

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

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March 16, 2018

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Robert Carroll, Chair
and Members of the Land Use Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL
Alan Arakawa 3/16/18
Mayor Date

Dear Chair Carroll and Committee Members:

**SUBJECT: ENFORCEMENT PROCEDURES FOR BED AND BREAKFAST
HOMES AND SHORT-TERM RENTAL HOMES (LU-40)**

Thank you for your letter dated March 5, 2018, transmitting a revised proposed bill and asking for our review and comment.

We appreciate and commend your Committee staff's efforts in revising the bill to make the renewal and enforcement provisions for a Bed and Breakfast Home (B&B), pursuant to Chapter 19.64, Maui County Code, consistent with those for a Short-Term Rental Home (STRH), pursuant to Chapter 19.65, Maui County Code.

Please consider the following comments and suggestions:

1. We do not recommend that the proposed section 19.64.065 be revised any further; we believe that it sufficiently addresses the revocation process and that it is beneficial for this provision for B&Bs to be worded the same as this provision for STRHs.
2. We suggest that proposed section 19.64.060.C be revised for compliance inspections to be conducted "at reasonable times with reasonable notice" rather than "within one hour" and for revocation due to failure to provide access "at reasonable times with reasonable notice" rather than "within one hour." This would create a difference between B&Bs and STRHs, which we believe is warranted. B&B operators live on-site and can reasonably be away from the property for more than one hour.

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3. Proposed sections 19.64.060.F.2 and 19.64.065.A.2 establish a two-year ban on applying for a B&B permit if a B&B permit is revoked or not renewed. We suggest that this ban also include applying for a STRH permit.
4. Proposed section 19.64.060.G should be amended to add the state department of taxation as another agency that receives the annual list of B&Bs. This is included in the companion section for STRHs.

Again, thank you for allowing us this opportunity to review and comment on the proposed bill. If you have any questions or need additional information, please feel free to contact me or Deputy Planning Director Michele McLean at michele.mclean@mauicounty.gov or Ext. 1755.

Sincerely,



WILLIAM SPENCE
Planning Director

xc: Michele McLean, Deputy Director (pdf)
Clayton Yoshida, Planning Program Administrator (pdf)
John Rapacz, Planning Program Administrator (pdf)
David Raatz, Administrative Planning Officer (pdf)

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