

Housing and Land Use Committee (2025-2027) on 2026-06-03 9:00 AM

Meeting Time: 06-03-26 09:00

eComments Report

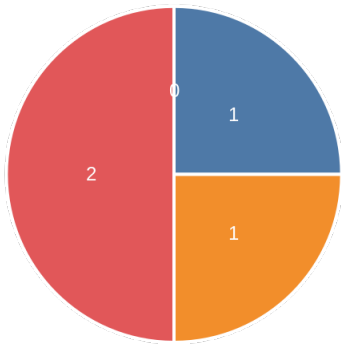
Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Housing and Land Use Committee (2025-2027) on 2026-06-03 9:00 AM	06-03-26 09:00	4	4	1	1	2

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

Support (25%) Oppose (25%) Neutral (50%)
No Response (0%)



Housing and Land Use Committee (2025-2027) on 2026-06-03 9:00 AM

06-03-26 09:00

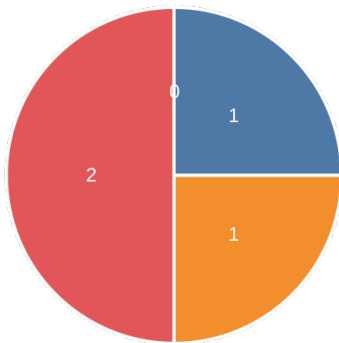
Agenda Name	Comments	Support	Oppose	Neutral
HLU-12 Bill 78 (2026) BILL 78 (2026), AMENDING TITLE 19, MAUI COUNTY CODE, ON ACCESSORY DWELLINGS ON RESIDENTIALLY ZONED LOTS (HLU-12)	3	1	0	2
HLU-10 Bill 37 (2026) BILL 37 (2026), TO ESTABLISH A REAL PROPERTY TAX EXEMPTION FOR RESIDENTIAL WORKFORCE HOUSING UNIT DEVELOPMENTS INTENDED FOR HOME OWNERSHIP (HLU-10)	1	0	1	0

Sentiments for All Agenda Items

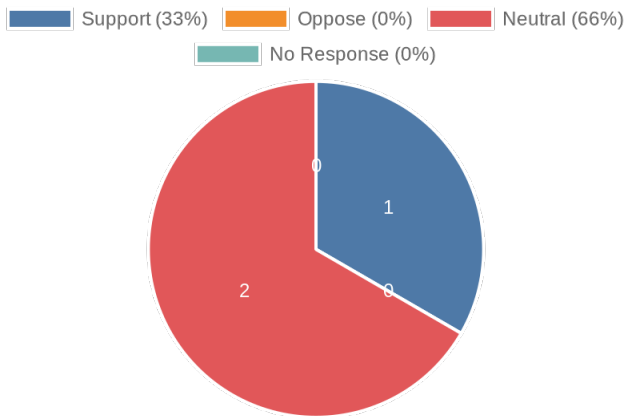
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment

Support (25%) Oppose (25%) Neutral (50%)
No Response (0%)



Overall Sentiment



Guest User

Location:

Submitted At: 9:57am 06-03-26

Aloha

One issue that deserves clarification is the effect of older subdivision CC&Rs on accessory dwelling units (ADUs).

Many of Maui's subdivisions were created decades ago under very different housing conditions. Their CC&Rs often contain language limiting lots to a single dwelling or otherwise restricting additional residential units. However, recent changes in state law were specifically intended to increase housing opportunities and prevent private restrictions from undermining that public policy.

As the County considers implementation of the State's ADU legislation, it is important to recognize that older CC&Rs may no longer operate as an absolute barrier to ADUs. In many cases, state law may preempt private restrictions that conflict with the Legislature's intent to expand housing opportunities on residentially zoned property.

This is particularly relevant in older subdivisions where restrictions have not been consistently enforced over many years. Across Maui, numerous subdivisions contain existing cottages, ohanas, converted garages, and other secondary living arrangements that have become part of the established character of the neighborhood. In these circumstances, the practical reality on the ground may differ significantly from the language contained in decades-old CC&Rs.

The County should not assume that every recorded CC&R prohibition remains enforceable or that private restrictions automatically supersede state housing policy. Property owners, associations, and County officials will need to carefully evaluate whether particular restrictions remain valid in light of current law, the history of enforcement, and the Legislature's clear intent to expand housing opportunities.

As Maui confronts a continuing housing shortage, it is important that outdated private restrictions not be treated as an automatic justification for denying housing opportunities that state law was enacted to encourage.

Edward Codelia

Location:

Submitted At: 12:43pm 06-01-26

TESTIMONY ON BILL 78 (2026)

ACCESSORY DWELLINGS ON RESIDENTIALLY ZONED LOTS

Housing and Land Use Committee

June 3, 2026

Aloha Chair, Vice-Chair Batangan, and Members of the Housing and Land Use Committee,

I submit this testimony in a neutral position on Bill 78 (2026).

I recognize that Maui County is operating within the framework established by Act 46 (2024), which requires counties to allow two accessory dwelling units on residentially zoned lots by December 31, 2026. As such, this discussion is no longer solely about whether additional ADUs should be permitted, but rather how Maui County will responsibly implement this mandate while protecting existing communities and ensuring adequate infrastructure exists to support future growth.

Like many residents, I support efforts to increase housing opportunities for local families. However, I am concerned that discussions regarding housing production often focus on the number of units that may be created while giving far less attention to the infrastructure, public safety, and resilience challenges that accompany additional density.

Maui County is still recovering from one of the most devastating disasters in Hawai'i's history. The lessons learned from August 2023 should compel us to evaluate growth through a broader lens than simply housing production. Every additional housing unit increases demand on roads, water systems, wastewater systems, electrical infrastructure, emergency services, schools, communications systems, and evacuation routes.

Before implementation of this statewide mandate, I encourage the Council to publicly identify:

- * The estimated number of additional ADUs that could be created under Bill 78.
- * The anticipated increase in population resulting from those units.
- * The cumulative impact on water demand and water system capacity.
- * The cumulative impact on wastewater and septic systems.
- * The impact on road capacity and traffic circulation.
- * The impact on emergency response services.
- * The effect on evacuation planning during wildfires, hurricanes, flooding events, earthquakes, and other disasters.

These are practical questions that deserve answers.

Maui faces increasing risks from severe weather events, wildfires, flooding, shoreline impacts, infrastructure failures, and other natural hazards. Many communities already have limited access and limited evacuation options. Before adding density, residents deserve assurance that public infrastructure and emergency preparedness systems can support additional growth safely and responsibly.

I also believe an important conversation is missing from this discussion.

If the State of Hawai'i is requiring counties to increase residential density, where is the corresponding state funding to support the infrastructure needed to accommodate that growth?

The State should not mandate density while expecting Maui County taxpayers to absorb all associated costs.

I encourage the Council to formally identify the infrastructure improvements necessary to support Act 46

implementation and seek state funding assistance for:

- * Water system upgrades.
- * Wastewater improvements.
- * Road and transportation improvements.
- * Wildfire mitigation measures.
- * Emergency evacuation planning.
- * Public safety staffing and equipment.
- * Disaster resilience projects.

Housing policy and infrastructure policy should move together.

Finally, I encourage the Council to ensure that ADUs created under this bill remain focused on residential housing opportunities and are not diverted into uses that fail to address Maui's housing needs. The public deserves confidence that any increase in housing capacity will primarily benefit residents and local families.

As Maui moves forward with Act 46 implementation, I urge the Council to focus not only on housing production but also on infrastructure readiness, public safety, disaster resilience, and securing state assistance for the costs associated with this mandate.

Thank you for the opportunity to testify.

Edward Codelia
Kula, Maui

Jonathan Helton

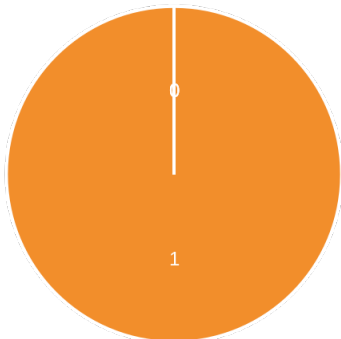
Location:
Submitted At: 8:00am 06-01-26

Please see attached

Agenda Item: eComments for HLU-10 Bill 37 (2026) BILL 37 (2026), TO ESTABLISH A REAL PROPERTY TAX EXEMPTION FOR RESIDENTIAL WORKFORCE HOUSING UNIT DEVELOPMENTS INTENDED FOR HOME OWNERSHIP (HLU-10)

Overall Sentiment

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



Edward Codelia

Location:

Submitted At: 12:14pm 06-01-26

TESTIMONY IN OPPOSITION TO BILL 37 (2026)
ESTABLISHING A REAL PROPERTY TAX EXEMPTION FOR RESIDENTIAL WORKFORCE HOUSING UNIT
DEVELOPMENTS INTENDED FOR HOME OWNERSHIP
Housing and Land Use Committee
June 3, 2026

Aloha Chair, Vice-Chair Batangan, and Members of the Housing and Land Use Committee,

I submit this testimony in opposition to Bill 37 (2026) unless substantial amendments are adopted to ensure accountability, transparency, and measurable public benefit.

At its core, this bill proposes granting a real property tax exemption to developers of workforce housing projects. While increasing homeownership opportunities for local residents is a goal most of us share, the public deserves to know why another tax exemption is being proposed before the County has demonstrated whether previous housing incentives have produced meaningful results.

For decades, Maui residents have been told that the solution to the housing crisis is another subsidy, another exemption, another incentive, another density bonus, another waiver, or another special program for development interests. Yet despite years of these policies, housing prices continue to rise, homeownership rates continue to decline, and local families continue to leave Maui because they can no longer afford to live here.

Before granting additional tax relief to developers, the Council should first answer several basic questions:

- * How many workforce housing units have been produced through existing County incentive programs?
- * How many remain owner-occupied today?
- * How many have since been sold at market prices?
- * What is the total amount of County revenue previously forgone through housing-related exemptions and incentives?
- * What measurable public benefit was achieved?

Taxpayers should not be expected to support additional exemptions without a clear accounting of the effectiveness of previous programs.

The larger concern is that Bill 37 places the financial burden on the public while providing benefits to private development interests without guaranteeing any specific outcome. Simply reducing a developer's tax obligation does not automatically create affordable housing. In many cases, it simply increases profitability.

The public is repeatedly told that government needs additional revenue to fund infrastructure, public safety, parks, roads, environmental protection, and housing initiatives. At the same time, homeowners continue to face increasing property assessments and higher tax bills. If property tax revenue is so critical to County operations, residents have every right to ask why the Council is considering exempting developers from those taxes while many homeowners struggle to remain in their homes.

The County has already recognized the financial pressure facing residents by increasing homeowner exemptions. Yet rather than continuing to prioritize resident homeowners, k_puna, and working families, this bill would direct tax relief toward development interests first.

I believe the Council should be pursuing alternatives that provide direct and measurable benefits to residents rather than indirect benefits through developers.

Instead of providing tax exemptions to developers, the County should consider:

- * Expanding homeowner exemptions for resident owners.
- * Creating additional property tax relief for k_puna.

- * Providing targeted assistance to first-time homebuyers.
- * Streamlining permit processing and reducing unnecessary delays.
- * Investing in infrastructure improvements that benefit entire communities.
- * Establishing performance-based incentives tied to completed and occupied housing units rather than promised units.

If the Council nevertheless chooses to advance this bill, several safeguards should be mandatory.

Any tax exemption should require:

- * Owner occupancy requirements.
- * Preference for Maui County residents.
- * Long-term affordability protections.
- * Annual public reporting.
- * Independent auditing.
- * Full transparency regarding recipients and project performance.
- * Automatic repayment or clawback provisions if conditions are violated.

Without these protections, the County risks creating yet another program where public resources are committed with little accountability and uncertain results.

Maui's housing crisis did not emerge because developers lacked tax incentives. It emerged because of decades of regulatory delays, infrastructure limitations, high construction costs, speculative investment, housing conversions, and government policies that have failed to keep pace with community needs.

The solution is not simply another tax exemption.

The Council should focus first on improving permitting efficiency, expanding infrastructure capacity, protecting owner occupancy, reducing speculative pressures, and providing direct relief to resident homeowners who continue to bear the increasing costs of living on Maui.

For these reasons, I respectfully urge the Committee to reject Bill 37 in its current form or substantially amend it to ensure that any tax relief granted results in measurable, enforceable, and transparent public benefits for Maui residents.

Mahalo for the opportunity to testify.

Edward Codelia
Kula, Maui

June 3, 2026, 9 a.m.
Kalana O Maui Building

To: Maui County Council House and Land Use Committee
Nohelani U'u-Hodgins, Chair
Kauanoë Batangan, Vice Chair

From: Jonathan Helton, Policy Analyst
Grassroot Institute of Hawaii

RE: Bill 78 (2026) — ON ACCESSORY DWELLINGS ON RESIDENTIALLY ZONED LOTS

Aloha Chair U'u-Hodgins, Vice Chair Bantangan and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [Bill 78 \(2026\)](#), which would allow two accessory dwelling units per lot in all of Maui's County residential zoning districts.

This proposal would be a powerful tool for homeowners and homebuilders to help combat the broader housing crisis.

On the island of Maui, lots smaller than 7,500 square feet are allowed one ADU, while lots larger than 7,500 square feet can have two.

Meanwhile, on Lana'i and Moloka'i, a single ADU is allowed on lots that are 7,500 square feet or larger.¹ On Lana'i, almost 75% of residential lots are smaller than 7,500 square feet,² so ADUs are functionally illegal. On Moloka'i, most lots are 10,000 square feet or larger, but homeowners there are allowed only one ADU.

Grassroot pointed out in its 2023 report "[How to facilitate more homebuilding in Hawaii](#)" that allowing more homes on the same lot is an approach many states and cities across the county have used to increase housing supply.

¹ "[Chapter 19.35 - ACCESSORY DWELLINGS](#)," Maui County Code, accessed Nov. 3, 2025.

² Data from Hawaii Information Service's Multiple Listing Service. Subscription required.

Such places include Minneapolis, Minnesota; and Houston, Texas; as well as the entire states of California and Montana.³ Auckland, New Zealand, is a good international example.⁴

All of those jurisdictions “upzoned” residential areas to allow greater housing density on land already zoned for housing — and research indicates these changes have helped moderate or reduce housing prices.⁵

Allowing more housing in existing residential areas could also help reduce community concerns about new housing in general. First, more water and wastewater infrastructure is typically available in existing residential areas. And second, new housing built under this bill would not encroach on Maui’s rural and agricultural areas, which should please anyone who wants to “keep the country country.”

This strategy would also operationalize current community plans for each island.

In the 2016 Lana'i Community Plan, the chapter on housing endorses a strategy to “Encourage new development to include a variety of lot sizes, housing types, tenures and price points that accommodate the full spectrum of household compositions, life stages (i.e. single, married, with children, multigenerational, etc.) and income levels.”

The plan also says: “Ensuring housing variety on Lana'i will increase residents’ ability to remain on the island when family or economic circumstances change. Housing types include small and large single-family detached homes, ohana dwelling units, duplexes, town homes, multifamily buildings and live-work units.”⁶

Likewise, the 2012 Maui Island Plan states in the chapter on land use that the County should “ensure higher-density compact urban communities, infill, and redevelopment of underutilized urban lots within Urban Growth Boundaries.”⁷ That chapter also notes that during events prior to finalizing the plan, “Maui residents expressed a preference for focusing future growth in existing towns and increasing population densities in appropriate locations as the best way to accommodate growth.”⁸

And the 2018 Moloka'i Island Community Plan notes in its section on “Land Use Planning Principles and Standards” that “Moloka'i’s small towns should provide a mix of housing types and affordability, compact and pedestrian-oriented development, access to parks and open space, and a mix of compatible and complementary land uses.”

³ Laurel Wamsley, “[The hottest trend in U.S. cities? Changing zoning rules to allow more housing](#),” NPR, Feb. 17, 2024.

⁴ Ryan Greenaway-McGrevy, “[Can Zoning Reform Reduce Housing Costs? Evidence from Rents in Auckland](#),” University of Auckland Business School, Economic Policy Centre Working Paper No. 016, June 2023.

⁵ Christina Plerhoples Stacy, Christopher Davis, Yonah Freemark, et al., “[Land-Use Reforms and Housing Costs](#),” Urban Institute, March 29, 2023; and Vicki Been, Ingrid Gould Ellen and Katherine M. O'Regan, “[Supply Skepticism Revisited](#),” New York University Law and Economics Research Paper No. 24-12, Nov. 10, 2023.

⁶ “[Lana'i Community Plan 2016](#),” approved by the Maui County Council on July 26, 2016, p. 11-4.

⁷ “[Maui Island Plan](#),” Maui County Planning Department, Dec. 28, 2012, p. 7-24.

⁸ [Ibid](#), p. 7-21.

It also says: “Future growth areas will be contiguous or proximate to existing employment and/or housing, and located where infrastructure and public facilities can be provided in a cost-effective manner.”⁹

Furthermore, this bill would put the county into compliance with the state’s Act 46 (2024), which requires that the counties allow two ADUs per lot in all residential zones by Dec. 31, 2026.

Thank you for the opportunity to testify.

Jonathan Helton
Policy Analyst
Grassroot Institute of Hawaii

⁹ [“Moloka`i Island Community Plan,”](#) approved by the Maui County Council on December 17, 2018, p. 79.