

REQUEST FOR LEGAL SERVICES

Date: November 4, 2021
From: Gabe Johnson, Chair
Affordable Housing Committee

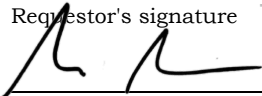
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Mimi DesJardins, Esq.

Subject: COMPREHENSIVE AFFORDABLE HOUSING PLAN: INCOME GROUP
DISTRIBUTION FOR RESIDENTIAL WORKFORCE HOUSING UNITS (AH-14(5))

Background Data: Please see the attached bill. Please submit the response to
ah.committee@mauicounty.us with a reference to AH-14(5).

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Type text here Gabe Johnson	Contact Person Alison Stewart or James Forrest (Telephone Extension: <u>7661 or 7137, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): _____
REASON: _____

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

ah:ltr:014(5)acc01:jbf

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.96,
MAUI COUNTY CODE, RELATING TO INCOME GROUP DISTRIBUTION FOR
RESIDENTIAL WORKFORCE HOUSING UNITS

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

SECTION 1. This Ordinance's purpose is to provide affordable housing to
County residents.

SECTION 2. Section 2.96.040, Maui County Code, is amended by
amending Subsection C to read as follows:

"C. Income group distribution.

1. Unless an exemption is granted by the [director,]
council, the percentage of ownership units within each income
group [shall] must be as follows:

a. [Thirty] Fifteen percent of the ownership units
[shall] must be for "[below-moderate] very low income"
residents[.], which are those households whose gross annual
family income is fifty percent or less of the area median
income as established by HUD, or as adjusted by the
department for Hana, Lanai, and Molokai.

b. [Fifty] Forty-five percent of the ownership units
[shall] must be for "[moderate] low income" residents[.],
which are those households whose gross annual family
income is more than fifty percent, but not more than eighty
percent of the area median income as established by HUD,
or as adjusted by the department for Hana, Lanai, and
Molokai.

c. [Twenty] Forty percent of the ownership units
[shall] must be for "[above-moderate] below-moderate
income" and "moderate income" residents[.], which are those
households whose gross annual family income is more than
eighty percent, but not more than one hundred twenty
percent of the area median income as established by HUD,

or as adjusted by the department for Hana, Lanai, and Molokai.

2. Unless an exemption is granted by the [director,] council, the percentage of rental units within each income group [shall] must be as follows:

a. [One-third] Sixty-five percent of the rental units [shall] must be for "very low income" [and "low income"] residents[.], which are those households whose gross annual family income is fifty percent or less of the area median income as established by HUD, or as adjusted by the department for Hana, Lanai, and Molokai.

b. [One-third] Thirty percent of the rental units [shall] must be for "[below-moderate] low income" residents[.], which are those households whose gross annual family income is more than fifty percent, but not more than eighty percent of the area median income as established by HUD, or as adjusted by the department for Hana, Lanai, and Molokai.

c. [One-third] Five percent of the rental units [shall] must be for "[moderate] below-moderate income" and "moderate income" residents[.], which are those households whose gross annual family income is more than eighty percent, but not more than one hundred twenty percent of the area median income as established by HUD, or as adjusted by the department for Hana, Lanai, and Molokai."

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 takes effect upon approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

ah:misc:014(5)abill01:jbf