

Housing and Land Use Committee (2025-2027) on 2025-10-23 11:00 AM - Reconvened from 10/22/2025 at 9:00 a.m.

Meeting Time: 10-23-25 11:00

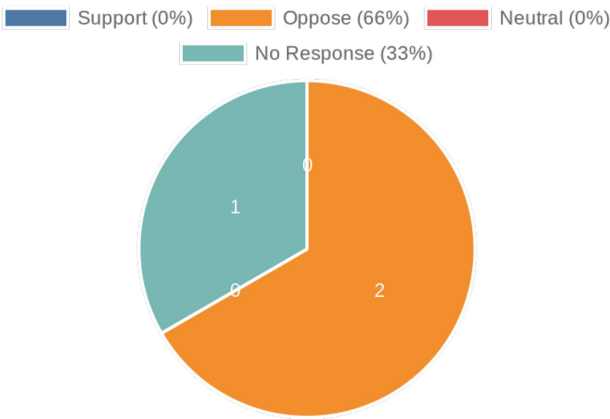
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Housing and Land Use Committee (2025-2027) on 2025-10-23 11:00 AM - Reconvened from 10/22/2025 at 9:00 a.m.	10-23-25 11:00	2	3	0	2	0

Sentiments for All Meetings

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

Overall Sentiment



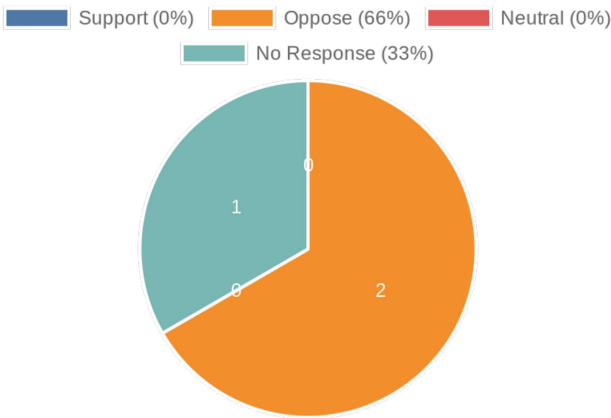
Housing and Land Use Committee (2025-2027) on 2025-10-23 11:00 AM - Reconvened from 10/22/2025 at 9:00 a.m.
10-23-25 11:00

Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	1	0	1	0
HLU-4(1) TEMPORARY INVESTIGATIVE GROUP ON POLICIES AND PROCEDURES FOR TRANSIENT VACATION RENTAL USES IN THE APARTMENT DISTRICTS (HLU-4(1))	2	0	1	0

Sentiments for All Agenda Items

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

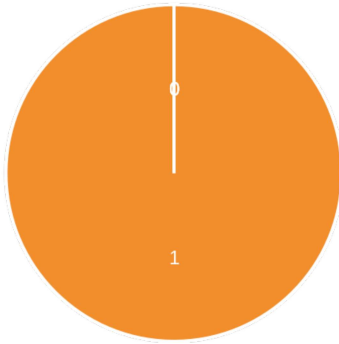
Overall Sentiment



Agenda Item: eComments for A G E N D A

Overall Sentiment

Support (0%) Oppose (100%) Neutral (0%)
No Response (0%)



Guest User

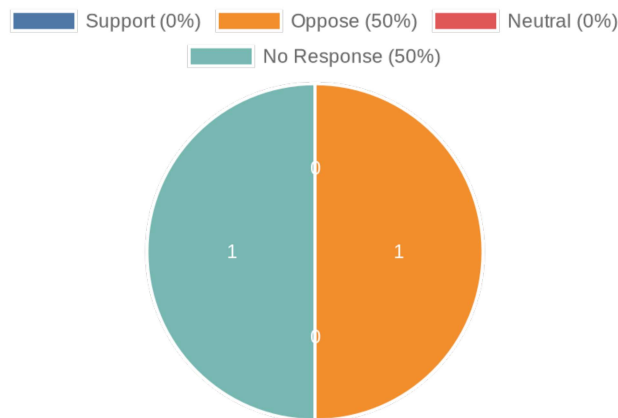
Location:

Submitted At: 8:09am 10-23-25

Please get control of Member Paltin. Her “clarifying” questions during public testimony are inappropriate and violate meeting rules. Councilmember discussion takes place after public testimony closes. Throughout all these proceedings, Paltin has repeatedly injected her comments during public testimony by arguing with testifiers or purporting to “correct” the testifier. Her intent is clearly to intimidate, bully, embarrass, and generally dissuade people from testifying in opposition to Bill 9 by asking “questions” that are really just Paltin’s own testimony and opinions. A typical Paltin “question” starts with her saying something like “I just wanted to clarify whether you knew” then she proceeds to provide her biased and at time factually unsupported opinions. When the back-and-forth doesn't go the way she wanted, Paltin tries to snuff out the discussion by talking over the testifier and just repeating “thank you.” Her interjections waste time and are disrespectful to other councilmembers who wait for the appropriate time to talk and abide by the time limits.

Agenda Item: eComments for HLU-4(1) TEMPORARY INVESTIGATIVE GROUP ON POLICIES AND PROCEDURES FOR TRANSIENT VACATION RENTAL USES IN THE APARTMENT DISTRICTS (HLU-4(1))

Overall Sentiment



Guest User

Location:

Submitted At: 10:53am 10-23-25

Noelani

Guest User

Location:

Submitted At: 7:10am 10-23-25

On July 23, 2024, the Maui County Planning Commission unanimously recommended passage of Bill 9 and transmitted several comments to the Council including the following guidance:

“Requested that the Council consider excluding those properties that are community plan designated for hotel and those properties that are already partially hotel zoned.”

On May 22, 2025, the Planning Department confirmed that the Planning Commission’s comments related to the following properties:

Wailea Ekahi I
Wailea Ekahi III
Papakea
Hale Kaanapali
Maui Eldorado

The TIG's October 14, 2025 list of properties for rezoning then included all of the above-mentioned properties. Thus, the Planning Commission and the TIG agree that transient vacation rental should continue at those properties. What is the purpose of the Planning Commission if the Council simply rejects the guidance provided by the Commission? The 2024 comments from the Planning Commission were thoughtful and unanimous. Arbitrarily rejecting guidance from a subject matter expert advisory committee is not only bad form but legally

risky in this circumstance.

Maui County's consistent representations over the years that these five properties had hotel zoning and/or community plan designations creates a legal risk unique to these five properties. The County is particularly susceptible to as-applied challenges if these five properties are not excluded from Bill 9 through an amendment. The County would then have to explain why it represented for years that these properties had hotel zoning and community plan designations. The County's addition of a disclaimer for the first time in 2024 on the list of properties allowed to short-term rent is excellent evidence that Maui County is well aware of the legal risk associated with its representations and attempted to disclaim those risks. This is the kind of fact pattern that a trial lawyer loves to see, unless of course you are on the County side and then this it's a nightmare to defend against.

By including these five properties in the scope of Bill 9, the County is unnecessarily increasing its legal risk while disregarding the advice from its advisory committee. Excluding these five properties from Bill 9, as recommended by the Planning Commission, eliminates that specific risk and does nothing to compromise the integrity of Bill 9 or the work of the TIG, or subsequent rezoning efforts undertaken by the County at a later date. It is well-settled law that Council's incorporation of guidance from the Planning Commission is well-within the Council's legislative authority without any legitimate legal basis for a challenge. Additionally, excluding these properties from Bill 9 honors the concept of fairness as the County represented for years that these properties had hotel zoning and community plan designations.

Please exclude the following properties from Bill 9: Wailea Ekahi I, Wailea Ekahi III, Papakea, Hale Kaanapali, and Maui Eldorado.