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OFFICE OF THE MAYOR

September 10, 2018

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

For Transmittal to:

Honorable Elle Cochran, Chair
Infrastructure and Environmental Management Committee
Maui County Council
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Chair Cochran:

SUBJECT: VISITABILITY STANDARDS IN THE COUNTY'S BUILDING CODE
(IEM-81)

This letter replies to your August 29, 2018 letter asking for Department comments on the draft resolution urging our Department to 1) propose the incorporation of visitability standards into our building code, 2) conduct an analysis of the feasibility of incorporating the six visitability standards into our code, and 3) report back to the Council within 60 days regarding our findings and recommendations including a recommendation regarding proposed legislation if appropriate.

I think Item 1 above is premature as Item 2 above has not been done yet.

As relates to Item 2, we are unable to do such an analysis due to several factors. The first is that we have no expertise in-house to do such an analysis. The analysis would require intimate knowledge on standards in the Americans with Disabilities Act (ADA), the U.S. Department of Housing and Urban Development (HUD) Fair Housing Standards,

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Mayor
9/10/18
Date

Honorable Alan M. Arakawa
For Transmittal to:
Honorable Elle Cochran, Chair
September 10, 2018
Page 2

and other existing standards on accessibility. To this end, we would need to hire a consultant.

The second factor is to understand the intent of the proposed Visitability Standards as to where it may apply. Would this be for all single- or two-family homes? Ohana units? Tiny homes? Transient Vacation Rentals (TVR's) and Bed and Breakfasts (B&B's)? Multi-family units not already deemed ADA accessible? Additions to existing homes?

The third factor is the language of the Visitability Standards does not match the existing Building Code. For instance, a Zero-Step Entrance on an Accessible Route from a Driveway or Public Sidewalk – what about homes that are elevated to be out of the flood zone? How high is a Zero-Step? How is rainwater moved away from the “Zero-Step”? What is the definition of “entrance” and “main floor”? Could accessible routes be in the zoning setback areas? Same for the standard of One Wheelchair-Accessible Full Bath on the Main Floor. What is “main floor”? “Accessible” includes all aspects of ADA, not just door width, but also sink design, type and mounting of accessories, etc.?

Clearly there are many unknowns to begin an analysis. This is an important issue to look into and should be evaluated by folks that have experience in this type of work so that any potential changes to the Building Code are cost effective, practical, and enforceable without unduly costing the County a great amount of time and funds to implement.

Sincerely,



DAVID C. GOODE
Director of Public Works

DCG:jso
Attachment
xc: Development Services Administration
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