

COUNCIL OF THE COUNTY OF MAUI
PLANNING AND SUSTAINABLE LAND
USE COMMITTEE

September 11, 2020

Committee
Report No. _____

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

Chair and Members:

Your Planning and Sustainable Land Use Committee, having met on August 26, 2020, makes reference to County Communication 20-423, from the Planning Director, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI.”

The purpose of the proposed bill is to prohibit the issuance of transient accommodation permits on Lanai until caps for Bed and Breakfast Home permits and Short-Term Rental Home permits are established for the island or until Chapter 19.97, Maui County Code, has been in effect for one year, whichever is earlier.

Your Committee notes permit caps for Bed and Breakfast Homes and Short-Term Rental Homes are established in Maui County Code Chapters 19.64 and 19.65, respectively, for each community plan area except Lanai.

In response to Resolution 20-26, the Lanai Planning Commission unanimously recommended approval of the proposed bill on June 17, 2020.

The Planning Director reported there are no Bed and Breakfast Home permits and 19 Short-Term Rental Home permits in effect for the Lanai Community Plan Area. The bill will not apply to permits that have been issued or permit applications that are complete prior to its effective date.

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Your Committee expressed support for the proposed bill, citing the increasing shift of existing long-term housing units into transient accommodations and the lack of housing inventory on Lanai for long-term residents.

Your Committee voted 7-0 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Paltin, Vice-Chair Sinenci, and members King, Lee, Molina, Rawlins-Fernandez, and Sugimura voted “aye.”

Your Planning and Sustainable Land Use Committee RECOMMENDS the following:

1. That Bill _____ (2020), attached hereto, entitled “A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI,” be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-423 be FILED.

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



TAMARA PALTIN, Chair

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.97, MAUI COUNTY
CODE, DECLARING A MORATORIUM ON TRANSIENT ACCOMMODATION
PERMITS ON LANAI

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

SECTION 1. Title 19, Maui County Code, is amended by adding a new
chapter to be appropriately designated and to read as follows:

“Chapter 19.97

MORATORIUM ON TRANSIENT ACCOMMODATION PERMITS ON LANAI

Sections:

- 19.97.010 Purpose.
- 19.97.020 Moratorium.
- 19.97.030 Term.

19.97.010 Purpose. This chapter’s purpose is to declare a moratorium on the issuance of transient accommodation permits on Lanai, for up to one year, until caps for bed and breakfast home permits and short-term rental home permits are established, to protect the island’s unique community character.

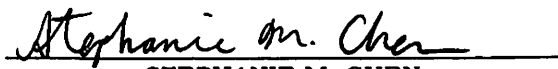
19.97.020 Moratorium. For no longer than one year, transient accommodation permits on Lanai may not be granted. Transient accommodation permits are transient vacation rental permits, bed and breakfast home permits, short-term rental home permits, County special use permits, State special permits, conditional permits, and building permits that would allow transient vacation rental use or transient accommodations, except in any zoning district where transient vacation rental use is a permitted use.

19.97.030 Term. This chapter is effective for one calendar year after its effective date or until ordinances are enacted to

establish a maximum number on bed and breakfast home permits and short-term rental home permits on Lanai, whichever is earlier.”

SECTION 2. This Ordinance takes effect upon its approval. This Ordinance shall not apply to permit applications that are complete prior to its effective date.

APPROVED AS TO FORM AND LEGALITY:



STEPHANIE M. CHEN

Department of the Corporation Counsel

County of Maui

LF2020-0884

2020-06-26 Ordinance