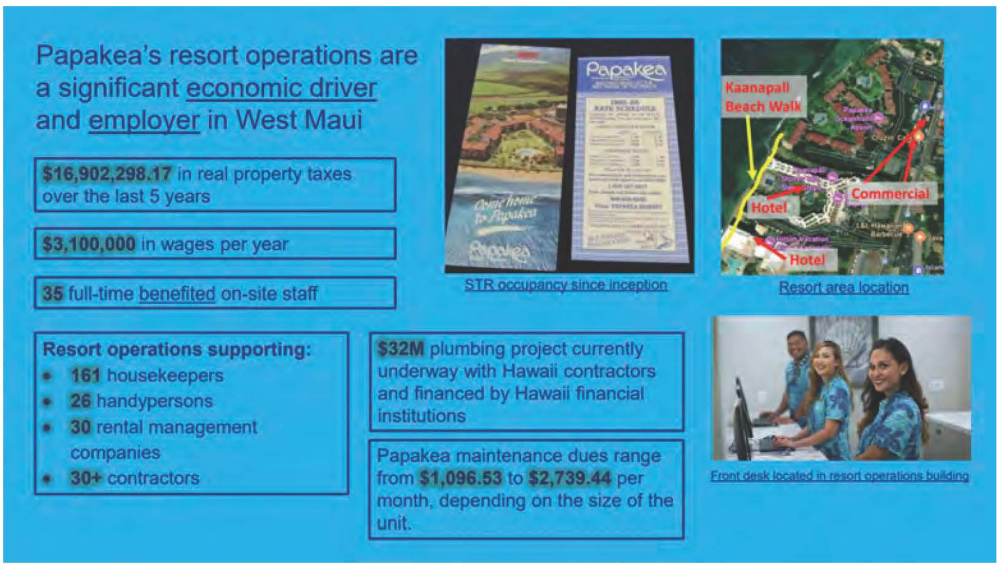
Monica Feldman

3543 Lower Honoapiilani Road, Apartment E309

Example only. This is in the 'attachment' to this letter.







I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2024	HOTEL / RESORT	$59,108,300	$0	$59,108,300	$0	$59,108,300	$0	$59,108,300

How to calculate real property taxes

Parcel Information

Parcel Number	440010550000
Location Address	3543 LOWER HONOAPIILANI RD UNIT C435 LAHAINA HI 96761
Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

Apartment District Properties Allowed to be Used for Short-Term Occupancy

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B2: Community Business

Community Plan
H: Hotel

STATE OF HAWAII
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

No.	Name	Zoning	TMK	Address	City	Developer	Total Units
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Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
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- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Mischelle Lawrence <mischelleonmaui2@me.com>
Sent: Sunday, June 8, 2025 12:07 PM
To: HLU Committee
Subject: I oppose this bill. Minatoya

> You don't often get email from mischelleonmaui2@me.com. Learn why this is important

I oppose this bill. To take away STR's on West Maui, will cause job loss for many local residents as well as loss of income to Maui and the state of Hawaii.

Mischelle Lawrence
50 year plus full time resident of West Maui

HLU Committee

From: Lori Powers <loripowersmaui@gmail.com>
Sent: Sunday, June 8, 2025 12:18 PM
To: HLU Committee
Subject: Testimony for Bill 9 Vote

> You don't often get email from loripowersmaui@gmail.com. Learn why this is important

Aloha Council Members,

What exactly do you think banning short term rentals in apartment zoning is going to accomplish?

1. Is it more affordable housing? The answer to that is no.
   The properties that are considered to be banned are not affordable for even the average income households. The association maintenance fees alone are more than a typical mortgage would be.
2. Will it create more jobs? The answer is no. It will take jobs away from so many people that their families will be devastated.
3. Will it bring more money to the county? The answer is no. The amount of lost revenue cannot be made up by the residents who choose Maui as their home.

So I ask the question again. What is it that you're trying to accomplish with this Bill?

I urge you to VOTE NO and consider ways that affordable housing can be built quickly. Repurposing abandoned commercial properties could be a very good start.

Respectfully,

Lori Powers
Maui Resident since 1987
808-344-4427

HLU Committee

From: Brandon Makaawaawa <brandon.makaawaawa@nohgov.com>
Sent: Sunday, June 8, 2025 12:29 PM
To: HLU Committee; County Clerk
Subject: Testimony in support of Bill 9

[You don't often get email from brandon.makaawaawa@nohgov.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

To: Housing and Land Use Committee, Maui County Council
Date: June 9, 2025
Subject: Testimony in Support of Bill 9 – Phasing Out Short-Term Rentals

Aloha Chair Kama and Members of the Committee,

As President of Na Po'e Kokua, a Maui-based nonprofit dedicated to housing assistance and advocacy for Native Hawaiian and low-income families, I urge you to pass Bill 9 to phase out short-term rentals (STRs) on the Minatoya List. My work with Na Po'e Kokua, inspired by its founding by concerned kupuna like Councilwoman Tasha Kama, drives my commitment to ensuring Native Hawaiians can live on our ancestral ʻāina. This bill is a critical step toward that goal, addressing Maui's housing crisis and honoring the vision of Na Po'e Kokua "The Helping People" for a better future for our keiki and moʻopuna.

The August 8, 2023, Maui fires displaced over 12,000 Lāhainā residents, deepening a housing shortage that has long forced Native Hawaiians off our island. The 6,127 Minatoya List STR units, 94% owned by non-Maui, occupy homes that could house Maui families. As Jordan Ruidas of Lāhainā Strong emphasizes, converting these units to long-term rentals offers immediate relief, unlike new construction, which faces delays. For example, the Pulelehua affordable housing project for fire survivors is stalled due to water scarcity, a crisis worsened by STRs' high water use—driven by frequent turnovers and amenities like pools, as Pāʻele Kiakona notes. In West Maui, a water management area since 2023, no new water permits are available, yet STRs continue to strain our aquifers, violating the public trust doctrine that prioritizes community needs.

Through my work with Na Po'e Kokua, I've seen how STRs deepen inequality. With 54% of Maui's STRs controlled by hosts owning over 20 listings, wealth is extracted from our island. The University of Hawaiʻi Economic Research Organization (UHERO) projects that phasing out STRs could increase long-term housing by 13% and reduce condo prices by 20-40%, making homes more attainable for Native Hawaiian families. Yet, as Matt Jachowski points out, additional policies like empty home taxes and rent caps are needed to ensure affordability, aligning with Na Po'e Kokua's advocacy for sustainable housing solutions.

This bill reflects the Hawaiian value of collective welfare over individual profit. Stacey Alapaʻi, a returning Hawaiian, speaks to the importance of housing stability for community, not speculation. Autumn Ness of the Lahaina Community Land Trust models a path forward, capping home appreciation to keep housing affordable for future generations. While opponents, like the Realtors Association of Maui, argue STRs are a property right, courts have upheld that phaseouts are not illegal "takings." My time with Na Po'e Kokua has shown me that the right of Native Hawaiians to stay on Maui outweighs profit-driven interests.

Chair Kama, your vision as a founding kupuna of Na Po'e Kokua inspires my work to carry forward our mission for housing justice. I urge the Council to pass Bill 9 and adopt complementary policies

like deed restrictions to ensure affordability for Native Hawaiian and low-income families. This is our chance to build a Maui where our keiki and moʻopuna can thrive.

Mahalo nui for your leadership and consideration,

Brandon Maka'awa'awa
President, Na Po'e Kokua
Email: brandon@nohgov.com
Cell: 808-221-6906
Sent from my iPhone

HLU Committee

From: ALISA PIRTLE <alisa.pirtle@gmail.com>
Sent: Sunday, June 8, 2025 12:57 PM
To: HLU Committee
Subject: Testimony on Bill 9

> You don't often get email from alisa.pirtle@gmail.com. Learn why this is important

Aloha Council Members,
I am writing to express my **strong opposition to Bill 9 (2025)**. This bill would eliminate long-standing, legally operating short-term rentals—including timeshare usage—that have contributed positively to Maui's economy and community for decades.

However, I do appreciate the amendment in the current draft (CD1) that **exempts validly existing timeshare units and timeshare plans** from the phase-out. If the Council moves forward with Bill 9, I urge you to **retain this exemption as a minimum safeguard** to prevent serious harm to owners, workers, and the local economy.

I am a timeshare owner at the Kuleana Club. Like hundreds of others, I own one week per year—not a second home, not an investment property. I return regularly, support local restaurants, spend at neighborhood shops, and have built lasting relationships on the island. Timeshare owners like me are part of a stable community of repeat visitors who care deeply about Maui's well-being.

Timeshare properties are fundamentally different from vacation rentals. Units are deeded one week at a time to hundreds of families, which makes them impossible to convert to long-term housing. Including timeshares in a short-term rental ban would not create housing—but it would devastate workers and remove a reliable source of local tax revenue.Properties like Kuleana Club operate **legally under Maui County Code 19.37.010**, and are fully compliant with **TAT and GET tax regulations**. Our occupancy rates are high, and our owners consistently contribute to the island's economy, even in difficult times.

More importantly, timeshares support stable jobs. Many employees at the Kuleana Club have been with the property for over 25 years. Several lost their homes in the Lahaina fire. If timeshare usage is eliminated, these long-standing staff members risk losing the only thing they have left—their livelihood.

Timeshare owners and resorts have also stepped up in times of crisis. The industry has contributed millions to wildfire recovery and donated thousands of room nights to displaced families and first responders. That commitment continues today.

In summary:

- I urge you to **oppose Bill 9 entirely**.
- But if it passes, please **retain the CD1 amendment exempting timeshares**.
- Timeshares are **not TVRs**.
- This exemption is a **fair, balanced, and lawful solution**that protects jobs, housing neutrality, and tax revenue—without compromising the County's broader goals.

Mahalo for your time, your service, and for considering the perspective of owners like me.

Alisa Pirtle
Spring Creek, Nevada City

Kuleana Club Timeshare Owner – Unit 511, Week 4

Your voice matters. Mahalo for standing up to protect the future of Kuleana Club and the Maui community we all love.

HLU Committee

From: Kiana Reyes <kiana87maui@gmail.com>
Sent: Sunday, June 8, 2025 1:06 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from kiana87maui@gmail.com. Learn why this is important

Aloha, esteemed members of the Maui County Council,

My name is Kiana Reyes, and I am a proud native Hawaiian, born and raised here on Maui. As a 38-year-old resident and a parent of four children, I stand before you today to express my strong support for Bill 9.

In the spirit of our state motto, "Ua Mau ke Ea o ka 'Āina i ka Pono," which translates to "The life of the land is perpetuated in righteousness," I urge you to recognize the critical importance of this legislation. The ongoing housing crisis in our community is not just a statistic; it is a reality that affects families like mine. We are faced with the very real possibility of having to leave the island we love and call home, simply because we cannot find affordable housing.

As a local family, we have deep roots in our community, and we long for our children to grow up here, surrounded by our culture, our traditions, and the natural beauty of Maui. However, as short-term rentals continue to proliferate, the availability of homes for residents diminishes, pushing families further away from their dreams of living in their hometown.

Bill 9 represents an essential step toward addressing this imbalance. By prioritizing housing for our local residents over profit-driven short-term rentals, we can ensure that future generations of Hawaiians have the opportunity to thrive in the place they belong. This bill is not just about policy; it’s about preserving our way of life, our culture, and our community.

I respectfully urge you to support Bill 9, for the sake of our families, our children, and the future of Maui. Let us work together to create a sustainable and equitable environment where all residents can have a place to call home.

Mahalo for your time and consideration.

Ke Akua Pu

Kiana K. Reyes
Business Owner
(808)727-9764

Kanu Aloha
111 Pueo Drive
Kula, HI 96790
kiana87maui@gmail.com
www.kanualoha.org

HLU Committee

From: Lisa Capp <lisa@cappproperties.com>
Sent: Sunday, June 8, 2025 1:24 PM
To: HLU Committee
Subject: OPPOSITION BILL 9

> You don't often get email from lisa@cappproperties.com. Learn why this is important

- operated under long-standing county approvals and legal frameworks. Abruptly changing the rules threatens property rights and could result in costly legal challenges for the county.
- The exemption for timeshares appears arbitrary and unfair, as both timeshares and vacation rentals serve visitors and often exist in the same complexes. This inconsistency further erodes trust in the process and the fairness of the legislation.

A Call for Balanced Solutions

- I respectfully urge the Council to consider alternative approaches that address the housing crisis without causing collateral damage to Maui's economy and property owners. Options such as tiered tax increases on short-term rentals, auctioning limited permits, or incentivizing voluntary conversion to long-term rentals could provide meaningful results while preserving economic stability.
- Let's work together to create policies that expand affordable housing, protect property rights, and sustain Maui's unique community and economy for generations to come.

Mahalo for your time and consideration.
Respectfully,
Lisa Capp

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

HLU Committee

From: Meredith Buck <mbucknova@gmail.com>
Sent: Sunday, June 8, 2025 1:29 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-out)

> You don't often get email from mbucknova@gmail.com. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,
I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.
The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. STRs, originally meant for housing, now operate as commercial businesses, consuming high volumes of water while local families remain displaced.
Returning STRs to long-term housing helps protect water access, push back against inequality, and put community needs first. With over 6,000 STRs on the Minatoya List, we have a clear opportunity to increase housing stock without using more water.
I urge you to stand with Lāhainā Strong and pass Bill 9.
Ola i ka Wai — Water is Life.
Sincerely,

Meredith Buck, Hawaii Island

HLU Committee

From: Duane Smith <drsmith181@gmail.com>
Sent: Sunday, June 8, 2025 1:55 PM
To: HLU Committee
Subject: Opposed to Bill 9
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from drsmith181@gmail.com. Learn why this is important

Dear Chair Kama, Vice Chair U'u-Hodgins and Members of the Housing and Land Use Committee,

Papakea Oceanfront Resort has A2-H2 zoning, and as such should be excluded from Bill 9. Information regarding this can be found in the attached document.

I oppose Bill 9 as the negative economic impact to Maui and Hawaii will be significant.

Thank you,

Duane R. Smith
Co-Owner, Papakea Unit D-402
3543 Lower Honoapiilani Road

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

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Front desk located in resort operations building

HLU Committee

From: Jerry Brown <jandbontheroad@hotmail.com>
Sent: Sunday, June 8, 2025 2:08 PM
To: HLU Committee
Subject: Testimony on Bill 9(2025)

> You don't often get email from jandbontheroad@hotmail.com. Learn why this is important

Aloha Council Members,

We are writing to express our strong opposition to Bill 9 (2025). This Bill would eliminate long-standing, legally operating short term rentals-including time share usage-that have contributed positively to Maui's economy and community for decades.

Should you move this Bill forward, we urge you to retain the time share (interval owner) exemption as a minimum safeguard to prevent serious harm to owners, workers, and the local economy.

We are interval owners at the Kuleana Club. We own four intervals per year. We first purchased our intervals in 1982. We return regularly (most years since the first purchase). We support local businesses and have built lasting relationships on the island.

Interval ownership is fundamentally different from vacation rentals. Since units are deeded one week at a time, it would be impossible to convert them to long term housing, but it would devastate our employees who rely on working at Kuleana Club to support their families.

Mahalo for your time and service, and for your consideration of this matter.

Jerry and Brenda Brown
Long Beach, CA
Kuleana Interval Owner Units 319 , weeks 27 and 28, and unit 712, weeks 29 and 30

Sent from my Verizon, Samsung Galaxy smartphone

HLU Committee

From: Lesa Lees Warner-Burke Fine Island Properties <lesaonmaui@gmail.com>
Sent: Sunday, June 8, 2025 2:11 PM
To: HLU Committee
Subject: Bill 9
Attachments: Bill 9.pdf

[You don't often get email from lesaonmaui@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Lesa Lees Warner Burke
Fine Island Properties LLC
Maui Hawaii
808.855.5515
Lesaonmaui@gmail.com

June 8, 2025

Bill 9

My sole interpretation of the situation at hand.

Aloha to Mayor Bisson and City Council,

My life living here on Maui honestly is the best especially during COVID. We had the entire island to ourselves. It was a once in a life time experience. What is the true plan here?

This bill will cause job loss, businesses will fail and tourism will drop and lawsuits will begin. Local people do not want to live in a vacation rental condo. This is not how to solve our housing issue. Truthfully, we need to look at what is really going on. BlackRock, Vanguard, and foreign investors from other countries have purchased a good amount of property and land on Maui and our other islands. Combined they own about 38% of Maui. Are they the ones who are in charge? I am just a lay person who likes research. I have been unable to figure out this get rid of vacation rentals when no one I know wants to live in them.

Black Rock and Vanguard do not own any hotels out right but they do have huge shares in Wyndham Hotels and Resorts Inc. As of January 24, 2023 they own 9% of the shares this may seem little in context but in the big picture its not. Taking these 7,000 + condos will deeply affect our lively hood on Maui. If you had replacement jobs for people in the tourism, I would be all over doing this! Unfortunately, you do not. This will be an epic failure in my opinion. This is what the issue is about providing housing. If you do not have employment, how will you pay your rent? You move to where there is employment. I pray I am wrong but honest to God none of this makes sense. If I am a 100% wrong then you the mayor and city council, failed us in dragging your feet and slow rolling building permits and low-income housing. God Bless us all, may mother Maui prevail.

Sincerely,

Lesa Warner Burke

HLU Committee

From: Diane Hudson <ladydih56@yahoo.com>
Sent: Sunday, June 8, 2025 2:26 PM
To: HLU Committee
Subject: Testimony on Bill 9 (2025)

> You don't often get email from ladydih56@yahoo.com. Learn why this is important

To Whom It May Concern:

My husband and I recently received information regarding possible changes for time share rentals.

Let me give you a teeny history about us; we have good friends that have had a timeshare just above the town of Lahinia since their mother bought it back in the '70's. Subsequently, as their family grew the purchased other units.

We have been fortunate enough to be able to use their timeshares if their family is unable to travel from the mainland on the weeks they own the property. We've been doing this for many years. When we go with them, we support the local economy by dining out, purchasing items and enjoying the feeling of ohana on Maui. We were there when the devastating fires happened and came back last summer to stay at the resort and support the locals anyway we could. In other words, spend money and even donated food to some of the local folks.

In fall of 2025 we became owners of our own timeshare and will be coming to Maui for 2 weeks this summer to enjoy our newly acquired purchase.

We plan, in our case, to keep it within our family; however, if we are unable to travel from the mainland one year, we would want some our other friends to be able to use the timeshare, so it doesn't sit empty.

From what we are understanding about Bill 9 (2025), we would be unable to share the unit with our family/friends. This dumb idea that we might not be able share is less than fair for all concerned. We vacationers are what keeps that economy going. Do you really want to alienate those to us who save for months to come over to go out to dinner or go on a snorkel adventure or purchase food at a local fish market to take back to resort for a meal and enjoy ourselves? This bill is a bad idea and in the long run it will be the locals that suffer from your poor judgement and ideas.

Maui can't afford to have another financial disaster and that is just what passing this bill will do. Don't bend for the money hungry investors and do the right thing: support the local individuals and the timeshare owners.

If you would like to contact us, feel free to contact us at my email of ladydih56@yahoo.com.

Thank you for considering our request

Don and Diane Hudson

HLU Committee

From: Thomas Arland <charltonassociatesllc@gmail.com>
Sent: Sunday, June 8, 2025 2:32 PM
To: HLU Committee
Subject: Bill 9 (2025)
Attachments: Maui County Council - Urgent Letter dtd 6-8-25.docx

> You don't often get email from charltonassociatesllc@gmail.com. Learn why this is important

Please find attached an important letter to the Maui County Council concerning the **meeting on Bill 9 (2025) scheduled for June 10, 2025**. I doubt that anyone will read the letter other than to determine our Yay or Nay stance on the topic. This letter is sent with alternative suggestions offered by a seasoned housing and finance expert who, as a timeshare owner for over 30 years, just happens to love Maui and its people deeply.

Thomas C. Arland

THOMAS C. ARLAND
And
WINYFRED M. ARLAND

41 Moccasin Trail
Sandia Park, NM 87047
Tel: (505) 400-3670
Email: CharltonAssociatesLLC@gmail.com

June 8, 2025

Maui County Council
Maui County Council Chambers
200 S. High Street, Room 708
Wailuku, HI 96793

Via: Email to HLU.committee@mauicounty.us

Re: **Testimony on Bill 9 (2025).**

Dear Council Members:

We are writing to express our **opposition to Bill 9 (2025)** as explained below. We are not just objecting but rather, we are offering some suggestions and encouragement for considering alternative courses of action which would conserve capital that would otherwise be spent on litigation in favor of contributing to more reasonable and acceptable solutions.

We believe that the concept being pursued is particularly wrong-minded and will lead to:

1. considerable cost to the County,
2. extensive litigation and probable disappointment,
3. subsequent costs of implementing alternative solutions, and
4. a long-term impact on the economy that cannot be quantified but which can be anticipated.

Reasonable scenarios would show a decline in property valuations, tax collections, Maui housing occupancy rates, and reduced employment and consumer spending for an extended period of time. There is also an unquantifiable risk associated with a lasting stain on Maui among many of those who have loved and supported Maui for years. Litigation will, most assuredly, help to demonstrate these matters.

The true cost to the County, the impact on the local economy and the loss of jobs will remain difficult to quantify, but we submit that they are real and significant in fiscal terms and human terms as they affect the very people about whom we are all concerned.

We have owned our three (3) timeshare weeks at the Kuleana Club for over 30 years. We strongly supported and acted to buy out the leasehold estate. We do not offer our time intervals for rent. We and our family use it. We pay taxes, we spend money and we have supported local businesses and artisans for all of those years. We have built lasting relationships on the island. Timeshare owners like us are part of a stable community of repeat visitors who care deeply about Maui's well-being.

We have been proud of our ownership as we expect that our adult children, grandchildren and their future heirs will enjoy Maui and its people as we have done. For all of these reasons we would aggressively defend our rights.

So, please consider the financial consequences of complying with the Amendments to the U.S. Constitution which require payment of ***just compensation***. Many of the affected property owners might more readily make tax deductible contributions to a housing fund that might otherwise have been used for legal services in defending property rights and valuations. These same people might also purchase tax-exempt housing bonds issued by the County, irrespective of whatever might be the Moody's rating on the issue.

With a minimum subscription of, say, $10,000, or an average purchase of $25,000 perhaps, multiplied by the numbers of individuals who would rather purchase housing bonds than pay attorneys, please consider the amount of capital that could be raised in this manner.

This bill would eliminate long-standing, legally operating timeshare usage that has contributed positively to Maui's economy and community for decades. The action you are considering would carry with it the risk that it actually undermines economic stability and leads to a decline in valuations and property tax collections, reduced tourism, reduced consumer spending and reduced employment for permanent residents. The economic models that you may be studying cannot quantify the push-back and resentment of people who have owned property and helped Maui's economy thrive. Indeed, the stain on Maui could last a very long time.

It is appreciated that the amendment in the current draft (CD1) **exempts validly existing timeshare units and timeshare plans** from the phase-out. If the Council moves forward with Bill 9, we urge you to **retain this exemption as a minimum safeguard** to prevent serious harm to owners, workers and the local economy.

Units are deeded one week at a time to hundreds of families, which makes them impossible to convert to long-term housing. Including timeshares in a short-term rental ban would not create housing—but it would devastate workers and remove a reliable source of local tax revenue. Properties like Kuleana Club operate **legally under Maui County Code 19.37.010**, and are fully compliant with **TAT and GET tax regulations**. Our occupancy rates are high, and our owners consistently contribute to the island's economy, even in difficult times.

Timeshare properties are fundamentally different from vacation rentals. Units are deeded one week at a time to hundreds of families, which makes them impossible to convert to long-term housing. Including timeshares in a short-term rental ban would not create housing—but it would devastate workers and remove a reliable source of local tax revenue. Properties like Kuleana Club operate **legally under Maui County Code 19.37.010**, and are fully compliant with **TAT and GET tax regulations**. Our occupancy rates are high, and our owners consistently contribute to the island's economy, even in difficult times.

More importantly, timeshares support stable jobs. Many employees at the Kuleana Club have been with the property for over 25 years. Several lost their homes in the Lahaina fire. If timeshare usage is eliminated, these long-standing staff members risk losing the only thing they have left—their livelihood.

Timeshare owners and resorts have also stepped up in times of crisis. The industry has contributed millions to wildfire recovery and donated thousands of room nights to displaced families and first responders. That commitment continues today.

In summary:

- My wife and I urge you to **oppose Bill 9 entirely**.
- But if it passes, please **retain the CD1 amendment exempting timeshares**.
- Timeshares are **not TVRs**.
- This exemption is a **fair, balanced, and lawful solution** that protects jobs, housing neutrality, and tax revenue—without compromising the County's broader goals.

Mahalo for your time, your service, and for considering the perspective of owners like us.

Thomas Charlton Arland
Winyfred Martina Arland

Kuleana Club Timeshare Owners – Unit 404. Weeks 10, 11 and 12.

HLU Committee

From: Taytum H <taymaui670@gmail.com>
Sent: Sunday, June 8, 2025 2:35 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

[You don't often get email from taymaui670@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Aloha Chair, Vice Chair, and Members of Maui County Housing and Land Use Committee, My name is Taytum Keanuheaokaua Herrick and I come from Lahaina. I am writing in strong support of Bill 9 as I believe it addresses Maui's housing and water crisis.
We do not lack in resources, we just aren't allocating them correctly. And we may be able to build more but we should start with what we already have.
Mind you, even though grandfathered in, these STRs are illegal anyway. We are in a crisis and must fight against greedy investors for the sake of our community.
So I urge you to stand with us and vote to pass Bill 9.
Mahalo,
Taytum Keanuheaokaua Herrick

Sent from my iPhone

HLU Committee

From: Marlene Rainen <marlene.rainen@gmail.com>
Sent: Sunday, June 8, 2025 2:43 PM
To: HLU Committee
Subject: Exclude Papakea from Bill 9
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from marlene.rainen@gmail.com. Learn why this is important

Please consider the attached facts.

Mahalo,
Marlene Rainen

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2024	HOTEL / RESORT	$59,108,300	$0	$59,108,300	$0	$59,108,300	$0	$59,108,300

How to calculate real property taxes

Parcel Information

Parcel Number	440010550000
Location Address	3543 LOWER HONOAPIILANI RD UNIT C435 LAHAINA HI 96761
Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

Apartment District Properties Allowed to be Used for Short-Term Occupancy

PROJECT PROPERTY	MASTER TMK	ADDRESS	YR BLT	COUNTY ZONING	COMMUNITY PLAN DESIGNATION	NUMBER OF UNITS
NOHONANI	430060070000	3723 Lower Honoapiilani Rd	1974	A2	MF	28
MAKANI SANDS	430060120000	3765 Lower Honoapiilani Rd	1974	A2	MF	30
KALEIALOHA	430060130000	3785 Lower Honoapiilani Rd	1973	A2	MF	67
HONO KOA	430060140000	3801 Lower Honoapiilani Rd	1980	A2	MF	28
LOKELANI	430060160000	3833 Lower Honoapiilani Rd	1971	A2	MF/OS	36
HALE MAHINA BEACH	430060410000	3875 Lower Honoapiilani Rd	1981	A2	MF	53
HALE ONO LOA	430060440000	3823 Lower Honoapiilani Rd	1969	A2	MF	67
PIKAKE	430060630000	3701 Lower Honoapiilani Rd	1966	A2	MF	12
MAHINAHINA BEACH	430080010000	4007 Lower Honoapiilani Rd	1979	A1	MF	32
POLYNESIAN SHORES	430080020000	3975 Lower Honoapiilani Rd	1972	A1	MF	52
KULEANA	430080040000	3959 Lower Honoapiilani Rd	1972	A1	MF	18
KULEANA	430080050000	3959 Lower Honoapiilani Rd	1974	A1	MF/OS	100
HOYOCHI NIKKO	430080060000	3901 Lower Honoapiilani Rd	1973	A1	MF	17
NOELANI	430090020000	4095 Lower Honoapiilani Rd	1974			50
MAHINA SURF	430090050000	4057 Lower Honoapiilani Rd	1969			44
HONOKOWAI PALMS	440010410000	3666 Lower Honoapiilani Rd	1965			30
HALE KAI I	440010420000	3691 Lower Honoapiilani Rd	1967			40
PAKI MAUI III	440010500000	3615 Lower Honoapiilani Rd	1978			28
PAKI MAUI I & II	440010510000	3601 Lower Honoapiilani Rd	1975		MF/OS	80
PAPAKEA	440010550000	3543 Lower Honoapiilani Rd	1977	A2/H2	MF/H2/OS2	364
HALE KAANAPALI	440060110000	45 Kai Ala Dr	1967	A2/H/OS	H	258
MAUI ELDORADO	440080210000	2681 Kekaa Dr	1968	A2	H	205
KAANAPALI ROYAL	440080230000	2560 Kekaa Dr	1980	A2	MF/OS	105
PUUNOA BEACH ESTATES	450040020000	45 Kai Pali Pl	1984	A1	MF	10
LAHAINA ROADS	450130270000	1403 Front St	1969	A2	MF	41
THE SPINNAKER	460100020000	760 Wainee St	1979	A-1	MF	57
KENANI KAI	510030130000	50 Kepuhi Pl	1983	A-1	MF	120
WAVECREST	560040550000	7142 Kamehameha V Hwy	1975	A2/Interim	MF	126
	104			Total Apartment District Vacation Rental Units:		7167

Legend:
Zoning
A1 or A2: Apartment
AG: Agriculture
B2: Community Business

Community Plan
H: Hotel

DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

No.	Name	Zoning	TMK	Address	City	Developer	Total Units
657	PAPAKEA	A-2/H-2	244001055	3543 L HONOAPIILANI HWY	LAHAINA	HONOKOWAI KAAMAPALI	216
894	PAPAKEA PHASE II	A2 & H2	244001055	3543 HONOAPIILANI HWY	LAHAINA	HONOKAWAI-KAANAPALI	148

Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
- **30** rental management companies
- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Ruben Juarez <rubenj@hawaii.edu>
Sent: Sunday, June 8, 2025 2:43 PM
To: HLU Committee
Cc: Alika Maunakea
Subject: HLU-4 Bill 9 (2025)
Attachments: MauiWES_Housing.pdf

> You don't often get email from rubenj@hawaii.edu. Learn why this is important

See attached statement in SUPPORT.

Thanks, Ruben

--

RUBEN JUAREZ, PHD
HMSA Endowed Professor - UHERO
Professor - Economics Department
Director - Maui Wildfire Exposure Study
University of Hawaii
2424 Maile Way, Saunders 542, Honolulu, HI 96822
https://www.rubenj.net/

UNIVERSITY of HAWAI'I®
MĀNOA

Maui Wildfire Exposure Study and Registry
MauiWES.org
MauiRegistry.com

Maui County Council
200 South High Street
Wailuku, HI 96793

June 8, 2025

RE: Letter of Support for the Ban on Short-Term Rentals (HLU-4 Bill 9, 2025)

Aloha Chair and Councilmembers,

On behalf of the Maui Wildfire Exposure Study and Registry (MauiWES), we write in strong support of efforts by the Maui County Council to ban short-term rentals in residential communities. As the lead study documenting the ongoing health and social impacts of the 2023 wildfires, we have been working directly with over 2,000 Maui residents—conducting surveys, health screenings, and longitudinal follow-ups to better understand the well-being of individuals across Lahaina and other impacted areas.

Our research clearly demonstrates that the lack of stable and affordable housing continues to be one of the most significant stressors affecting the physical and mental health of wildfire survivors. The housing crisis is not merely an economic issue—it is a health issue. While providing housing alone cannot fully resolve complex health challenges, it is an essential and non-negotiable foundation for recovery, wellness, and long-term resilience.

Short-term rentals have contributed to the displacement of local families and the continued scarcity of long-term housing options. This reality is reflected in our data, which shows that individuals living in temporary shelters, overcrowded conditions, or couch-surfing report significantly higher rates of depression, anxiety, sleep disruption, and unmanaged chronic disease. The continued prioritization of visitor accommodations over community housing undermines public health, delays healing, and perpetuates trauma among those most affected by the disaster.

In alignment with our mission to inform policy through science and community-engaged research, we urge the Council to act decisively. Limiting short-term rentals is not only a step toward restoring the fabric of our community—it is a necessary public health intervention.

We stand with our residents and leaders who seek long-term, health-centered recovery. We fully support a ban on short-term rentals in West Maui and throughout areas where housing insecurity continues to threaten the wellbeing of our people.

Mahalo for your leadership and commitment to a healthier, more equitable Maui.

With deep respect,

Dr. Ruben Juarez and Dr. Alika Maunakea
Directors, MauiWES

2424 Maile Way, Saunders 542 Honolulu, Hawai'i 96822
Telephone: (808) 956-8496 Fax: (808) 956-4347

An Equal Opportunity Institution

HLU Committee

From: Stephanie Schwartz <sschwrtz12@gmail.com>
Sent: Sunday, June 8, 2025 2:54 PM
To: HLU Committee
Subject: Exclude Papakea from Bill 9
Attachments: Letter Opposing Papakea Inclusion in Bill 9.pdf

> You don't often get email from sschwrtz12@gmail.com. Learn why this is important

Dear Chair Kama, Vice Chair U'u-Hodgins, and Members of the Housing and Land Use Committee:

We oppose Bill 9 as drafted and propose that the Council amend the Bill to exclude Papakea Oceanfront Resort, which the County has historically identified as having A2-H2 zoning. As I'm sure you've already reviewed from other Papakea owners' submissions, before any zoning restrictions limited transient vacation rentals in apartment zoned properties, Papakea was initially marketed and sold as a legal vacation rental property. Papakea owners have been operating legal vacation rentals for almost 50 years.

Additionally, Papakea has never been workforce housing, therefore, is not an example of a property that converted from workforce housing to transient vacation rental use. It is not in a residential neighborhood and is located alongside a long stretch of hotel-zoned properties and directly adjacent to multiple commercially-zoned properties. The majority of units at Papakea are under 600 square feet and the property has limited parking.

Unlike apartment buildings designed for long-term residential use, Papakea has a front desk, an activity concierge, shared activity space, and numerous other common resort amenities.

Owners at Papakea purchased condos with the reasonable expectation that short-term rentals were legal based on ordinances as far back as 1989 and as recent as 2022.

In reliance on the Maui County ordinances and published documents, Hawaii state law, and constitutional protections, owners invested in costly renovations, furnishings and long-term financial commitments such as mortgages that make any phase out of short-term rental rights offensive of each buyer's investment-backed expectations.

Papakea's contributions to the Community include providing full-time, benefited employment for 35 local resident employees; some having worked at the property for over 17 years; some started in entry-level positions and worked into supervisory roles.

Papakea supports a wide variety of local trade professionals including pest control, HVAC, painting, plumbing, electrical, general contracting, masonry, tile and flooring fitness instructors, entertainers, and tree trimming.

INDIVIDUAL OWNERS CONTRIBUTE TO THE COMMUNITY through using many small businesses owned and operated by local residents from the Maui community that rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates and work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means telling local entrepreneurs that have worked hard to build a small business that they need to find a job somewhere else to make less money, have less flexibility, and be subject to oppressive corporate policies.

Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui County Transient Accommodations Tax.

Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, activities state parks the national park, and shops.

Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the hospital, and many other local organizations, and contribute to local philanthropic and cultural efforts.

We would like to thank the committee for the opportunity to comment.
Sincerely,

Stephanie and Randy Schwartz
3543 Lower Honoapiilani Road, Apartment K307

HLU Committee

From: Lance Holter <holter@maui.net>
Sent: Sunday, June 8, 2025 3:09 PM
To: HLU Committee
Subject: Bill 9

[You don't often get email from holter@maui.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Council-members,

Instead of destroying our fragile Maui Economy by killing the tourism industry that employs thousands. The solution would be to fast track affordable housing projects and infrastructure on County/Private Lands with cooperative county/developer incentives and permitting. I know there are several in the process of planning that could be fast tracked.
Another solution would be to convert the large empty buildings, where Sears and Safeway used to occupy for example, into mixed use/residential projects. This is done all over America, and is very successful in resolving housing issues.
Please delay your decision making until you can inventory existing affordable housing projects currently in review . I'm sure you will discover that the solutions are right in front of the planning department , and the Council, waiting for approvals.

Eliminating the thousands of condos , which are held by innocent investors whom purchased their properties thinking they had a way to finance their property and investments will cause incredible financial hardship and result in a Island wide recession with unemployment , including an extreme and insufferable loss of tax revenue to the county budget. Not to mention the-many lawsuits that will result from the unhappy condo owners that the County will be responsible for paying the damages to.
Please delay your decision making until you examine the solutions , some of which I have described above.
Best regards ,

Lance Holter
PO Box 790656
Paia, Hi 96779

Lance Holter cell 808-283-1056

HLU Committee

From: Alvin Westcott <smwestcott@yahoo.com>
Sent: Sunday, June 8, 2025 3:13 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from smwestcott@yahoo.com. Learn why this is important

Aloha mai kākou:

I am writing in support of Bill to phase out short term rentals I apartment zones. The explosion of short term rentals (STRs) since the implementation of the Minatoya list has had devestating effects on the housing market for local families. Many of you council members ran for office with “managed tourism” as part of your platform. I ask you... what have you done to manage tourism? The answer is nothing. This bill will not only help with the affordable housing problems we have here but also be a step in the right direction to manage the overwhelming number of tourists that show up here on the island. It will also help with the severe water issues we have. Yes there will be some economic impacts but the benefits far out weigh these impacts. I strongly urge you to pass Bill 9 and stand in support of the people of Maui rather than buckling to the pressures of big business/development.

Ola i ka wai!!

Ke aloha nō,

Alvin Hoaloha Westcott

HLU Committee

From: Matt Iannaccio (808) 222-0478 <matt.hirealtor@gmail.com>
Sent: Sunday, June 8, 2025 3:21 PM
To: HLU Committee
Subject: Written Testimony Regarding Proposed Short-Term Rental Ban on Maui

> You don't often get email from matt.hirealtor@gmail.com. Learn why this is important

Aloha,

I am writing to express my strong opposition to the proposed bill that would ban thousands of legal short-term rentals on Maui. This measure would have a devastating impact on the livelihoods of thousands of local residents who rely on rental income to support their families—at a time when we are already facing serious economic challenges both locally and nationally.

Not only would this bill strip away a critical source of income for many, but it would also cause a significant drop in property values, directly affecting the net worth and financial stability of homeowners across the island. These are not just investment properties—many are owned by kamaʻāina who have worked hard to build generational wealth and create financial security in one of the most expensive housing markets in the country.

The claim that this bill will meaningfully improve the housing shortage is deeply flawed. Most of these short-term rental properties are priced far beyond what the average resident in need of housing can afford. Even if all were converted to long-term rentals tomorrow, the increase in inventory would be minimal and unaffordable to the population this bill claims to help.

If the goal is truly to create more housing for local families, the solution lies in reforming the permitting process and making it easier to build. Open up land, streamline approvals, and incentivize development of affordable homes—this is how we solve the root of the crisis, not by penalizing property owners and dismantling one of the few industries keeping Maui's economy afloat.

Mahalo for your time and consideration.

--

Matthew Iannaccio
Turnkey Group - Founder

REALTOR®, RB-23540 - Military Relocation Specialist

(808) 222-0478 | www.turnkeygrouprealty.com

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HLU Committee

From: Julie Monroe <monjala@att.net>
Sent: Sunday, June 8, 2025 3:30 PM
To: HLU Committee
Subject: Exclude Papakea from Bill 9
Attachments: Exclude Papakea from Bill 9_.pdf

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)

"Papakea has partial H2 zoning."
-Planning Commission Chair

"The zoning designation (for Papakea) is still A2-H2."
-Planning Department Staff

Maui County and the State of Hawaii have identified Papakea as a resort property with partial hotel zoning for decades.

REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
1010 RICHARDS STREET
P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Assessment Information

Show Historical Assessments

Columns

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2024	HOTEL / RESORT	$59,108,300	$0	$59,108,300	$0	$59,108,300	$0	$59,108,300

How to calculate real property taxes

Parcel Information

Parcel Number	440010550000
Location Address	3543 LOWER HONOAPIILANI RD UNIT C435 LAHAINA HI 96761
Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

Apartment District Properties Allowed to be Used for Short-Term Occupancy

PROJECT PROPERTY	MASTER TMK	ADDRESS	YR BLT	COUNTY ZONING	COMMUNITY PLAN DESIGNATION	NUMBER OF UNITS
NOHONANI	430060070000	3723 Lower Honoapiilani Rd	1974	A2	MF	28
MAKANI SANDS	430060120000	3765 Lower Honoapiilani Rd	1974	A2	MF	30
KALEIALOHA	430060130000	3785 Lower Honoapiilani Rd	1973	A2	MF	67
HONO KOA	430060140000	3801 Lower Honoapiilani Rd	1980	A2	MF	28
LOKELANI	430060160000	3833 Lower Honoapiilani Rd	1971	A2	MF/OS	36
HALE MAHINA BEACH	430060410000	3875 Lower Honoapiilani Rd	1981	A2	MF	53
HALE ONO LOA	430060440000	3823 Lower Honoapiilani Rd	1969	A2	MF	67
PIKAKE	430060630000	3701 Lower Honoapiilani Rd	1966	A2	MF	12
MAHINAHINA BEACH	430080010000	4007 Lower Honoapiilani Rd	1979	A1	MF	32
POLYNESIAN SHORES	430080020000	3975 Lower Honoapiilani Rd	1972	A1	MF	52
KULEANA	430080040000	3959 Lower Honoapiilani Rd	1972	A1	MF	18
KULEANA	430080050000	3959 Lower Honoapiilani Rd	1974	A1	MF/OS	100
HOYOCHI NIKKO	430080060000	3901 Lower Honoapiilani Rd	1973	A1	MF	17
NOELANI	430090020000	4095 Lower Honoapiilani Rd	1974			50
MAHINA SURF	430090050000	4057 Lower Honoapiilani Rd	1969			44
HONOKOWAI PALMS	440010410000	3666 Lower Honoapiilani Rd	1965			30
HALE KAI I	440010420000	3691 Lower Honoapiilani Rd	1967			40
PAKI MAUI III	440010500000	3615 Lower Honoapiilani Rd	1978			28
PAKI MAUI I & II	440010510000	3601 Lower Honoapiilani Rd	1975			80
PAPAKEA	440010550000	3543 Lower Honoapiilani Rd	1977	A2/H2	MF/H2/OS2	364
HALE KAANAPALI	440060110000	45 Kai Ala Dr	1967	A2/H/OS	H	258
MAUI ELDORADO	440080210000	2681 Kekaa Dr	1968	A2	H	205
KAANAPALI ROYAL	440080230000	2560 Kekaa Dr	1980	A2	MF/OS	105
PUUNOA BEACH ESTATES	450040020000	45 Kai Pali Pl	1984	A1	MF	10
LAHAINA ROADS	450130270000	1403 Front St	1969	A2	MF	41
THE SPINNAKER	460100020000	760 Wainee St	1979	A-1	MF	57
KENANI KAI	510030130000	50 Kepuhi Pl	1983	A-1	MF	120
WAVECREST	560040550000	7142 Kamehameha V Hwy	1975	A2/Interim	MF	126
	104			Total Apartment District Vacation Rental Units:		7167

Legend:
Zoning
A1 or A2: Apartment
AG: Agriculture
B2: Community Business

Community Plan
H: Hotel

STATE OF HAWAII
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
upholding fairness in the marketplace
hawaii.gov | dcca home

DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

No.	Name	Zoning	TMK	Address	City	Developer	Total Units
657	PAPAKEA	A-2/H-2	244001055	3543 L HONOAPIILANI HWY	LAHAINA	HONOKOWAI KAAMAPALI	216
894	PAPAKEA PHASE II	A2 & H2	244001055	3543 HONOAPIILANI HWY	LAHAINA	HONOKAWAI-KAANAPALI	148

Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
- **26** handypersons
- **30** rental management companies
- **30+** contractors

$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Susan Sewell <susanksewell@gmail.com>
Sent: Sunday, June 8, 2025 3:55 PM
To: HLU Committee
Subject: Testimony on Bill 9 (3025)

> You don't often get email from susanksewell@gmail.com. Learn why this is important

Dear Aloha Council Members,
I am writing to express my **strong opposition to Bill 9 (2025)**. This bill would eliminate long-standing, legally operating short-term rentals—including timeshare usage—that have contributed positively to Maui's economy and community for decades.

However, I do appreciate the amendment in the current draft (CD1) that **exempts validly existing timeshare units and timeshare plans** from the phase-out. If the Council moves forward with Bill 9, I urge you to **retain this exemption as a minimum safeguard** to prevent serious harm to owners, workers, and the local economy.

I am a timeshare owner at the Kuleana Club. Like hundreds of others, I own one week per year—not a second home, not an investment property. I return regularly, support local restaurants, spend at neighborhood shops, and have built lasting relationships on the island. Timeshare owners like me are part of a stable community of repeat visitors who care deeply about Maui's well-being.

Sincerely,
Carolynn Salter

Sent from my iPhone

HLU Committee

From: Mona Chery <nanacherry1954@hotmail.com>
Sent: Sunday, June 8, 2025 4:10 PM
To: HLU Committee
Subject: Bill 9

> You don't often get email from nanacherry1954@hotmail.com. Learn why this is important

Aloha Chair and Members of the Land Use Committee,

My name is Mona Cherry, and I am writing in strong support of Bill 9 (2025). I believe it's time to return Apartment District properties like Lahaina Roads to long-term residential use — to restore our communities and put people first.

I've lived on Maui for over 30 years. My roots are in Lahaina, where I worked at the Harbor for 25 years. I was there seven days a week — whether I was on the clock or not — because that was my community. That was my life. The Harbor was full of people who felt like family. I helped businesses grow, learned the industry inside and out, and was lucky to work alongside mentors and friends who shaped me. Many of them are gone now, and not a day goes by that I don't cry — for Lahaina, for the people, for the life I lost in the fire.

I was there the morning of the fire. We hadn't canceled tours the day before — that used to cost us too much — so I showed up like always. None of us knew it would be our last day together in that place.

My ex-husband was the resident manager of Lahaina Roads for over ten years — the longest they ever had. During the time I lived there, especially in the 1990s through the early 2000s, Lahaina Roads was a real community. It was probably half owner-occupied or long-term rentals. A lot of owners came during the winter, and when they weren't there, their families would use the units. People knew each other. I even got married on the lawn so our older neighbors who couldn't walk far could still watch. It was that kind of place.

But over time, as owners aged, their kids either sold the units or turned them into transient vacation rentals. By the time of the fire, Lahaina Roads was reportedly 100% TVR. It didn't happen overnight — it was a slow loss of community in the name of convenience and profit. Now, I hear it's getting ready to reopen again — for vacation rentals. Why are we still doing this? Why are we letting these spaces, which could house local people, be lost again?

I don't expect to live in Lahaina again — I've been priced out for years. I've been in the same apartment in Wailuku for 12 years because it's the only one I could afford that allows my dog. Before the fire, it didn't bother me, because my real home was the Harbor. After the Harbor was gone, I started to hate this place — not because it changed, but because everything else did.

I've survived a lot. When my son died by suicide in 2010, I ended up living in my car. I lost everything. But that pain brought me into a new path — I began working with Mental Health America Hawai'i and co-chaired the Maui County Suicide Prevention Taskforce. I did my healing by helping others.

Being homeless didn't make me less of a person — it made me more empathetic, more aware of the cracks in our system. Most people don't end up unhoused because of personal failures. They end up there because the system fails them. Because they fall through the gaps that shouldn't exist in the first place. And now, we're watching that same system prioritize vacation rentals over local housing, again.

I'm not Hawaiian, but I believe deeply in the values of this place: take care of the land and the people, and it will care for you. That's not what's happening. The system is upside-down.

Please pass Bill 9. Return Lahaina Roads and other Apartment Districts back to what they were always meant to be — homes. Even if I never live there again, I want to know that local families can. That a real community can live and grow there again.

Mahalo for hearing my story.

With aloha,
Mona Cherry
Wailuku resident, former Lahaina Harbor worker, community advocate

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

HLU Committee

From: mike.rtsinc@rcn.com
Sent: Sunday, June 8, 2025 4:37 PM
To: HLU Committee
Subject: Exclude Papakea

> You don't often get email from mike.rtsinc@rcn.com. Learn why this is important

Dear members,
Papakea already has a hotel zoning. Papakea has never had residential housing.
Papakea was built in a tourist area , waterfront, surrounded by similar hotels .
In fact I believe it was built before any current zoning.
I purchased my small , less than 460 square foot unit in the 1980's with hotel rental as my intention.
Your intentions , of changing to whom I can rent , after 40 years is completely In democratic.
Exclude Papakea from your bill.
Respectfully,
Mike Stango
E104 Papakea

HLU Committee

From: Bree Lewis <bree@mauilodging.com>
Sent: Sunday, June 8, 2025 4:54 PM
To: HLU Committee
Subject: Maui Lodging Properties, llc

> You don't often get email from bree@mauilodging.com. Learn why this is important

Aloha,

Our family business is locally owned by members of our family as well as employees that have been with us for years. We intend secure the futures as best we can with ownership in our company.
I am writing on behalf of us all, where we manage long term rentals, associations as well as vacation rentals. We have long term employees and vendors that tragically lost their homes in the fire. They lost items that can never be replaced that they worked hard for. Our goal is to keep security within their ohanas.

Since the fire we have transferred a dozen rentals for long term housing as well as keeping our locals on a payroll. Our vendors, accountants, housekeepers, maintenance staff and so many others employed in spite of the obstacles with the fire.

This bill wouldn’t help keep our locals working. I strongly oppose and so do our employees.

Mahalo,
Bree Lewis
Maui Lodging Properties, LLC
Bree@mauilodging.com
808-868-6558

HLU Committee

From: Michele Ringstad <Stormswimmer@comcast.net>
Sent: Sunday, June 8, 2025 4:54 PM
To: HLU Committee
Subject: Exclude Papakea from Bill 9

> You don't often get email from stormswimmer@comcast.net. Learn why this is important

Dear Chair Kama, Vice Chair Uʻu-Hodgins and Members of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning. Below I have listed some of the reasons I believe Papakea Oceanfront Resort should be excluded from Bill 9:

* Papakea was initially marketed and sold as a legal vacation rental property before any zoning restrictions limited transient vacation rentals in apartment zoned properties.

* Papakea owners have been operating legal vacation rentals for almost fifty years.

* Papakea has never been workforce housing, so Papakea is not an example of a property that converted from workforce housing to transient vacation rental use.

* The majority of units at Papakea are under 600 square feet and the property has limited parking.

* Papakea is not in a residential neighborhood and is located alongside a long stretch of hotel-zoned properties and directly adjacent to multiple commercially-zoned properties.

* Unlike apartment buildings designed for long-term residential use, Papakea has a front desk, an activity concierge, shared activity space, and numerous other common resort amenities.

* Owners purchased condos at Papakea with the reasonable expectation that short-term rentals were legal based on ordinances as far back as 1989, and as recent as 2022.

* In reliance on the Maui County ordinances and published documents, Hawaii state law, and constitutional protections, owners invested in costly renovations, furnishings, and long-term financial commitments such as mortgages that make any phase out of short-term rental right offensive of each buyer's investment-backed expectations.

Here are some of Papakea's Contributions to the Community:

* Papakea's resort operations provide full-time, benefited, employment for 35 local resident employees; some have worked at the property for over 17 years; many started in entry-level positions and worked into supervisory roles.

* Papakea supports a wide variety of local trade professionals including pest control, HVAC, painting, plumbing, electrical, general contracting, masonry, tile and flooring, fitness instructors, entertainers, and tree trimming.

Here are just some of the individual Owner Contributions to the Community:

* Owners support/hire many small businesses owned and operated by local residents from the Maui community rely on Papakea short-term rentals including housekeepers, handymen, on-island agents, and contractors. These service providers set their own rates, work hours, select their own clients, work conditions and standard operating procedures. Shutting down short-term rentals at Papakea means telling local entrepreneurs that worked hard to build a small business that they need to just go get a job somewhere else to make less money, have less flexibility, and be subject to oppressive corporate policies.

* Papakea STRs support the State of Hawaii and County of Maui through payment of property taxes (many at the short-term rental rate), Transient Accommodations Tax, General Excise Tax, and Maui County Transient Accommodations Tax.

* Papakea guests support many small businesses on the island including restaurants, food trucks, tour operators, activities, state parks, the national park, and shops.

* Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the hospital, and many other local organizations, and contribute to local philanthropic and cultural efforts.

I would like to thank the committee for the opportunity to comment on the opposition of Bill 9.

Sincerely,

Michele Ringstad

3543 Lower Honoapiilani Road, Apartment K206

HLU Committee

From: Brandon Ringstad <ringsb91@gmail.com>
Sent: Sunday, June 8, 2025 4:56 PM
To: HLU Committee
Subject: Oppose Bill 9

> You don't often get email from ringsb91@gmail.com. Learn why this is important

Dear Chair Kama, Vice Chair Uʻu-Hodgins and Members of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning. Below I have listed some of the reasons I believe Papakea Oceanfront Resort should be excluded from Bill 9:

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* Papakea owners and guests regularly participate in community activities including volunteering at beach cleanups, Maui Humane Society, the hospital, and many other local organizations, and contribute to local philanthropic and cultural efforts.

I would like to thank the committee for the opportunity to comment on the opposition of Bill 9.

Sincerely,

Brandon Ringstad

3543 Lower Honoapiilani Road, Apartment K206
Brandon Ringstad
Creator of Nature Meets Paper

HLU Committee

From: Vanessa Schwabenland <vschwabenland@me.com>
Sent: Sunday, June 8, 2025 5:05 PM
To: HLU Committee
Subject: Phase Out Of Vacation Rental

> You don't often get email from vschwabenland@me.com. Learn why this is important

I would like to submit testimony against the phasing out of vacation rental units in A-1 zoning on the Minatoya List.

There are so many parts of this that will hurt our island economy: the economic fallout from the loss of over 10,000 jobs, smaller units sitting empty, lawsuits against the County for changing the ownership rights, and local ownership that will also be affected.

There will be so much lost revenue for the county. It just does not make very much common sense to pass this phase out.

As a Realtor, I have been affected as my business has slowed as we are in flux on a decision. There needs to be a concrete list of which units would be affected immediately.

Mahalo,
Vanessa Schwabenland Realtor (B) ABR, SFR
Residential Specialist

(808) 298-9638 Mobile
Vanessa@kokuarealty.com

Kokua Realty, LLC
161 Wailea Ike Place, Suite B-101
Wailea, Maui, Hawaii 96753
(808) 877-9000 Office
(808) 877-5078 Fax

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HLU Committee

From: Steven Sneary <sneary1@verizon.net>
Sent: Sunday, June 8, 2025 5:07 PM
To: HLU Committee
Subject: Written Testimony Opposing Bill 9

> You don't often get email from sneary1@verizon.net. Learn why this is important

To: Maui County Council – Housing and Land Use Committee

Re: Testimony Opposing Bill 9 (2025)

Date: June 8, 2025

Aloha Chair and Councilmembers,

My name is Steve Sneary, and I am writing once again in **strong opposition to Bill 9**. For over a year, myself and many others in our community have been waiting for this bill to come back to the table. And in that year, we've experienced real and measurable loss—**jobs have disappeared, rental income has dried up, tourism has slowed**, and people have had to move off-island or close their businesses.

The uncertainty caused by the announcement of Bill 9 has already destabilized Maui's housing market. We've seen **condo values drop significantly**, but even then, it makes **no financial sense** to assume that locals will be able to purchase these units. Why? Because insurance premiums have skyrocketed after the fires, condo associations are facing massive special assessments, and most critically—**banks will likely not lend on properties under litigation.**

If this bill passes, thousands of Minatoya properties could face legal battles. **How will potential buyers get loans? How many truly have hundreds of thousands in cash on hand?**

It's important to recognize that the real issue here is not short-term rentals. The **real issue is the lack of affordable housing** actually being built. We need County leadership to focus on **expediting affordable housing construction**—not punishing owners who have operated fully within the law and made significant investments based on County-issued permits and regulations.

Changing the rules now will not fix the housing crisis. It will only take away people's rights, displace working families who rely on this income, and create more instability in an already fragile market.

I urge you: **do not pass Bill 9**. Let's focus instead on **solutions that create housing**—not chaos.

Mahalo for your time and consideration,

Steve and Ali Sneary

HLU Committee

From: Cari Tilley <cari@speichergroup.com>
Sent: Sunday, June 8, 2025 5:23 PM
To: HLU Committee
Subject: Written Testimony : Bill 9

> You don't often get email from cari@speichergroup.com. Learn why this is important

Aloha County Council,

I am writing to express my concerns regarding the potential impact of the proposed Bill 9 on Maui.

The current monthly HOA and assessment costs associated with many of these units would likely make them inaccessible to the majority of Maui families. Additionally, the limited parking and storage space, a consequence of their design for short-term rentals, would not adequately meet the needs of local residents, including my own family.

Beyond the impact on housing affordability and suitability for residents, I am also worried about the significant negative economic consequences such developments could bring to our already challenged local economy. A decrease in tourism would invariably lead to reduced patronage of restaurants, transportation services like Uber and taxis, boat tours, and local retail businesses. Furthermore, the county would likely face a considerable loss in tax revenue and potential legal challenges.

Thank you for considering these important issues.

Sincerely,
Cari

--
Cari Tilley, Salesperson & REALTOR®

Speicher Group of Coldwell Banker Island Properties
Coldwell Banker Global Luxury
Mobile +1-808-214-4492
License RS-82351

HLU Committee

From: Annie Collopy <acollopy@hawaii.edu>
Sent: Sunday, June 8, 2025 5:41 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from acollopy@hawaii.edu. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,

I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.

The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. STRs, originally meant for housing, now operate as commercial businesses, consuming high volumes of water while local families remain displaced.

Returning STRs to long-term housing helps protect water access, push back against inequality, and put community needs first. With over 6,000 STRs on the Minatoya List, we have a clear opportunity to increase housing stock without using more water.

I urge you to stand with Lāhainā Strong and pass Bill 9.

Ola i ka Wai — Water is Life.

Sincerely,
Annie Collopy

Maui

HLU Committee

From: Kano Watanabe <kano.c.watanabe@gmail.com>
Sent: Sunday, June 8, 2025 5:51 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from kano.c.watanabe@gmail.com. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,

My name is Kano Watanabe and I am a resident of upcountry Maui. I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.

The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. STRs, originally meant for housing, now operate as commercial businesses, consuming high volumes of water while local families remain displaced.

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I urge you to stand with Lāhainā Strong and pass Bill 9.

Ola i ka Wai — Water is Life.

Sincerely,

Kano Watanabe
Makawao, Maui

HLU Committee

From: Patricia Bellardo <pbellardo@gmail.com>
Sent: Sunday, June 8, 2025 6:19 PM
To: HLU Committee
Subject: Exclude Papakea from Bill 9 as requested by the Maui Planning Commission
Attachments: Exclude Papakea from Bill 9.pdf

You don't often get email from pbellardo@gmail.com. Learn why this is important

Please exclude Papakea from Bill 9.

Papakea's resort operations are
a significant economic driver
and employer in West Maui
$16,902,298.17 in real property taxes - That is in the millions
over the last 5 years.
$3,100,000 in wages per year - That is in the millions
35 full-time benefited on-site staff
Resort operations supporting:
• 161 housekeepers
• 26 handypersons
• 30 rental management
companies
• 30+ contractors
@@@
I request that the Council follow the advice of the
Planning Commission and exclude Papakea
Oceanfront Resort from the scope of Bill 9
Maui County and the State of Hawaii have identified
Papakea as a resort property with partial hotel zoning for
decades.

Respectfully submitted: Patricia Bellardo

3543 Lower Honoapiilani Road, Apartment L-404

Maui County Planning Commission Hearing Quotes from July 9, 2024:
"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
-Planning Commission comments to County Council (Unanimous)
"Papakea has partial H2 zoning."
-Planning Commission Chair

“The zoning designation (for Papakea) is still A2-H2.”
-Planning Department Staff

--

Patricia Bellardo
Palo Alto, CA 94301
(650) 387-5256 - Mobile

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

Maui County Planning Commission Hearing Quotes from July 9, 2024:

"Consider excluding those properties that are community plan designated for hotel use and those that are already partially hotel zoned."
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DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
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P. O. BOX 3469
HONOLULU, HAWAII 96801

PRELIMINARY
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
on

PAPAKEA (PHASE I)
Honokowai, Kaanapali
Maui, Hawaii

REGISTRATION NO. 657

NAME OF PROJECT: PAPAKEA (PHASE I)

LOCATION: West Maui, approximately 3 miles from Lahaina and 1 mile from Kaanapali Airport, containing an area of 12.283 acres, more or less.

TAX MAP KEY: Second Division, 4-4-1-55

ZONING: A-2 and H-2

DEVELOPER: HONOKOWAI-KAANAPALI PARTNERS, a Hawaii general partnership, whose mailing address is Suite 1700, 841 Bishop Street, Honolulu, Hawaii 96813

Registration No. 657
March 14, 1974

(For) DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

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Show Historical Assessments

Columns

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How to calculate real property taxes

Parcel Information

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Neighborhood Code	OFHOTEL
Legal Information	1ST: LOTS 13 (1.252 AC), 14 (0.250 AC) & 15 (0.051 AC)
Land Area	12.281 Acres
Parcel Note	Non taxable

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WAVECREST	560040550000	7142 Kamehameha V Hwy	1975	A2/Interim	MF	126
104				Total Apartment District Vacation Rental Units:		7167

Legend:
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A1 or A2: Apartment
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Community Plan
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DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION

Project Number
Project Name papakea
City
Total Units to
Zoning
TMK #
Developer Name
Go

1 of 1 2 items 100 / Page

No.	Name	Zoning	TMK	Address	City	Developer	Total Units
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Papakea's resort operations are a significant economic driver and employer in West Maui

$16,902,298.17 in real property taxes over the last 5 years

$3,100,000 in wages per year

35 full-time benefited on-site staff

STR occupancy since inception

Resort area location

Resort operations supporting:

- **161** housekeepers
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$32M plumbing project currently underway with Hawaii contractors and financed by Hawaii financial institutions

Papakea maintenance dues range from **$1,096.53** to **$2,739.44** per month, depending on the size of the unit.

Front desk located in resort operations building

HLU Committee

From: Kiera Williams <williamsmkiera@gmail.com>
Sent: Sunday, June 8, 2025 6:53 PM
To: HLU Committee
Subject: Testimony re: Bill 9 (Minatoya Phase-Out)

> You don't often get email from williamsmkiera@gmail.com. Learn why this is important

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,

I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.

The 2023 Lāhainā fire exposed long-standing issues—privatized water systems, diverted streams, and overdevelopment have pushed West Maui to the edge. STRs, originally meant for housing, now operate as commercial businesses, consuming high volumes of water while local families remain displaced.

While some units serve as primary residences or long-term rentals, the majority function as vacation accommodations. Notably, Kamaole Sands in Kīhei has 428 of its 440 units used for short-term rentals. This concentration has significantly impacted housing availability for local residents. It is also important to note that **85-95% of the units** on the Minatoya list are owned by out-of-state investors.

Returning STRs to long-term housing helps protect water access, push back against inequality, and put community needs first. With over 6,000 STRs on the Minatoya List, we have a clear opportunity to increase housing stock without using more water.

I urge you to stand with Lāhainā Strong and pass Bill 9.

Ola i ka Wai — Water is Life.

Sincerely,
Kiera
Honolulu, Hawaii

HLU Committee

From: Dennis O'Shea <oshea606@gmail.com>
Sent: Sunday, June 8, 2025 7:13 PM
To: HLU Committee
Subject: Bill 9

[You don't often get email from oshea606@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Aloha Chair, Vice Chair, and Members of the Maui County Housing and Land Use Committee,

I'm writing in strong support of Bill 9, which would phase out short-term rentals (STRs) in apartment-zoned districts. This bill is an essential component to addressing Maui's housing crisis and protecting our most vital resource: water.
Mahalo for your support,

Dennis O'Shea
Lahaina

HLU Committee

From: Meganj Wells <meganjwells77@gmail.com>
Sent: Sunday, June 8, 2025 7:56 PM
To: HLU Committee
Subject: Short term rental ban

> You don't often get email from meganjwells77@gmail.com. Learn why this is important

This ban is so blind. I strongly appose this .There are other less damaging solutions. This idea is just so short sited only an unthinking idiot would even propose this

HLU Committee

From: John Paul <johnpaul9270@yahoo.com>
Sent: Sunday, June 8, 2025 8:32 PM
To: HLU Committee
Subject: Opposition to Bill 9 (Excluding Papakea Oceanfron Resort)
Attachments: Exclude Papakea from Bill 9_.pdf

> You don't often get email from johnpaul9270@yahoo.com. Learn why this is important

Dear Chair Kama, Vice Chair U‘u-Hodgins and Members of the Housing and Land Use Committee:

I oppose Bill 9 as drafted and propose that the Council amend Bill 9 to exclude Papakea Oceanfront Resort which the County has historically identified as having A2-H2 zoning (See attachment).

Mark Sharbak

I request that the Council follow the advice of the Planning Commission and exclude Papakea Oceanfront Resort from the scope of Bill 9

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Front desk located in resort operations building

HLU Committee

From: Blaine Etcheverry <blaineetcheverry@gmail.com>
Sent: Sunday, June 8, 2025 8:40 PM
To: HLU Committee
Subject: Minatoya bill

[You don't often get email from blaineetcheverry@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Aloha!

I Find the passage of this bill if it does go through something that is completely ridiculous and will change the economy of Maui for a very, very long time. We have been asking for affordable housing for over 15 years and the Maui County has done nothing to move it forward and now they think that taking away short-term vacation rental properties is the fix. It is not the fix people will lose their jobs. Maintenance fees are not affordable to local People me being one of them. This is a $1 billion we're talking about losing if you move forward. The amount of class action lawsuits that will come against this will be unbelievable. I want affordable housing we all want affordable housing. While you did nothing for so long and now this is gonna be the thing that you think fixes it it will not. I love my home. I love the people that live on this place and the fact that you would think in any way shape or form that this is a fix is completely ridiculous because all the facts say it is not. With all due respect I hope you do the right thing for this island and not for the hotels.
Aloha

Blaine C Etcheverry
(RS)78068
The Maui Life Realty Group
808-419-0002

HLU Committee

From: Maui Housing Hui <mauihousinghui@gmail.com>
Sent: Sunday, June 8, 2025 8:54 PM
To: HLU Committee
Subject: Testimony in Support of Bill 9
Attachments: CBAMinatoyaPhaseout.pdf

> You don't often get email from mauihousinghui@gmail.com. Learn why this is important

Aloha,

Please see attached testimony to submit to the public record as a prepared Cost Benefit Analysis on the Proposed phase out of Minatoya properties.

Mahalo,

Maui Housing Hui

Cost-Benefit Analysis on the Minatoya List Phaseout

Prepared by: Maui Housing Hui

Executive Summary

The County of Maui faces a pivotal decision: whether to maintain the Minatoya list—a legal interpretation that allows thousands of short-term vacation rentals (STRs) to operate in apartment-zoned districts—or to phase it out to address a worsening housing crisis. This cost-benefit analysis assesses the impacts of maintaining the status quo and implementing a phase-out, utilizing data from UHERO, local budgets, and national housing studies. This analysis is performed by Maui Housing Hui, a an equity driven, grassroots housing advocacy organization made up of Maui renters.

Key Findings

- 6,172 active STRs operate under the Minatoya list, primarily in residential apartment zones. Roughly 85% are owned by non-residents, extracting wealth from the local economy (UHERO, 2025).

- A full phase-out could return over 6,000 units to the long-term rental market, equivalent to 10 years of new housing inventory without new construction.

- Condo affordability would improve significantly, with the share of local households able to afford a median unit increasing from 14% to 21%.

- Long-term rents could decline by 6–14%, easing pressures on ALICE households and reducing homelessness rates (UHERO, 2025).

- The short-term loss in tourism revenue ($60–$80 million) is partially offset by gains in local economic recirculation and reduced strain on infrastructure, schools, and social services.

- Job displacement from STR contraction is mitigated by hotel labor shortages and higher-quality job opportunities in the formal hospitality sector (HPR, 2024).

Policy Alternatives Compared

Category	Status Quo (Minatoya List Remains)	Phase-Out of Minatoya List
Housing Market	Ongoing scarcity, rising rents	+6,000 units, lower rents, improved affordability
Economic Impacts	High STR profits, but off-island leakage	Local recirculation, improved tax base, more stable workforce
Social & Cultural Costs	Displacement, cultural erosion, declining school enrollment	Stabilized communities, cultural resilience, civic trust
Environmental Impacts	Higher energy, water, and waste from STR use	Reduced strain from long-term tenancies
Legal Standing	Relies on policy interpretation, not zoning entitlement	Supported by zoning precedent and Supreme Court jurisprudence

Recommendations

- Enact a 3–5 year phase-out of the Minatoya list, prioritizing high-impact areas.
- Implement transition support for STR owners and tenants, including master leases and workforce redeployment.
- Create a public dashboard tracking unit conversions, enforcement progress, and housing outcomes.
- Embed equity, sustainability, and cultural preservation in implementation metrics.

Cost-Benefit Analysis: Phasing Out the Minatoya List

Introduction

As an organization committed to equitable housing solutions for Maui residents, this cost-benefit analysis is designed not only to evaluate the economic and social impacts of phasing out the Minatoya list but also to correct a growing imbalance in the public conversation.

In recent years, real estate and developer lobbies have advanced coordinated narratives suggesting that STR conversions are impractical for long-term rentals, citing HOA restrictions, insufficient storage, or parking limitations. These narratives frame speculative profit as a public good and normalize STR expansion while dismissing the lived experiences of displaced residents, overburdened renters, and working families who are priced out of the very communities they sustain.

This analysis offers a fact-based counterbalance: acknowledging trade-offs, assessing real risks, and prioritizing public benefit. We remain committed to accuracy, but do not shy away from defending policy change when the existing model harms local communities. This document aims to provide a trusted reference for decision-makers and the public alike, clarifying that phasing out STR loopholes—such as the Minatoya list—is not a radical act, but a necessary step toward restoring balance, opportunity, and belonging on Maui.

Addressing Common Misconceptions

Many of the perceived barriers to reforming STR policy are symptoms of deeper systemic dynamics. These include:

- A policy framework that privileges speculative use of housing over community-centered needs.
- Regulatory loopholes like the Minatoya opinion allow commercial lodging in residential zones.
- A political environment where the public narrative is often shaped by well-resourced industry groups rather than those experiencing housing instability firsthand.
- Market dynamics that extract wealth from local communities and redirect it off-island, compounding inequality.

These are not isolated problems caused by individual property owners, but manifestations of a system that rewards financial extraction while undervaluing long-term residency, cohesion, and well-being.

To ensure the public discourse around STR phase-outs is grounded in evidence, this section respectfully addresses common misconceptions often circulated in opposition to reform. These claims can obscure the actual capacity and viability of converting STRs into long-term housing options.

Claim 1: These units were never meant for long-term housing — they lack storage, parking, and amenities.

- *Clarification:* Many apartment-zoned buildings on the Minatoya list were originally built and occupied as long-term housing before the advent of platforms like Airbnb. In many cases, these units were converted to STR use after construction, not designed from the outset for tourism. Basic features such as parking and storage are common issues across affordable housing, ADUs, and shared living situations that are common on Maui but do not make long-term use infeasible. Thousands of Maui renters today live in small units without ideal amenities, not by choice but by necessity.

Claim 2: Local people can't afford the HOA fees, so these units wouldn't help.

- *Clarification:* HOA fees vary widely across complexes and are not inherently prohibitive. Furthermore, STR owners are currently willing to absorb these fees, plus management costs and platform commissions. Long-term landlords—especially those incentivized or supported through policy—can feasibly cover those same fees. Many renters on Maui already pay similarly high costs. The argument assumes zero policy response or financial tools to offset this transition, which misrepresents the scope of what thoughtful public planning can address.

Claim 3: If STRs are phased out, visitors will stop coming due to a lack of lodging.

- *Clarification:* Maui's hotels and remaining permitted STRs continue to maintain significant vacancy. Visitor behavior studies and recent market trends show that tourists adjust lodging choices rather than abandon travel altogether. Multiple analyses, including by the Economic Policy Institute, show only a small fraction of visitors (~2%) cancel trips due to STR restrictions when alternatives exist. Non-Minatoya properties can also absorb lateral consumer choices at similar price points.

These rebuttals are not intended to dismiss concerns, but rather to distinguish between systemic barriers and narrative tactics that serve to protect speculative interests. Maui's housing crisis requires bold change—but also clear thinking.

Clarifying Legal Concerns: Takings and Zoning Authority

It is important to clarify the legal standing of Minatoya units: while not operating illegally, many short-term rentals authorized under the Minatoya opinion are functioning under a policy interpretation, not explicit zoning or land use permits. These units are permitted through an administrative loophole that allowed STRs in apartment-zoned districts without going through the normal zoning or permitting process. This means they are non-conforming uses allowed through legal interpretation, not through permanent entitlement.

The proposed phase-out of STRs under the Minatoya list does not constitute a regulatory "taking." Courts have consistently upheld the right of governments to regulate land use through zoning, provided property owners retain some economically viable use of their property. The U.S. Supreme Court decision in *Penn Central Transportation Co. v. New York City* (1978) remains the guiding standard, affirming that zoning changes that impact property value do not require compensation unless all beneficial uses are eliminated.

Owners on the Minatoya list will retain full ownership and may continue to rent their properties long-term, use them personally, or sell them. STR operation is not a fundamental right but rather a land use classification subject to change. Jurisdictions such as New York City, Santa Monica, and San Francisco have successfully implemented STR restrictions, with courts consistently upholding municipalities' zoning authority when acting in the public interest.

In short, this policy is not a confiscation—it is a routine and well-supported exercise of local government power to address a public crisis.

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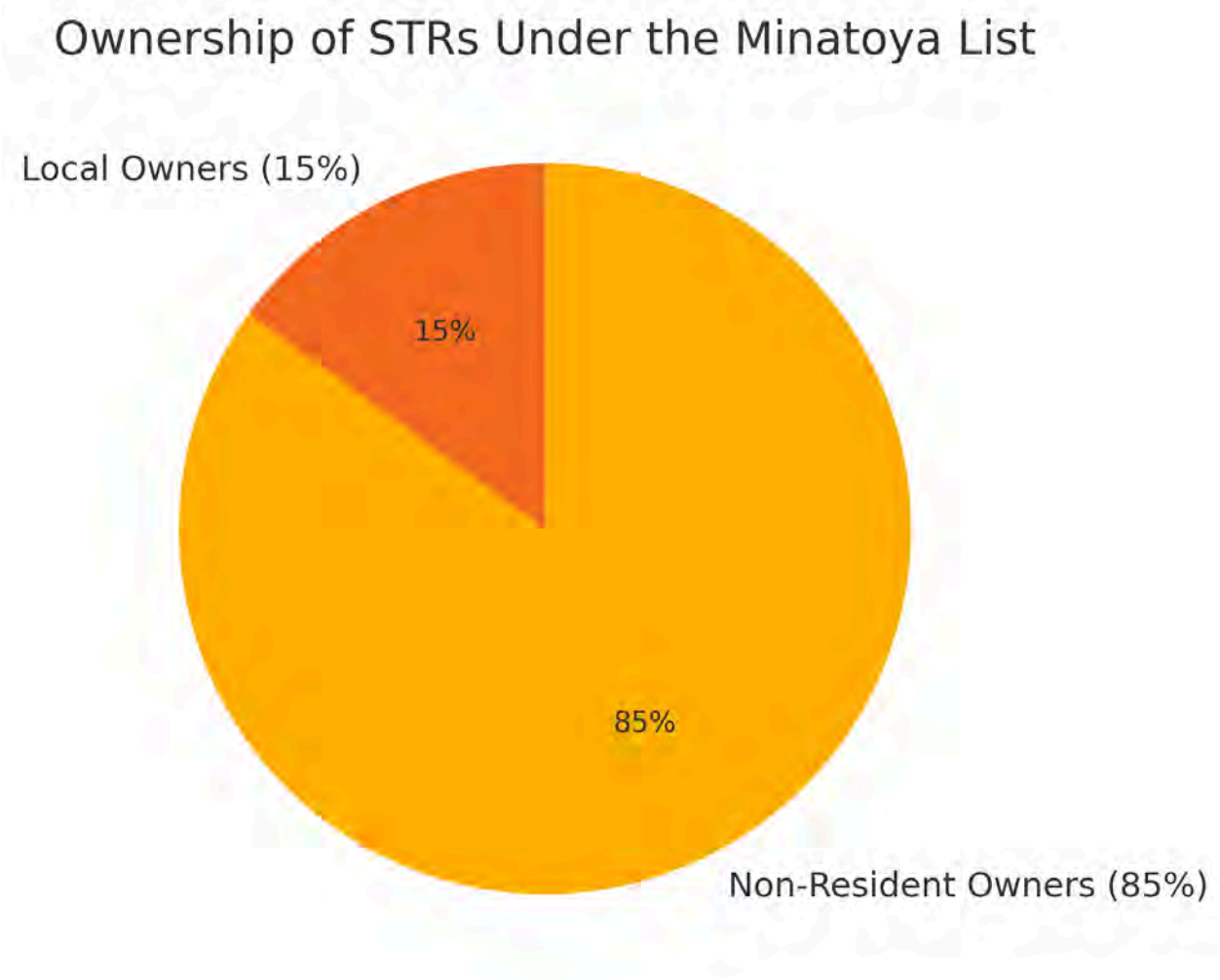
1. Definitions, Scope, Baseline Assumptions, and Objectives

To ground the analysis in clarity and accuracy, the following definitions and assumptions are outlined:

- **Nature of Policy**: The proposed phase-out of the Minatoya list does not involve the seizure of private property (UHERO, 2025). Property owners retain legal title and may use, rent long-term, or sell their properties. The policy addresses a land

use classification issue—not a matter of confiscation—and is supported by legal precedent, including *Penn Central Transportation Co. v. New York City* (1978), which affirmed the government's right to regulate zoning when it serves a public interest.

- **Minatoya List Scope**: Approximately 7,167 properties are eligible under the Minatoya opinion; of these, ~6,172 are actively operated as STRs in apartment-zoned districts (UHERO, 2025).



- **Zoning Authority**: Local governments across the U.S. regularly update land use codes to reflect shifting housing, environmental, and economic needs. Zoning changes are a legally supported mechanism for prioritizing the public good over speculative profit.

- **Policy Scope**: Applies to STRs permitted via the Minatoya loophole in apartment-zoned districts. It does not affect resort zones, hotel districts, or lawfully permitted B&Bs.
- **Policy Goals**:
    - Increase long-term rental supply without new construction
    - Reduce housing instability and transience
    - Restore affordability for local households, especially ALICE and Native Hawaiian communities
    - Preserve cultural continuity, multigenerational housing, and neighborhood cohesion
- **Geographic Scope**: Entire Maui County, with a focus on high-STR density areas including South and West Maui.
- **Time Horizon and Success Benchmarks**:
    - *Short-term (1–3 years)*: Recovery of 2,000+ units annually; projected 6–10% rent reduction (UHERO, 2025)
    - *Long-term (5–10 years)*: Return of 6,000+ total units to the long-term market; sustained 10–14% rent moderation; increased affordability access for essential workers and displaced families
- **Alternatives Evaluated**: Maintain the status quo or pursue partial/full phase-out of STR operations under the Minatoya list.

These definitions, assumptions, and benchmarks frame the analytical foundation for cost-benefit comparisons throughout this report.

2. Identify Stakeholders

Stakeholder Analysis

Framework: Status Quo vs. Phase-Out of the Minatoya List

This matrix summarizes the differential impact of maintaining the Minatoya loophole versus phasing it out across a range of directly affected stakeholder groups. It reflects framing that balances both the technical and lived experience consequences of each scenario.

Stakeholder Group	Impact Under Status Quo	Impact Under Phase-Out of Minatoya List

Displaced Residents	Prolonged housing displacement, reliance on FEMA or relatives, ongoing instability	Increased housing access, faster return to stable long-term homes, reduced houselessness
Renters	Housing insecurity, inflated rents, limited options	Rent moderation (6–14%), improved stability, expanded housing supply
Local STR Owners	Continued income stream from STR operations; minimal regulation	Loss of STR revenue; may convert to long-term rental or sell; eligible for transition support
Non-Resident Investors	High STR profits, speculative value gains, low local accountability	Decrease in property value (20–40%), loss of revenue stream, potential exit from local market
Local Long-Term Landlords	Competition with high-return STRs; tenant turnover, screening pressure	Stronger tenant pool, improved retention, higher rental stability
Tourists	Wide range of lodging options in neighborhoods	Reduced STR options in residential zones; shift to hotels/legal STRs
STR Platforms (Airbnb, VRBO)	High listing volume, profit from residential market access	Reduction in Maui listings, revenue decline from apartment-zoned areas
Local Businesses	Volatile workforce, displacement-driven turnover	Greater employee stability, stronger consumer base from full-time residents

Employers (esp. service sector)	Labor shortages due to housing scarcity	Easier recruitment/retention; improved productivity from housed employees
Cultural Practitioners & Lineal Descendants	Cultural displacement, loss of ancestral ties, barriers to participation	Renewed housing access in ancestral communities; strengthened cultural continuity
Local Government	Unstable tax base tied to STR volatility; public distrust	Short-term enforcement costs; long-term trust and policy alignment with housing goals & Island Plan

3. Categorize Costs and Benefits

Note: While economic losses such as job shifts and tax revenue declines have been the focus of some analyses, this CBA emphasizes the systemic housing harms that STR proliferation has already caused—including displacement, cultural erosion, and housing insecurity. These harms justify intervention not simply as a disruption, but as a moral and economic correction.

This section outlines the primary economic, social, administrative, and environmental impacts of maintaining the Minatoya list (status quo) versus phasing it out.

Status Quo (Minatoya List Remains)

- **Economic Costs**: The continuation of STR operations under the Minatoya list carries steep long-term consequences for Maui's economic resilience.
    - Wealth extraction through STR profits benefits primarily non-resident investors (UHERO, 2025).
    - Elevated housing subsidy burdens to offset inflated market prices (Maui County Budget, 2025).
    - Inflated property values in STR-dense areas limit opportunities for local ownership and intergenerational wealth building.
- **Economic Benefits**: While some local property owners benefit from STR income, the scale of economic return is unevenly distributed.
    - Continuation of STR-related tourism spending, particularly from high-spending visitors.
    - Income diversification for homeowners operating legal STRs.

- **Social Costs**: STR proliferation undermines the social fabric of communities, driving cultural loss, disconnection, and mistrust.
    - Accelerated displacement of Native Hawaiian families and multigenerational households (NCRC, 2025; Stanford, 2020).
    - Increased community fragmentation and loss of neighborhood stability.
    - Erosion of public trust due to perceived prioritization of investor interests over resident well-being (Maui Now, 2025).
- **Administrative Impacts**: A laissez-faire enforcement model can lead to long-term dysfunction.
    - Minimal enforcement costs in the short-term under the current policy.
    - Prolonged legal ambiguity and diminished public confidence in governance (Hawaii LRB, 1986).
- **Environmental Impacts**: STRs contribute disproportionately to environmental strain.
    - Higher energy and water consumption per unit due to frequent turnovers.
    - Increased traffic and emissions from visitor vehicle use.
    - Elevated solid waste generation from single-use amenities and laundry cycles (ScienceDirect, 2023).

Phase-Out of Minatoya List

- **Economic Costs**: Phasing out the Minatoya list will incur short-term disruptions, particularly for non-resident investors.
    - Reduced STR income for property owners currently operating under Minatoya.
    - Transition and enforcement costs for local agencies.
    - Short-term decline in tourism spending (UHERO, 2025).
- **Economic Benefits**: The long-term economic advantages of reclaiming local housing capacity are substantial.
    - Return of approximately 6,172 units to the long-term rental market (UHERO, 2025).
    - Rent reductions of 6–14% for long-term housing (UHERO, 2025).
    - Enhanced local economic circulation, as dollars spent by residents stay within Maui's economy (EPI, 2016).
- **Social Benefits**: The restoration of residential stability can reverse decades of displacement and eroded community trust.
    - Stabilized neighborhoods with less transience.
    - Opportunities for cultural continuity, language preservation, and multigenerational living (Stanford, 2020; NCRC, 2025).
    - Increased school enrollment and civic participation (UCLA SEIS, 2023).
    - Reduced displacement trauma and psychological stress (PolicyLink, 2018).
    - Renewed public faith in governance following visible action on housing (Maui Now, 2025).
- **Administrative Impacts**: While enforcement requires upfront investment, it creates future regulatory clarity.
    - Short-term burden to build out enforcement and transition tools.
    - Long-term zoning clarity and reduced permitting conflicts.

- **Environmental Impacts**: Lower-intensity residential use contributes to sustainability goals.
    - Decreased water and energy use.
    - Potentially reduced emissions from less frequent guest turnover.
    - Less waste from reduced laundering and single-use product use (UNSW, 2021).

4. Sensitivity Analysis

Public policy is rarely about perfect outcomes. It's about balancing impacts, anticipating risks, and choosing the path that offers the greatest public benefit with the least long-term harm. In the case of phasing out the Minatoya list, our sensitivity analysis reveals the real and measurable differences between partial efforts and a full commitment to restoring housing for Maui residents.

The outcomes are clear:

- At 100% enforcement of a full phase-out, Maui could recover over 6,172 units of long-term housing.
- This would reduce rental costs by an estimated 10% and significantly stabilize our neighborhoods.
- It would deliver the maximum possible housing relief—and position the County to finally break the cycle of housing scarcity.

But even moderate action yields meaningful benefits:

- A 50% phase-out with 80% enforcement still restores nearly 2,500 homes, eases rents by 4%, and begins shifting our housing market back toward local needs.

However, it's important to acknowledge valid concerns: Enforcement isn't the only variable. Some property owners may choose to withdraw from the rental market entirely—either to hold vacant properties as long-term investments, sell them on the open market, or use them as occasional second homes. These decisions would limit the number of units that actually return to long-term use, even under perfect enforcement. This real-world behavior introduces variability that policy must anticipate and address. However, this is

not entirely a negative outcome: vacant or non-rented homes could still be subject to progressive taxation or vacancy penalties, incentivizing their return to use. Additionally, even when STRs are not converted to long-term rentals, their removal from the high-turnover tourist circuit reduces the strain on community character, environmental resources, and neighborhood stability. These collective gains in quality of life may still represent a net benefit to the community.

This is why thoughtful transition support, incentive programs, and monitoring are essential parts of any serious policy plan.

At the same time, we must recognize that not all costs and benefits are equally weighted. ***The short-term losses borne by STR investors—many of whom are not residents—do not outweigh the long-term costs of housing instability, workforce displacement, and cultural erosion endured by Maui families.***

We are not dealing with abstract numbers. We are deciding whether nurses, teachers, firefighters, and kūpuna can remain in their communities, or be priced out by external speculation and short-term profit.

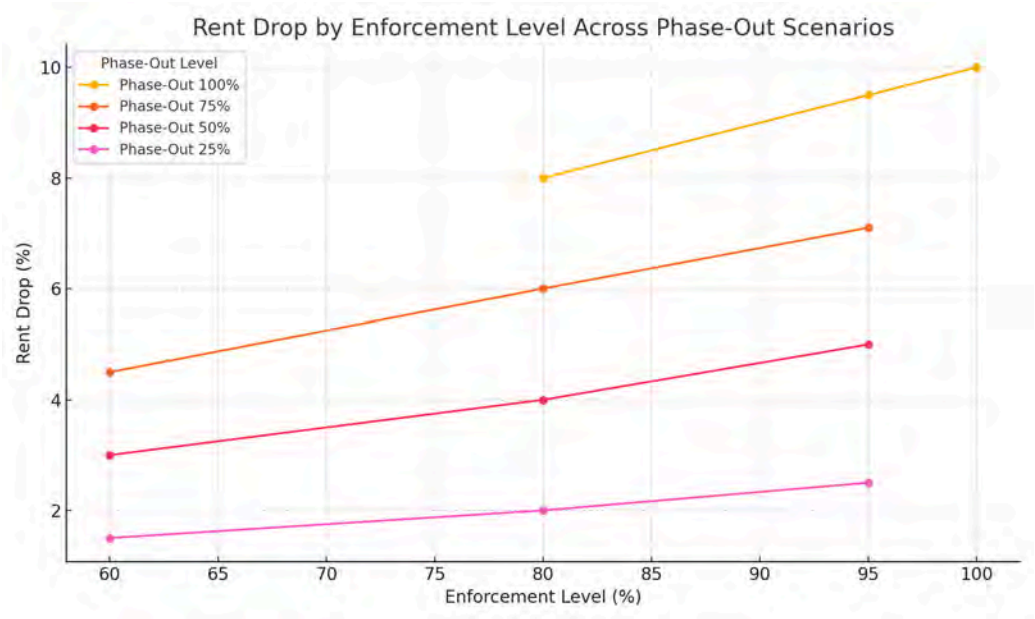
The most responsible path forward is to commit fully, enforce robustly, plan thoughtfully, and move decisively toward housing justice.

To evaluate the potential outcomes of various phase-out and enforcement combinations, we modeled different scenarios using UHERO's estimate of 6,172 active STR units currently operating under the Minatoya list. These scenarios show the estimated number of housing units that could be returned to the long-term market, rent reductions, revenue losses, and job impacts, depending on how comprehensively and effectively the policy is implemented.

Scenario Outcomes Table

Phase-Out (%)	Enforcement (%)	Units Restored	Rent Drop (%)	Revenue Loss ($M)	Job Impact (%)
100	100	6172	10.0	70.0	2.5
100	95	5863	9.5	73.5	2.63
100	80	4937	8.0	84.0	3.0
75	95	4397	7.1	55.1	1.97
75	80	3703	6.0	63.0	2.25
75	60	2778	4.5	73.5	2.63
50	95	3086	5.0	36.8	1.31
50	80	2469	4.0	42.0	1.5
50	60	1851	3.0	49.0	1.75
25	95	1543	2.5	18.4	0.66
25	80	1234	2.0	21.0	0.75
25	60	926	1.5	24.5	0.88

This table illustrates that both the percentage of the Minatoya list phased out and the level of enforcement significantly affect housing recovery outcomes. Strong enforcement delivers higher returns and rent stabilization, even under partial phase-outs.



This multi-series line chart illustrates rent reductions by level of enforcement.

Framing Benefits Without Monetization

While traditional cost-benefit analyses often attempt to monetize every impact, this report follows a different approach—one aligned with best practices in equity-centered policymaking. UHERO has already modeled *key economic metrics, including job impact, tax revenue shifts, and housing price adjustments*. Rather than replicate or second-guess those technical calculations, *this analysis emphasizes policy design, trade-off clarity, and public value alignment.* These qualitative measurements are not the focus of UHERO's document, but have strong utility in a comprehensive examination. This analysis serves the necessary purpose of filling the information gap.

Moreover, not all benefits lend themselves easily to dollar amounts. How does one quantify the return of a displaced ʻohana to ancestral land, or the restoration of language continuity in a neighborhood where ʻōlelo Hawaiʻi can once again be spoken between generations? These are not hypothetical values—they are real and enduring forms of wealth that shape our communities just as profoundly as tourism dollars.

That said, qualitative concepts can use quantitative data in their analysis. When we consider that data, by conservative estimates:

- UHERO projects a 6–14% reduction in long-term rents, with over 6,000 housing units restored under full enforcement.

- These effects would outpace a decade's worth of new housing development, without needing to build or spend on infrastructure expansion.

- Combined with increased local economic recirculation, reduced emergency spending on displacement, and long-term workforce stabilization, the net public benefit is substantial, even without attempting to quantify it.

This choice is intentional: we center community resilience, housing justice, and generational belonging as core outcomes, not just externalities.

Comparative Case Study: STR Reforms in Other Cities

City	Policy Change	Outcomes	Key Takeaway
New York City	Banned STRs <30 days unless host is present	70% drop in Airbnb listings; Improved enforcement via dedicated office (2023)	Strict policy + centralized enforcement is effective
Santa Monica	Banned whole-unit STRs in residential zones	Reduced STR volume by 80%+; Withstood legal challenge	Zoning-based phase-outs hold up in court
San Francisco	Created mandatory registration and host caps	Listings fell by 50%; Improved city tax recovery	Registration + tax enforcement balances tourism and housing needs

Timing of Phase-Out Implementation

In addition to evaluating how much of the Minatoya list is phased out, it is critical to examine how quickly the phase-out is implemented. The speed of policy implementation has real consequences for Maui residents, renters, property owners, and the local economy.

- A 3-year phase-out would return STR units to the housing market more rapidly. Benefits, such as rent stabilization and increased housing supply, would materialize faster. However, this may cause sharper short-term adjustments in the real estate and tourism markets.
- A 5-year phase-out would distribute impacts over a longer time horizon. It provides STR owners more time to plan and adapt, and reduces the strain on county enforcement resources. However, it delays housing relief for residents and weakens the near-term effect on affordability.
- Gradual restoration of units: In either case, housing units would re-enter the long-term market in phases. For example, under a 3-year

phase-out, approximately one-third of active STRs (~2,000 units) would be restored annually.

- Trade-off visualization: A faster timeline is more disruptive in the short term, but more effective in curbing Maui's housing crisis. A slower timeline is easier to manage politically and administratively, but it defers the benefits Maui's communities urgently need.

This analysis recommends a timeline of 3 to 5 years, accompanied by robust transition support, enforcement infrastructure, and transparent progress tracking. This phased approach strikes a balance between urgency and practicality, maximizing net public benefit.

Economic Scenarios: Recession vs. Recovery

A recession scenario strengthens the case for decisive public intervention, while a recovery phase is a strategic window to lock in gains before STR activity expands again.

Recession Scenario

- Recessions heighten the urgency for stable housing, particularly for ALICE families and displaced residents.
- Tourism demand softens, leading to lower STR profitability. This reduces the economic risk of phasing out STRs.
- STR investors may choose to exit voluntarily, creating an opportunity for government intervention and smoother transition support.
- Government spending is often redirected to housing stability efforts, justifying stronger enforcement and transition funding.

Recovery Scenario

- STRs regain profitability and political resistance may increase.
- However, conversion during a recovery locks in long-term affordability gains for residents.

- Rising housing prices can quickly erase affordability if conversion is delayed.
- Local spending potential from full-time residents improves, offering stronger economic resilience and higher tax recapture.

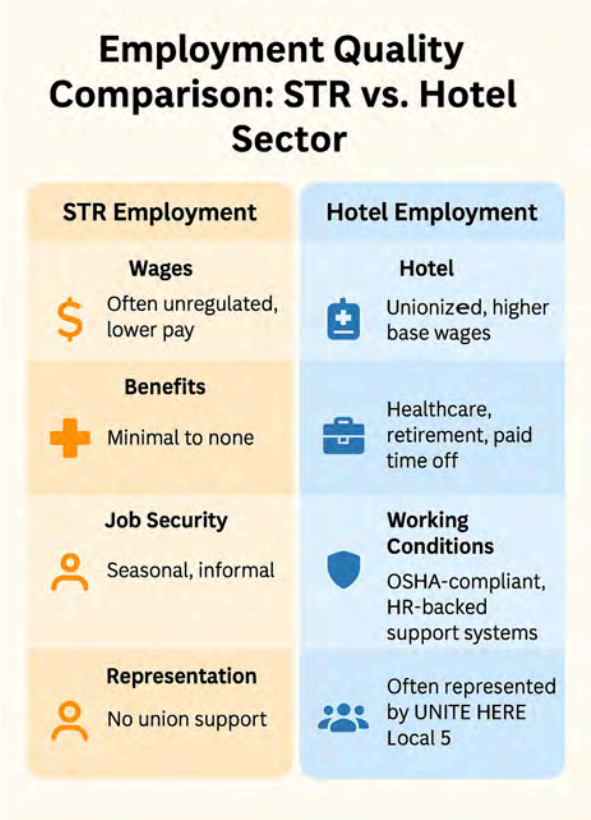
5. Externalities and Cultural-Economic Impacts

This section examines the broader social, cultural, and economic externalities of maintaining or phasing out STR operations under the Minatoya list. While some opposition arguments focus narrowly on job losses or revenue shifts, this section addresses deeper systemic consequences: displacement, labor precarity, fractured cultural continuity, and eroded public trust.

Labor and Job Loss Narratives

While UHERO (2025) projects a potential loss of approximately 1,900 jobs—representing around 3% of Maui's total payroll employment—this projection assumes a static tourism economy and a full, immediate STR phase-out. In reality, labor market dynamics and mitigation strategies offer a more complex and hopeful outlook.

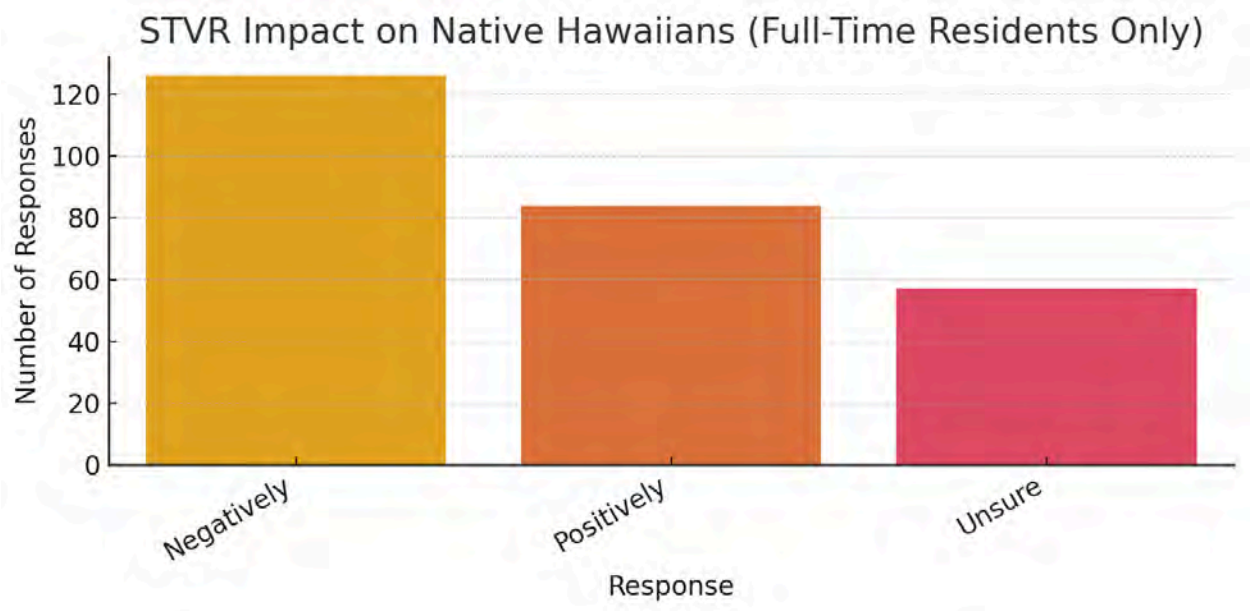
Maui’s hotels are not only capable of absorbing much of the displaced workforce—they're actively struggling to recruit. As of 2024, nearly 80% of major hotel employers in Hawaiʻi report staff shortages in housekeeping, food service, and front desk roles (HPR, 2024). STR contractions can ease that bottleneck, with improved pay and working conditions for employees.



Furthermore, hotel jobs often provide pathways to upward mobility and professional development, especially when paired with state-sponsored workforce development initiatives in healthcare, renewable energy, and construction areas that align with long-term resilience and public investment goals.

Cultural and Community Impacts

This policy debate is not only about economics; it's about who gets to live in Maui and what kind of future is being built. The impacts of STR proliferation reverberate through language loss, neighborhood turnover, and cultural alienation.



Source: Maui Housing Hui STVR Survey

Harms of the Status Quo:

- **STR use in residential apartments is a policy choice**, not a housing inevitability (UHERO, 2025).
- **Policy decisions must prioritize residents over nonresidents**—those who live and contribute to Maui's community.
- **Gentrification displaces cultural identity, language, and multigenerational living** (Cocola-Gant, Wachsmuth, Stanford, NCRC).
- **Broken trust in governance worsens** when public policy fails to prioritize local needs, as with the County's unused $240,000 homelessness strategy (Maui Now, 2025).

Unique Local Cultural Stakes:

- **'Ōlelo Hawai'i**: Language transmission relies on housing stability. Displacement fractures the conditions required for revitalization.

- **Intergenerational Housing Patterns**: Native Hawaiian and local families often rely on shared ‘ohana units. STR displacement pushes these households apart.
- **Ahupua‘a Disruption**: Traditional land stewardship is weakened when lineal descendants are priced out of ancestral areas.
- **Disaster Recovery Displacement**: 25% of fire survivors are currently doubled-up with relatives, and 50% remain in temporary housing, and only 9% have found permanent housing (UHERO Housing Factbook, 2025, FEMA).

These are not isolated phenomena—they compound over time, destabilizing community cohesion and erasing generations of cultural knowledge. STRs intensify this erosion by removing the very inventory that could allow residents to return, rebuild, and remain.

Economic Resentment and Social Fracture

The uneven distribution of costs and benefits associated with STR proliferation has fueled a growing sense of economic injustice among local residents. While non-resident investors capture high short-term profits, full-time Maui households bear the long-term burden of inflated rents, depleted housing stock, and disappearing community cohesion. This imbalance generates not only hardship but also **resentment**—a deepening perception that government policy favors outsiders over locals. As noted by PolicyLink (2018), unaddressed economic inequality can erode social trust, undermine civic engagement, and foster opposition to future development initiatives. A policy that fails to correct these inequities risks becoming a symbol of abandonment rather than governance.

Anchoring the Phase-Out to the Maui Island Plan

The proposed phase-out of short-term vacation rentals authorized under the Minatoya list is not just an emergency response to Maui’s housing crisis—it is a course

correction aligned with the County's long-term vision for equity, culture, and sustainability.

The **Maui Island Plan**, adopted by ordinance in 2012, articulates a community-driven framework for land use that prioritizes:

- **Permanent housing for local residents** over transient accommodations;
- **Multigenerational 'ohana living** and affordable access to ancestral lands;
- **Protection of Native Hawaiian cultural practices** and traditional stewardship;
- **Balanced economic development** that strengthens community resilience.

Under this vision, speculative use of residential housing stock for short-term rentals—especially in areas zoned for apartments—**undermines core goals** of the plan. The continued expansion of STRs threatens the ability of Maui's working families to remain in place, erodes neighborhood stability, and accelerates cultural loss.

Phasing out the Minatoya list is a **planning-consistent intervention** that restores the intended use of residential zones, supports equity-centered development, and fulfills Maui County's stated commitment to:

> *"Preserve the island's unique character and cultural heritage, promote economic opportunity for residents, and protect the natural environment for future generations."*
> *— Maui Island Plan, 2012*

By grounding policy reform in the MIP, this proposal reflects not only economic necessity but a reaffirmation of community values, ensuring that Maui remains a place where local people can live, thrive, and pass their homes and heritage to the next generation.

Citation: County of Maui. *Maui Island Plan: General Plan 2030.* Adopted 2012.

Public Trust and the Ethics of Action

Government legitimacy hinges on a meaningful response during a crisis. When policies continue to benefit nonresident investors while families are living in cars or tents, public trust deteriorates. Conversely, a bold and enforceable phase-out demonstrates to residents that their basic needs matter more than those of non-residents and their investments.

Maui's experience with FEMA and unused local housing strategies has already strained public confidence. Transparent implementation of an STR rollback, paired with thoughtful transition support and community metrics, could begin restoring that trust.

Economic Resilience as Cultural Survival

Housing policy is economic policy. Reclaiming STR units for long-term use supports not only household stability but the broader local economy.

- **Reduces employer turnover costs** by ensuring accessible housing for staff.
- **Enables local spending**—residents are more likely than visitors to support community businesses.
- **Increases school and healthcare stability**, decreasing hidden costs of transience.
- **Reduces long-term dependency on federal emergency housing or FEMA stopgaps**.

The Velocity of Money and Local Economic Circulation

Phasing out STRs under the Minatoya list can significantly increase the velocity of money within Maui's economy. The velocity of money refers to the rate at which money

moves through local transactions—how often each dollar is spent and re-spent in the community. When homes are occupied by local residents rather than operated as STRs by non-resident investors, income is more likely to be recirculated through neighborhood businesses, local services, and public infrastructure. In contrast, STR revenue often bypasses the local economy entirely: platforms like Airbnb and VRBO extract fees per transaction; off-island owners typically deposit profits into nonlocal banks, investment accounts, or real estate portfolios; and their day-to-day spending supports communities elsewhere. This results in a systemic outflow of wealth—where Maui hosts the burden of tourism without the full benefit of economic participation. By returning these units to long-term residential use, the County can anchor wealth locally, increase the economic multiplier of household spending, and strengthen small businesses and community resilience across sectors (EPI, 2016; Leong et al., 2019).

A thriving Maui cannot depend on high-churn tourism economics alone. Cultural resilience, economic dignity, and generational belonging require that local residents be able to stay in their community.

Resident Sentiment and Community Impacts

In addition to economic and legal arguments, recent survey data provides direct insight into how Maui residents perceive the impact of short-term vacation rentals (STVRs) on their lives, communities, and cultural continuity.

A 2025 community survey conducted by Maui Housing Hui found that among **full-time Maui residents**:

- **Over 50%** reported that STVRs **negatively affect** the quality of life for Native Hawaiians and local working families.
- Nearly **half opposed** the continued operation of STVRs on the Minatoya list, and over **one-third** said they would support **eliminating all short-term vacation rentals** in the county.
- Many cited STVRs as driving up rents, disrupting neighborhood stability, and displacing multigenerational families from ancestral areas.

While opinions varied, the survey revealed a **clear pattern of concern** among long-term residents about the cultural, social, and economic costs of STVR proliferation. The lived experience of housing insecurity, community turnover, and diminishing affordability often outweighed the perceived benefits of tourism revenue.

These findings reinforce the argument that STR saturation is not simply a zoning matter—it is a **community-wide disruption**. When a majority of full-time residents signal that STRs harm their quality of life and cultural continuity, the government has a strong basis to act in defense of the public interest.

Citation: Maui Housing Hui STVR Survey, 2025. Data available upon request.

Cultural Equity Harms of STR Proliferation

Short-term vacation rental policy is not culturally neutral. The proliferation of STRs in residential and apartment-zoned neighborhoods directly undermines the material and cultural foundations of Native Hawaiian and local life on Maui. Key intangible harms include:

- Loss of place-based traditions and language transmission: When families are displaced or fractured, conditions for the intergenerational use and revitalization of ʻōlelo Hawaiʻi and cultural practices are broken.
- Disruption of ʻohana-based and multigenerational housing patterns: STRs fragment extended households that rely on shared spaces to care for kūpuna, raise keiki, and pass down knowledge.
- Fracturing of ahupuaʻa relationships: Traditional land stewardship is tied to familial presence across generations. Displacement erodes the continuity necessary for proper community-based management.

These harms are not collateral effects—they are central to the lived experience of Native Hawaiian and local families priced out of ancestral communities. They demand explicit consideration in any policy analysis seeking equity and justice.

6. Recommendations

Tier 1: Core Actions (Essential to Phase-Out Success)

- **Enact a phased repeal of the Minatoya list**, beginning with high-impact zones (e.g., South and West Maui) with the largest STR density and displacement pressures.

- **Establish a legally binding phase-out timeline** (recommended: 3–5 years), including milestones for annual unit recovery and enforcement reporting.

- **Build out enforcement infrastructure**, including:
    - A dedicated STR enforcement team within the Planning Department (e.g., 6–10 full-time positions).

    - **Estimated annual cost: $1.2–$2.0 million**, based on personnel, tech systems, legal support, and inspections—benchmarked from New York City, San Francisco, and Santa Monica enforcement models (City of SF Budget Office, 2022; NYC Office of Special Enforcement, 2023).

    - Note: NYC's Office of Special Enforcement budget was $8.3M in FY2023, overseeing ~30,000 STR units; Maui's 6,172 units represents ~20% of that scale.

  - Maui's implementation could be more cost-effective through targeted focus, phased rollout, and coordination with housing recovery initiatives.

- **Implement penalties for non-compliance**, such as:
  - Tiered fines for continued STR operations post-deadline ($10,000–$25,000/month).
  - Revocation of business licenses and property tax penalties.
  - Escalating daily fines for unregistered units.
- **Create a STR Vacancy Mitigation Strategy**, including:
  - A progressive **vacancy tax** on unoccupied residential properties.
  - Requirements for owners of former STRs to submit conversion intent forms (e.g., rent, hold, sell).

Tier 2: Supporting Measures (Strengthen Community Outcomes)

- **Launch a STR Transition Support Fund**, using recaptured STR-related revenue to:
  - Assist displaced tenants in finding new housing.
  - Offer technical support and small grants to STR owners converting to long-term rentals.
  - Help long-term landlords meet habitability standards through inspection-linked subsidies.
- **Prioritize equitable reallocation** of former STR units for Native Hawaiian, ALICE, and disaster-displaced households.
- **Partner with nonprofits and housing advocates** to coordinate tenant placement and mediation services during conversion.
- **Provide legal scaffolding** for enforcement, citing Maui's police powers and housing emergency authority in response to potential state or federal preemption challenges.

Tier 3: Optional Enhancements (Recommended but Not Required)

- **Develop a public-facing STR phase-out dashboard** to track units returned to market, enforcement actions, and rental trends by neighborhood.
- **Incentivize master lease agreements** between the County and private landlords for workforce and affordable housing needs.
- **Embed cultural and sustainability metrics** (e.g., multigenerational household retention, neighborhood stability) into long-term housing assessments and community resilience frameworks.
- **Coordinate phase-out timeline with Maui's Climate Action and Housing Recovery Plans**, ensuring policy coherence and funding eligibility.

Conclusion: A Necessary Step Toward Housing Justice

Maui is not the first place to face the consequences of unchecked short-term rental proliferation, but it may be one of the last places where the stakes are this high. What is at risk is not just affordability, but identity: the ability of Native Hawaiian and local families to remain in the communities they have sustained for generations.

The phase-out of the Minatoya list is not an act of hostility toward property owners. It is an act of restoration—of balance, belonging, and public purpose. With clear legal authority, sound economic precedent, and overwhelming community need, Maui has both the justification and the obligation to act.

Policymaking in crisis demands courage. This cost-benefit analysis has shown that the benefits of reclaiming housing for residents, through restored affordability, cultural continuity, and public trust, far outweigh the short-term disruptions to speculative interests.

Now is the time to act decisively and compassionately. Phasing out the Minatoya list is not just a policy choice—it is a commitment to future generations that Maui will remain a place where local people can live, thrive, and pass down their homes and heritage to their descendants.

Source References Index

Journal of Law & Commerce (2020) – The Impact of the Affordable Housing Shortage on Businesses. https://jlc.law.pitt.edu/ojs/jlc/article/download/189/177/437

Bipartisan Policy Center (2024) – Exploring the Affordable Housing Shortage's Impact on American Workers, Jobs, and the Economy. https://bipartisanpolicy.org/wp-content/uploads/2024/03/Exploring-the-Aff-Housing-Shortage-Impact-on-American-Workers-Jobs-and-the-Economy_BPC-3.2024.pdf

E3S Web of Conferences (2024) – Analyzing solid waste management practices for the hotel industry. https://www.e3s-conferences.org/articles/e3sconf/pdf/2024/37/e3sconf_icftest2024_01073.pdf

UNSW (2021) – The carbon footprint of Airbnb is likely bigger than you think. University of New South Wales. https://www.unsw.edu.au/newsroom/news/2021/05/the-carbon-footprint-of-airbnb-is-likely-bigger-than-you-think

ScienceDirect (2023) – A nexus between Airbnb and inequalities in water use and access. https://www.sciencedirect.com/science/article/abs/pii/S2211464523000799

Federal Reserve Bank of San Francisco (2016) – Regional economic effects of local spending

Leong et al. (2019) – Community wealth building and velocity of money

Desmond (2016) – Evicted: Poverty and Profit in the American City

Kleit (2005) – Neighborhood outcomes from housing mobility programs

Local Government Commission (2021) – Economic development strategies centered on community-serving businesses

PolicyLink (2018) – All-In Cities: Building an Equitable Economy from the Ground Up

OECD Tourism Trends (2020) – Impacts of accommodation markets on travel diversity

UHERO (2025) – Economic Analysis of Proposal to Phase Out TVRs in Maui

UHERO Housing Factbook (2023–2025) – Cost burdened renters, STR displacement

Cocola-Gant et al. (2021) – Tourism Gentrification Study

Wachsmuth et al. (2022) – STR Impacts on Urban Affordability

Economic Policy Institute (2016) – STR Regulatory Avoidance & Revenue Leakage

NCRC (2025) – Displaced by Design

Stanford (2020); Princeton (2013) – Cultural Displacement Research

UCLA SEIS (2023) – Impact of Gentrification on School Stability

PMC (2020) – Mental Health Effects of Displacement

Urban Displacement Project (2021) – Administrative Challenges in Anti-Displacement Policy

American Progress (2021) – Localized Anti-Displacement Implementation Strategies

ALICE Report (2025) – Working Households at Risk

Maui Now (2025) – Homeless Strategy Review, Cultural Impacts

NYT (2025) – International Tourism Decline

HPR (2025) – FEMA Lease Arrears and Local Rent Pressures

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HPR (2025) – FEMA Lease Arrears and Local Rent Pressures

City of San Francisco Budget and Legislative Analyst. (2022). *Short-Term Rental Enforcement: Budget and Performance Report*.

New York City Office of Special Enforcement. (2023). *Short-Term Rental Registration Law Implementation and Budget Overview*.

City of Santa Monica. (2019). *Short-Term Rental Enforcement Program Summary*.

Urban Displacement Project. (2021). *Administrative Challenges in Anti-Displacement Policy*.

HLU Committee

From: Danny Jachowski <dannyjachowski@gmail.com>
Sent: Sunday, June 8, 2025 9:07 PM
To: HLU Committee
Subject: Testimony in support of HLU-4 Bill 9

> You don't often get email from dannyjachowski@gmail.com. Learn why this is important

Aloha Members of the Housing and Land Use Committee,

My name is Daniel Jachowski, and I'm writing in strong support of HLU-4 Bill 9.

I grew up on Maui and, although I no longer live there full time, the island remains my home in many ways. Family members and friends still live on Maui, and I return frequently to visit. I've seen firsthand how the housing crisis has deepened over the years - displacing local families, driving young people away, and making it harder for long-time residents to stay in the place they love.

HLU-4 Bill 9 is a critical step forward. It increases the supply of much needed long term housing without requiring new builds, reinforces the intent of zoning laws, and prioritizes the needs of local residents. This kind of reform is exactly what's needed to keep Maui a place where working families and future generations can thrive.

Please pass this bill and continue to push for bold, compassionate solutions to the housing challenges facing our community.

Mahalo for your time and service.

Sincerely,
Daniel Jachowski

HLU Committee

From: Kathleen Tezak <ktezak001@gmail.com>
Sent: Sunday, June 8, 2025 9:09 PM
To: HLU Committee
Subject: Bill 9 written testimony

> You don't often get email from ktezak001@gmail.com. Learn why this is important

Testimony Opposing the Bill – In Support of Independent Travel to Maui

Aloha,

I am writing in strong opposition to this bill and in full support of **independent travel to Maui and the State of Hawai‘i**. For decades, Hawai‘i has been marketed as a dream destination—an accessible paradise for everyday travelers from across the U.S. mainland and Canada. Nowhere is this more true than in Maui.

Back in the 1960s and 1970s, Maui’s destination plan focused on welcoming **independent travelers**, creating the condominium model specifically to provide an **affordable way to visit the island**, regardless of income level. In the 1980s, 1990s, and right up through the pandemic, Maui became more than just a dream vacation—it was a **"must-visit" destination** for those traveling to Hawai‘i.

Maui offered a **magical combination** of natural beauty, safe and family-friendly experiences, vibrant culture, and unforgettable dining, shopping, and activities. Importantly, it provided all of this **within the United States**, giving mainland visitors—and those from Western Canada—a safe, convenient, and unforgettable travel experience. For many, Maui became an annual tradition.

Having worked in the visitor industry for many years, I can attest that **roughly 50% of visitors were return guests**, many coming once a year or more. The remaining 50% represented new or occasional visitors. Economic studies consistently show that these **independent travelers spend more per day** in the **local economy**—patronizing restaurants, shops, activity operators, car rentals, and more.

In contrast, while hotel guests may spend more overall, much of that money remains **within the resort ecosystem**. Many do not rent cars, eat in local restaurants, or shop beyond their immediate surroundings. Independent travelers, however, engage deeply with our local businesses and communities.

We need **both** segments of visitors to maintain a balanced and thriving destination. But how can we justify targeting independent travelers or reducing their access? How do we sustain a strong economy by turning Maui into an exclusively high-end destination? That’s not the legacy we want to leave.

This bill also overlooks the issue of the **6,000 to 7,000 condominium units** currently being threatened with shutdown from short-term rental use. These units do **not qualify as affordable long-term rentals**—nor are they realistic options for affordable homeownership. The monthly costs alone make that impossible:

- **Maintenance (AOAO) fees including the high cost of AOAO insurance**

- **High electricity costs**
- **HO6 condo insurance**
- **Property taxes**
- **Mortgage payments**, for those financed

In most cases, these costs exceed **$1,000/month** before a mortgage and property tax is even factored in. Furthermore, these units were designed for short-term use or second-home owners, with limited parking, little to no storage, and aging infrastructure that requires consistent investment. They are not suited for most of Maui long-term residential housing solutions.

We've already lost so much—our macadamia, pineapple, and sugarcane industries, and most recently, **Lāhainā Town**, one of the most beloved, historic, and vibrant destinations in all of Hawaiʻi.

While not every resident directly benefits from the visitor industry, we **all** benefit **indirectly**. When the economy is thriving, **local stores thrive**, too—Costco, Target, Walmart, Safeway, Foodland, Times—all of which **employ thousands of local residents**. Short-term rentals also support countless jobs: in cleaning, maintenance, remodeling, construction, management, and beyond. Removing them from the economy would be a **devastating blow** across sectors.

We should be working toward **long-term housing solutions** that give local families the opportunity to live happy, healthy, sustainable lives on Maui. That cannot be achieved by dismantling a 35-year-old system that has supported both the island's economy and the visitor industry.

Let us come together to create smart, balanced solutions—not sweeping changes that will hurt our economy, our residents, and the very identity of Maui.

Respectfully,

Kathleen Tezak

HLU Committee

From: jim keefe <reeferkeefer1@yahoo.com>
Sent: Sunday, June 8, 2025 9:11 PM
To: HLU Committee
Subject: TVR

> You don't often get email from reeferkeefer1@yahoo.com. Learn why this is important

I have a BA in Economics and one thing that can be said is that if you lay all Economists end to end, they still wouldn't reach a conclusion. That's just a snarky way of saying that the Economics of TVRs is based on lots of assumptions and estimations. But this is really about the local residents of Maui. In time the economic consequences will work themselves out, but Maui residents don't have the luxury of time.

Of course, many people bought their property on the assumption that they would be able to rent them as TVRs. As anyone who once lived in Lahaina knows, circumstances change and nothing is guaranteed.

To hasten the recovery of West Maui and its LOCAL residents, please pass this bill.
Jim Keefe
2428 Tusitala St. #202
Honolulu
808-426-6650
Yahoo Mail: Search, Organize, Conquer

HLU Committee

From: Tatiana Howard Maffei <tatianahoward@gmail.com>
Sent: Sunday, June 8, 2025 9:20 PM
To: HLU Committee
Subject: A vote NO to Bill 9

> You don't often get email from tatianahoward@gmail.com. Learn why this is important

Hi,
I am NOT in favor of proposed Bill 9 in regards to eliminating thousands of local-owned vacation rentals protected under the Minatoya Opinion.
Local ownership matters- I personally know so many local owners that have STR units in apartment zones complexes. These are local families that get to benefit off of tourism. It is a good thing how it's been, Please let's keep it that way. Keep the variety of income from tourist to local people not just hotels.
Thank you
Tatiana Howard

HLU Committee

From: Bonni Aeder <bonniaeder@gmail.com>
Sent: Sunday, June 8, 2025 9:31 PM
To: HLU Committee
Subject: Bill 9

[You don't often get email from bonniaeder@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Aloha to all of our hard working Civil Servants. I want to thank you for the difficult task of reading and understanding the UHERO Report regarding Bill 9 and the impact it will have on everyone's lives if this should pass.
The UHERO Report was a blessing for all Maui residents, helping us understand the detailed impact of Bill 9 if passed. The report covers all aspects of how it would affect all of us. It lays out the serious impact it would have on many levels of our daily lives.
We all know that taking away short term rentals on Maui is not going to solve the problem of our desperate need for affordable housing. Condominiums are not the answer. The costs of insurance, assessments, HOAs, maintenance etc are not affordable for a working family. We need to stop the big projects for a time to build affordable housing for families. These families need an income no matter what and stopping STRs are going to impact so many jobs on our island. None of this makes any sense!
Re-read the UHERO report… I had to to understand the details …it's thorough and makes so much sense on why and how passing Bill 9 will hurt our people and way of life! It is not sustainable for any of us!
Please understand the negative impact on so many levels this would have on the young and old. It's truly NOT THE RIGHT ANSWER!
Mahalo for your sincere educated decision on this life changing Bill.
Sincerely with Warm Aloha for All
Of us in Our Community,
Bonni Aeder

HLU Committee

From: Brooke Berry <contact@brooklynhawaii.com>
Sent: Sunday, June 8, 2025 10:29 PM
To: HLU Committee
Subject: Support BILL 9

> You don't often get email from contact@brooklynhawaii.com. Learn why this is important

To whom it may concern,
I am writing in support of Bill 9 to phase out the Minatoya list of short term rentals.

Please make the decision that will have the future generations in mind, especially the Native Hawaiians. When will the government have the best interest of its people in mind? Do it for Lahaina, at best.

Warmest,
Brooke Berry

HLU Committee

From: meghan dunn <meowghannn@gmail.com>
Sent: Sunday, June 8, 2025 10:34 PM
To: HLU Committee
Cc: County Clerk
Subject: Support Bill 9

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Aloha Committee,

I commend the work of the many housing advocates like Maui Housing Hui who have done the work to prove why it is economically smart, ecologically sound, and culturally necessary for Bill 9 to pass.

Please be in favor of these existing housing units being able to serve our full-time community members who breathe life into Maui County. It takes much more than dollars alone to build a thriving, resilient community. Residents who are dedicated to increasing our collective quality of life need to be prioritized in this moment. Converting short-term rentals to long-term housing is a step in that direction.

Mahalo for your consideration,
Meghan Dunn
96708

Sent from my iPhone