

PSLU Committee

From: Jacky Takakura <Jacky.Takakura@co.maui.hi.us>
Sent: Thursday, October 21, 2021 10:18 AM
To: PSLU Committee
Cc: Jordan Hart
Subject: powerpoint PDF for PSLU-37 10/22/2021
Attachments: 19.12PSLU211022.pdf

Attached please find a short powerpoint for the 3rd item on today's agenda regarding chapters 19.04 and 19.12.
Thank you

Jacky Takakura
Administrative Planning Officer
Zoning Administration & Enforcement Division Maui County Department of Planning
2200 Main Street, Suite 335
Wailuku, HI 96793
phone (808) 270-7743

A Proposed Bill Relating to Transient Registration Numbers in the Apartment District

RESOLUTION NO. 21-55

COUNTY OF MAUI DEPARTMENT OF PLANNING

OCTOBER 2021

Existing Criteria for Vacation Rentals

Transient vacation rentals are allowed in the Apartment District if:

- The building or structure received a building permit, SMA use permit, or planned development approval that was lawfully issued by and was valid, or is otherwise confirmed to have been lawfully existing, on 4/20/89.
- Transient vacation rental use was conducted in any lawfully existing dwelling unit within the building or structure prior to 9/24/20 as determined by real property tax class or payment of general excise tax and transient accommodations tax.
- If any such building or structure is reconstructed, renovated or expanded, then transient vacation rental use is limited to the building envelope as it can be confirmed to have been approved or lawfully existing on 4/20/89. The number of bedrooms used for transient vacation rental must not be increased.

Department's Proposal

- Unit or property owner must hold valid GET and TAT licenses
- State and County taxes paid in full for the vacation rental use, and licenses kept current
- Advertisements for vacation rental use must include TMK number, and if applicable, unit number.
- Recommended revision for 19.12.020.G.2: payment of GET and TAT as of 9/24/2020 as a way to verify use (*keep this language*)

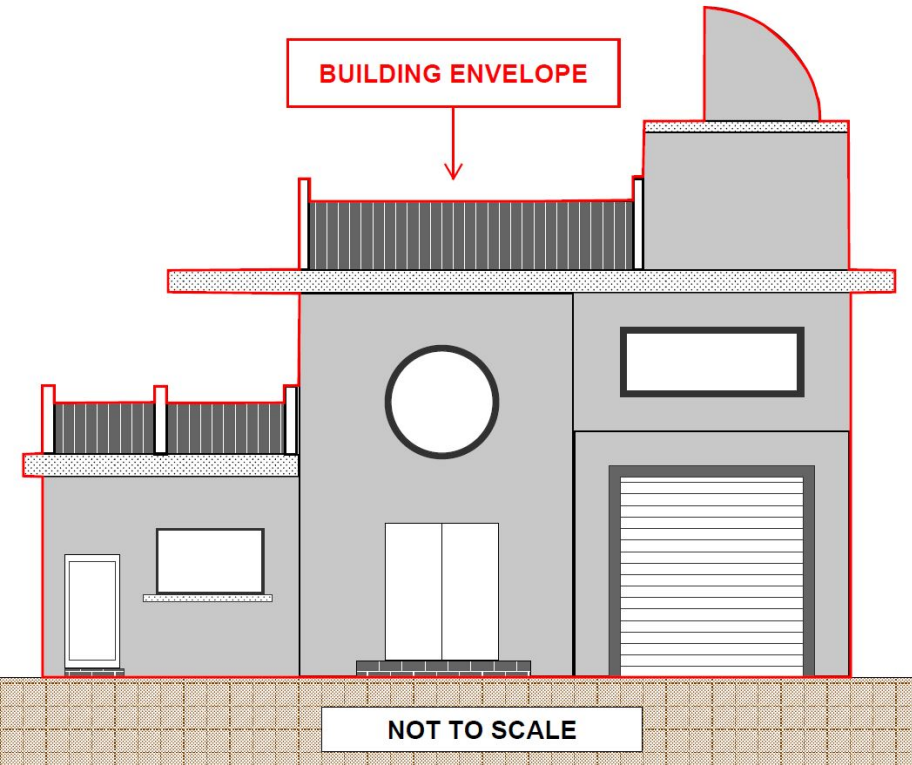
Why TMK and not registration numbers?

- Permitted uses do not normally require a registration
- Council's proposal is not clear regarding allowed use by property or by unit. Department proposes to stay with current practice of allowing use by property
- Major online platforms such as Airbnb and VRBO are set up to include TMK numbers; county's agreements with these platforms are consistent with Department's proposal
- Planning Department's vendor already uses TMK to search online advertisements
- **104** properties with **7,302** units in Apartment District condo units are allowed to conduct TVR use. Registering and monitoring a permitted use is not needed and would be a significant new demand on Planning Department staff and resources when there is an easier approach
- State tax office does not share information regarding individual GET or TAT accounts
- Department's proposal includes easily verifiable information.

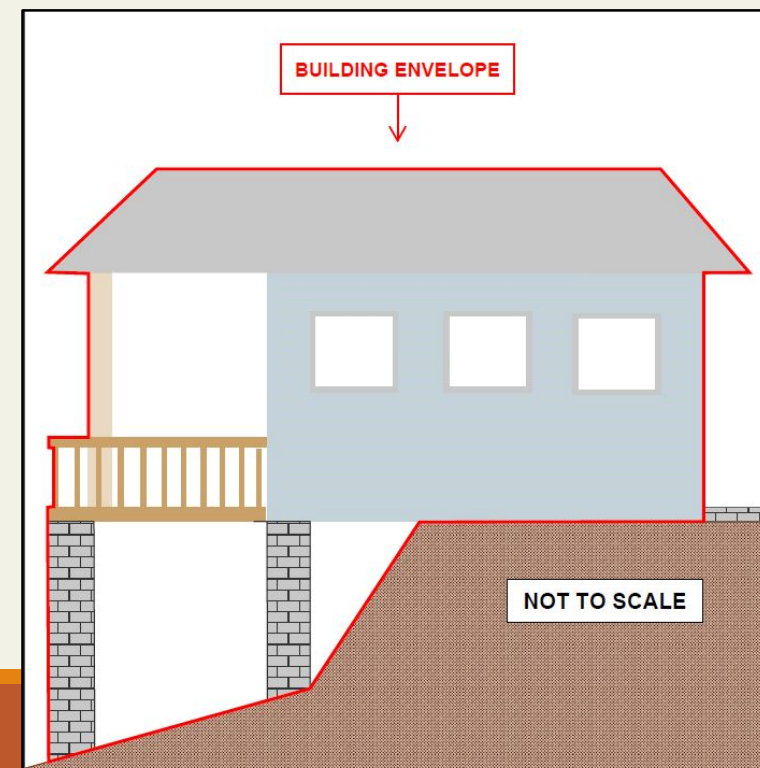
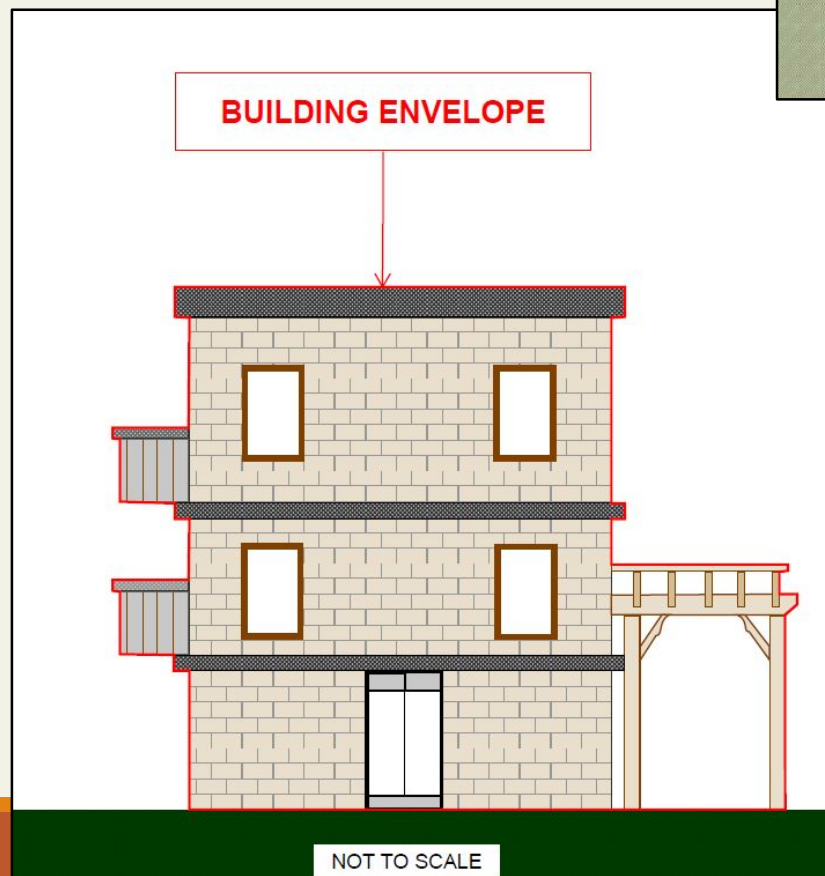
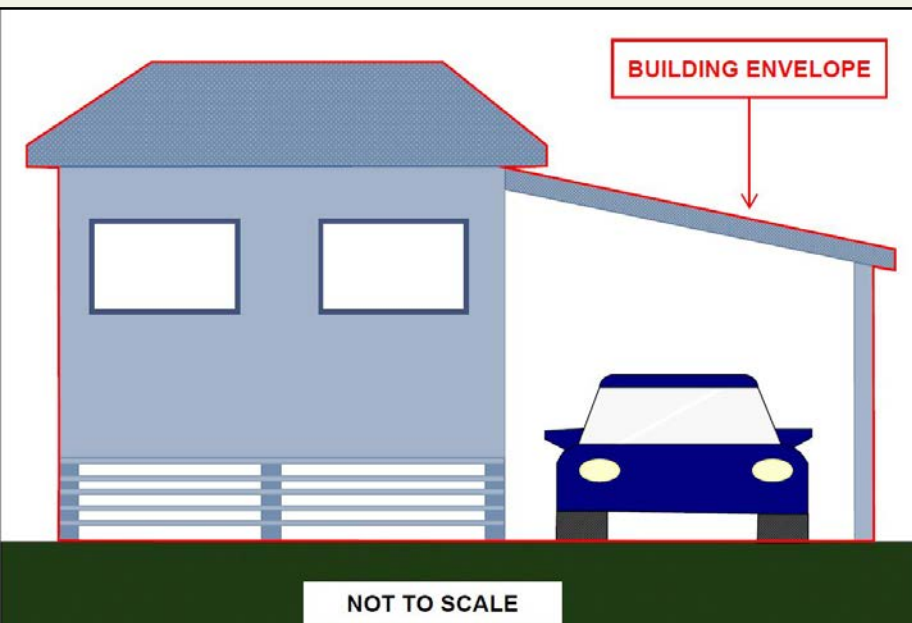
Department's Proposal

Add definition for “building envelope”

- The area enclosed by the three-dimensional exterior surfaces of a building or structure, including any open air areas between the posts or the posts and walls that hold up a roof, such as carports and covered decks.



Building Envelope



Department of Planning mission:

To manage growth in a sustainable manner that balances our economy, culture and the environment.

Mahalo!