

ORDINANCE NO. _____

BILL NO. 123 (2025)

A BILL FOR AN ORDINANCE AMENDING SECTION 19.64.030,
MAUI COUNTY CODE, ON RESTRICTIONS AND STANDARDS FOR
BED AND BREAKFAST HOMES

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

SECTION 1. By Resolution 25-48, adopted on February 7, 2025, the Council referred a proposed bill to amend Bed and Breakfast Home permit restrictions and standards to the planning commissions for review. By County Communication 167-25, dated August 12, 2025, the Planning Director transmitted the planning commissions' recommendations on the bill to the Council. This Ordinance incorporates the planning commissions' recommended revisions.

This Ordinance's purpose is to allow owner-proprietors to qualify for a Bed and Breakfast Home permit if their single-family dwelling satisfied the restrictions and standards in Chapter 19.64, Maui County Code, before being damaged or destroyed in a disaster.

SECTION 2. Section 19.64.030, Maui County Code, is amended by amending subsection C to read as follows:

"C. The owner-proprietor must be a resident of the County [and]. The owner-proprietor must also reside, on a full-time basis, on the same lot being used as the bed and breakfast home[.]; except that if an owner-proprietor applies for a bed and breakfast home permit while their single-family dwelling is being reconstructed or repaired following a disaster described in subsection N:

1. The owner-proprietor does not have to reside, on a full-time basis, on the same lot being used as the bed and breakfast home until the dwelling has been reconstructed or repaired.

2. The dwelling must be reconstructed or repaired within five years of the disaster."

SECTION 3. Section 19.64.030, Maui County Code, is amended by amending subsection N to read as follows:

"N. Bed and breakfast homes must be limited to a single-family dwelling constructed at least five years [prior to] before the date of the application for the bed and breakfast home permit, and the dwelling unit must be owned by the applicant for at least five years [prior to] before the date of the application[.]; except that if a single-family dwelling was constructed and owned at least five years before being destroyed or damaged by a disaster as defined in section 127A-2, Hawai'i Revised Statutes, resulting in a proclamation of a state of emergency or local state of emergency under section 127A-14, Hawai'i Revised Statutes, the applicant does not have to wait to apply and be qualified for a bed and breakfast home permit following reconstruction or repair."

SECTION 4. 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 5. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



MICHAEL J. HOPPER
Department of the Corporation Counsel
County of Maui
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INTRODUCED BY:

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