

Honorable Alan M. Arakawa, Mayor  
For Transmittal to:  
Honorable Mike White, Chair  
June 20, 2017  
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<b>Comments and Recommendations:</b>	
<p><b>Hana Advisory Committee (HAC) to the Maui Planning Commission</b></p> <p>Aug. 30, 2016</p>	<p>The HAC voted to recommend approval of the bill with the Department's recommendations with the following exceptions:</p> <ul style="list-style-type: none"> <li>▪ For section 19.64.060(C), require that a B&amp;B operator to respond to a problem within one (1) hour, instead of the current suggested wording: "reasonable time."</li> <li>▪ There was substantial discussion about changing the 500 feet notification to a larger area because noise and other impacts can sometimes be heard beyond 500' feet, especially when properties are located at higher elevations than their neighbors.</li> <li>▪ The use of "shall" instead of "may" should be used so there are no loopholes.</li> <li>▪ Property owners who have had permits revoked shall not be eligible to apply for five (5) years, instead of two (2) years.</li> <li>▪ B&amp;Bs who advertise and operate illegally should be subject to a five (5) year ban on applying for a permit. The ban is an effective enforcement tool, it is an issue of fairness and consistency with STRH policy, and will create more residential long-term housing options.</li> <li>▪ Supports the five (5) year ownership provision before an owner may apply.</li> <li>▪ The Hana B&amp;B cap should be reduced from 48 to 30. This will provide for more local housing and help to reduce tourism in Hana, allowing locals to enjoy a less crowded Hana.</li> </ul>
<p><b>Molokai Planning Commission (MoPC)</b></p> <p>Sept. 8, 2016</p>	<p>The MoPC unanimously voted to recommend approval of the bill with the Department's recommendations with the following exceptions:</p> <ul style="list-style-type: none"> <li>▪ Recommend that the bill be amended to allow up to six (6) bedrooms, instead of three (3), to be consistent with Maui and Lanai.</li> <li>▪ Recommend that the bill be amended to allow three (3) year permit terms, instead of only one (1) per year, to be consistent with Maui and Lanai.</li> <li>▪ Would like to see more latitude with enforcement to allow inspectors to use common sense.</li> </ul>

RECEIVED AT LU MEETING ON 2/20  
Fr. Committee Chair  
Robert Carroll

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<p><b>Maui Planning Commission (MPC)</b>           Sept. 13, 2016</p>	<p>The MPC voted to recommend approval of the bill with the Department's recommendations with the following exceptions and comments:</p> <ul style="list-style-type: none"> <li>▪ For Section 19.64.060(C), require that a B&amp;B operator to respond to a problem within one (1) hour, instead of the current suggested wording: "reasonable time."</li> <li>▪ Does not support a five (5) year ban for B&amp;Bs.</li> <li>▪ Does not support any transferability of permits.</li> <li>▪ Commented that permits should be limited to one (1) renewal so that the property returns to residential housing again.</li> </ul>
<p><b>Lanai Planning Commission (LPC)</b>           Sept. 28, 2016</p>	<p>The LPC voted to recommend approval of the bill with the Department's recommendations, with the following exceptions:</p> <ul style="list-style-type: none"> <li>▪ Support the use of the word "shall" instead of "may" for all items for both B&amp;Bs and STRHs.</li> <li>▪ The five (5) year ban should be applied to B&amp;Bs as well as short-term rentals.</li> </ul>

**TRANSMITTAL PACKAGE**

In addition, the following items have been attached for your review:

1. Report Memorandum with Exhibits from William Spence, Planning Director, to the Maui, Molokai, and Lanai Planning Commissions, dated August 17, 2016;
2. Written public testimony submitted after August 17, 2016;
3. Summary table of bill amendments and Department's response and recommendations;
4. Draft Minutes of the Aug. 30, 2016 Hana Advisory Committee to the Maui Planning Commission meeting;
5. Minutes of the September 8, 2016 Molokai Planning Commission meeting;
6. Draft minutes of the September 13, 2016 Maui Planning Commission meeting; and