

DANNY A. MATEO  
County Clerk



JOSIAH K. NISHITA  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

August 25, 2015

Honorable Don Couch, Chair  
Planning Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Couch:

Respectfully transmitted is a copy of COUNTY COMMUNICATION NO. 15-220, from Councilmember Don Couch, that was referred to your Committee by the Council of the County of Maui at its meeting of August 25, 2015.

Respectfully,

A handwritten signature in black ink, appearing to read "Danny A. Mateo", is written over a faint, larger version of the same signature.

DANNY A. MATEO  
County Clerk

/jym

Enclosure

cc: Director of Council Services

RECEIVED  
OFFICE OF THE  
COUNTY CLERK  
AUG 26 2015

Council Chair  
Mike White

Vice-Chair  
Don S. Guzman

Presiding Officer Pro Tempore  
Michael P. Victorino

Councilmembers  
Gladys C. Baisa  
Robert Carroll  
Elle Cochran  
Don Couch  
Stacy Crivello  
Riki Hokama



Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

August 12, 2015

The Honorable Mike White  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair White:

SUBJECT: **TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS** (PAF 14-275)

May I request the attached proposed resolution, entitled "REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Couch", with a long, sweeping horizontal line extending to the right.

DON COUCH  
Councilmember

paf:gig:14-275f

Attachment

COUNTY COMMUNICATION NO. 15-220

# Resolution

No. \_\_\_\_\_

REFERRING TO THE PLANNING COMMISSIONS  
A PROPOSED BILL RELATING TO TRANSIENT VACATION  
RENTALS IN PLANNED DEVELOPMENTS

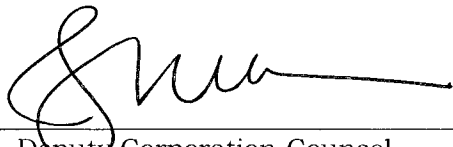
WHEREAS, the Council is considering a proposed bill to amend Title 19, Maui County Code, to remove the requirement that transient vacation rentals are permitted only in planned developments consisting of duplexes or multi-family units; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended, require that the appropriate planning commissions review proposed land use ordinances and provide findings and recommendations to the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby refers the proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO TRANSIENT VACATION RENTALS IN PLANNED DEVELOPMENTS" a copy of which is attached hereto as Exhibit "A" and made a part hereof, to the Lanai Planning Commission, the Maui Planning Commission, and the Molokai Planning Commission, pursuant to Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended; and
2. That it respectfully requests that the Lanai Planning Commission, the Maui Planning Commission, and the Molokai Planning Commission transmit their respective findings and recommendations to the Council as expeditiously as possible; and
3. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, the Lanai Planning Commission, the Maui Planning Commission, and the Molokai Planning Commission.

APPROVED AS TO FORM AND LEGALITY



Deputy Corporation Counsel  
County of Maui

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2015)

A BILL FOR AN ORDINANCE RELATING TO TRANSIENT VACATION RENTALS IN  
PLANNED DEVELOPMENTS

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

SECTION 1. The Maui County Code currently allows transient vacation rentals in a planned development only if the planned development consists solely of duplexes or multi-family dwelling units. The purpose of this ordinance is to repeal that limitation.

SECTION 2. Subsection H of Section 19.32.040, Maui County Code, is amended to read as follows:

H. Transient vacation rentals shall be permitted in planned developments, except for developments that have been publicly funded[;provided], and except that all of the following shall apply to the planned development:

1. The planned development received final approval pursuant to this chapter, and at least one unit in the planned development was operating as a vacation rental on or before April 20, 1981; and
2. The planned development must be located on parcels with at least some residential district zoning[; and
3. The planned development consists of only duplexes or multi-family dwelling units].

SECTION 3. 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 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Department of the Corporation Counsel  
County of Maui  
paf:gig:14-275a

EXHIBIT " A "