

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAI'I 96793

March 17, 2025

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawai'i 96793

APPROVED FOR TRANSMITTAL

 3.18.25
Mayor Date

For Transmittal to:

Honorable Tamara Paltin, Chair
Disaster, Resilience, International Affairs and Planning Committee
200 South High Street
Wailuku, Hawai'i 96793
via: drip.committee@mauicounty.us

Dear Chair Paltin:

SUBJECT: BILL 104 (2024), AMENDING CHAPTERS 19.04, 19.08, AND 19.29, MAUI COUNTY CODE, RELATING TO KITCHENS, KITCHENETTES, AND WET BARS; AND SECTION 19.36B.020, MAUI COUNTY CODE, TO ADD PARKING REQUIREMENTS FOR DWELLING UNITS WITH KITCHENETTES (DRIP-3)

Thank you for your March 3, 2025 letter requesting information pertaining to Bill 104. The following identifies your request followed by the Planning Department's (Department) response:

1. *Are additional entryways required for kitchenettes constructed in a dwelling unit? Please explain.*

Committee staff may want to consult with the Department of Public Works for specific Building Code requirements related to egress from rooms within a residential dwelling.

The Department is not aware that additional entryways are required for kitchenettes constructed in a dwelling unit. The Department is aware that there

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are egress requirements within the Building Code that require, for example, an egress window (not a door) of certain size to open directly to the outside from a bedroom.

Importantly, as reported in the Department's presentation to the Housing and Land Use Committee during the November 20, 2024 Committee meeting, the Department, after consultation with the Department of Public Works and Department of Fire and Public Safety, is recommending that Bill 104 be revised to require that a kitchenette have internal access to the primary dwelling unit. The purpose of this revision is to ensure that a kitchenette remains as part of the primary dwelling unit and does not inadvertently convert to its own dwelling unit.

2. *If two kitchenettes are constructed in a single-family dwelling unit, would the unit be reclassified as a multifamily dwelling unit? Please explain.*

No, kitchenettes constructed in a single-family dwelling unit would not cause the unit to be reclassified as a multifamily dwelling unit. As discussed in the Department's March 10, 2025 response letter to questions related to Bill 103, specifically in its response to Question #2.a, a single-family dwelling with two kitchenettes would still be considered a single-family dwelling. The Maui County Code (MCC) defines "*Single-family dwelling unit*" to mean "*a building consisting of only one dwelling unit designed for or occupied exclusively by one family.*" As addressed in the answer to Question #1 of the same March 10, 2025 letter, the current definition of "*family*" is quite broad; allowing for occupants that are related by blood in addition to occupants that are not related by blood in the same household, or up to five occupants that are unrelated in the same household. Thus, a single-family dwelling unit could include the main kitchen and two kitchenettes while still meeting the definition of "*family.*"

To ensure that the kitchenette is not considered a separate dwelling unit, as noted in the answer to Question #1 of this letter, a kitchenette(s) must be internally accessible via enclosed living area within a dwelling unit (singular) thereby ensuring that the kitchenette(s) is not treated as a separate dwelling unit(s), but instead inclusive within the same single dwelling unit. Furthermore, according to the MCC, a "*Multifamily dwelling unit,*" "*means a building or portion thereof which consists of three or more dwelling units and which is designed for occupancy by three or more families living independently of each other*" (emphasis added). Thus, a "*Multifamily dwelling unit,*" is defined as multiple independent dwelling units, while a kitchenette may only be contained within one independent dwelling unit.

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Thank you for the opportunity to provide this information. If you have any further questions, please do not hesitate to contact me.

Sincerely,



KATE L. K. BLYSTONE
Director

cc: Ana Lillis, Deputy Director (pdf)
Jordan Hart, Office of Recovery (pdf)
Gregory Pfof, Administrative Planning Officer (pdf)
KLKB:GP:jlj
S:\ALL\APO\19.04 Definitions (LU-26)\2024 Amendments\03172025 CM Paltin Bill 104.pdf

DRIP Committee

From: Michelle L. Santos <Michelle.Santos@co.maui.hi.us>
Sent: Tuesday, March 18, 2025 12:35 PM
To: DRIP Committee
Cc: Cynthia E. Sasada; Erin A. Wade; Josiah K. Nishita; Keli P. Nahooikaika; Ana L. Lillis; joy.paredes@co.maui.hi.us; Katie L. Blystone
Subject: MT#11017 Bill 104
Attachments: MT#11017-DRIP Committee.pdf