

COUNCIL OF THE COUNTY OF MAUI
PLANNING COMMITTEE

September 18, 2015

Committee

Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Planning Committee, having met on September 3, 2015, makes reference to County Communication 15-220, from Councilmember Don Couch, transmitting a proposed resolution entitled "REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS."

The purpose of the proposed resolution is to refer to the planning commissions a proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS."

The purpose of the proposed bill is to delete the provision within the Comprehensive Zoning Ordinance that limits transient vacation rental use in planned developments to planned developments consisting of only duplexes or multifamily dwelling units.

Your Committee notes, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, any proposed land use ordinance shall be referred to the appropriate planning commissions for review.

Your Committee further noted the 13-acre Alaeloa subdivision in Napili, Maui, Hawaii, is a planned development that meets all the requirements allowing for transient vacation rental use, except the requirement for the planned development to consist of only duplexes or multifamily dwelling units. Alaeloa contains single-family dwelling units.

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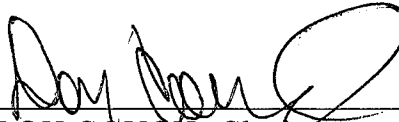
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Your Committee further noted the intent of the proposed bill is to allow transient vacation rentals to operate in planned developments having single-family dwelling units, thus allowing the transient vacation rental use at Alaealoe and similar planned developments.

Your Committee voted 7-0 to recommend adoption of the proposed resolution. Committee Chair Couch, Vice-Chair Carroll, and members Baisa, Cochran, Guzman, Victorino, and White voted "aye."

Your Planning Committee RECOMMENDS that Resolution _____, attached hereto, entitled "REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS," be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



DON COUCH, Chair

pc:cr:15032aa:gig/jkm

Resolution

No. _____

REFERRING TO THE PLANNING COMMISSIONS
A PROPOSED BILL RELATING TO TRANSIENT VACATION
RENTALS IN PLANNED DEVELOPMENTS

WHEREAS, the Council is considering a proposed bill to amend Title 19, Maui County Code, to remove the requirement that transient vacation rentals are permitted only in planned developments consisting of duplexes or multi-family units; and

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

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

1. That it hereby refers the proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS" a copy of which is attached hereto as Exhibit "A" and made a part hereof, to the Lanai Planning Commission, the Maui Planning Commission, and the Molokai Planning Commission, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended; and
2. That it respectfully requests that the Lanai Planning Commission, the Maui Planning Commission, and the Molokai Planning Commission transmit their respective findings and recommendations to the Council as expeditiously as possible; and
3. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, the Lanai Planning Commission, the Maui Planning Commission, and the Molokai Planning Commission.

APPROVED AS TO FORM AND LEGALITY



Deputy Corporation Counsel
County of Maui

paf:gjg:14-275c

ORDINANCE NO. _____

BILL NO. _____ (2015)

A BILL FOR AN ORDINANCE RELATING TO TRANSIENT VACATION RENTALS IN
PLANNED DEVELOPMENTS

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

SECTION 1. The Maui County Code currently allows transient vacation rentals in a planned development only if the planned development consists solely of duplexes or multi-family dwelling units. The purpose of this ordinance is to repeal that limitation.

SECTION 2. Subsection H of Section 19.32.040, Maui County Code, is amended to read as follows:

H. Transient vacation rentals shall be permitted in planned developments, except for developments that have been publicly funded[;provided], and except that all of the following shall apply to the planned development:

1. The planned development received final approval pursuant to this chapter, and at least one unit in the planned development was operating as a vacation rental on or before April 20, 1981; and

2. The planned development must be located on parcels with at least some residential district zoning[; and

3. The planned development consists of only duplexes or multi-family dwelling units].

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui
paf:gig:14-275a

EXHIBIT " A "