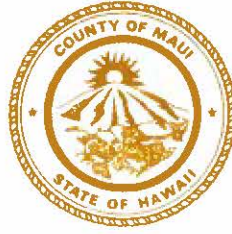


RICHARD T. BISSEN, JR.
Mayor
SHAYNE R. AGAWA, P.E.
Director
ROBERT SCHMIDT
Deputy Director
MICHAEL KEHANO, P.E.
Solid Waste Division
ERIC A. NAKAGAWA, P.E.
Wastewater Reclamation Division



Environmental Protection &
Sustainability Division

COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

August 21, 2024

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen, Jr.
Mayor Date 8-23-24

For Transmittal to:

Honorable Tasha Kama, Chair
Housing and Land Use Committee
200 South High Street,
Wailuku, HI 96793

Dear Councilmember Kama:

SUBJECT: BILL 103 (2024), AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO DENSITY WITHIN RESIDENTIAL DISTRICTS (HLU-32)

In response to your correspondence dated August 20, 2024 requesting comments regarding Bill 103 (2024), the Department of Environmental Management (DEM) provides following comments.

1. Capacities at the plants and collection systems could be impacted if significant density increases occur.
2. Side yard setbacks say 6 feet from building, not including eaves. Sewer easements are typically 10' or 15' with no overhang allowed.

Thank you for the opportunity to provide you with information on this matter. Should you have any questions or concerns, please feel free to forward them to the Department of Environmental Management via transmittal through the Office of the Mayor.

Sincerely,

Shayne R. Agawa

Digitally signed by Shayne R. Agawa, P.E.
DN: cn=Shayne R. Agawa, P.E., o=County of Maui, ou=Director of Environmental Management,
email=shayne.agawa@co.maui.hi.us, c=US
Date: 2024.08.22 11:24:06 -1000

SHAYNE R. AGAWA, P.E.
Director of Environmental Management

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

August 20, 2024

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

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

Mr. Shane Agawa, Director
Department of Environmental Management
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Agawa:

SUBJECT: BILL 103 (2024), AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO DENSITY WITHIN RESIDENTIAL DISTRICTS (HLU-32)

The Maui County Council's Housing and Land Use Committee is in receipt of Bill 103 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO DENSITY WITHIN RESIDENTIAL DISTRICTS." A copy of the bill is attached for your reference.

The HLU Committee did not receive comments on the bill from any department other than Planning. May I please request you review and provide your Department's comments on the bill, including any anticipated impacts and suggested amendments to the Maui County Code that may be needed as a result of the proposed expansion of dwelling types and density in the Residential Districts.

May I further request you transmit your response to hlu.committee@mauicounty.us by **September 9, 2024**. To ensure efficient processing, please include the Committee item number in the subject line.

Mr. Shane Agawa
August 19, 2024
Page 2

Should you have any questions, please contact me or the Committee staff (James Krueger at ext. 7761, Carla Nakata at ext. 5519, or Jennifer Yamashita at ext. 7143).

Sincerely,

A handwritten signature in black ink, appearing to read "Tasha Kama", with a long horizontal flourish extending to the right.

TASHA KAMA, Chair
Housing and Land Use Committee

hlu:ltr:032aem01:cmn

Attachment

cc: Mayor Richard T. Bissen, Jr.
Deputy Director of Environmental Management

ORDINANCE NO. _____

BILL NO. 103 (2024)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO DENSITY WITHIN RESIDENTIAL DISTRICTS

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

SECTION 1. Purpose. The purpose of this ordinance is to increase the allowable residential density in the R-1, R-2 and R-3 Residential Zoning Districts in order to provide for additional housing opportunities in Maui County.

SECTION 2. Section 19.08.020, Maui County Code, is amended by amending subsection A to read as follows:

“A. [Single-family dwellings.] Long-term residential dwelling units.”

SECTION 3. Section 19.08.030, Maui County Code, is amended by amending subsection J to read as follows:

“J. On the island of Molokaʻi, [Two-family] two-family dwelling units or duplexes beyond the density allowed under section 19.08.020, subject to the setback standards in section 19.10.050.”

SECTION 4. Section 19.08.040, Maui County Code, is amended to read as follows:

“19.08.040 Development standards, height regulations, and setback lines.

	R-1	R-2	R-3	Notes and exceptions
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Minimum lot area (square feet)	6,000	7,500	10,000	
Single-family dwelling density on the island of Moloka'i	1 per 6,000 [SF] square feet	1 per 7,500 [SF] square feet	1 per 10,000 [SF] square feet	<u>Accessory dwellings under chapter 19.35 are permitted in all residential districts in addition to the density standard</u>
<u>Maximum density on the islands of Maui and Lāna'i</u>	<u>1 dwelling unit per 2,500 square feet of lot area</u>			
<u>Dwelling type on the islands of Maui and Lāna'i</u>	<u>Single-family, duplex, and multi-family</u>			
Minimum lot width (in feet)	60	65	70	
Maximum building height	Building height must not exceed 30 feet			
Setback lines (for any portion of a building up to and including 15 feet in height as measured from the natural or finish grade, whichever is lower)				
Front (in feet)	15			
Side/Rear (in feet)	6			
Setback lines (for any portion of a building more than 15 feet in height as measured from the natural or finish grade, whichever is lower)				

Front (in feet)	15
Side/Rear (in feet)	10
Surfaces	For dwellings constructed pursuant to building permits applied for after January 1, 2023, the impervious surface area of a zoning lot must not exceed 65 percent of the total zoning lot area

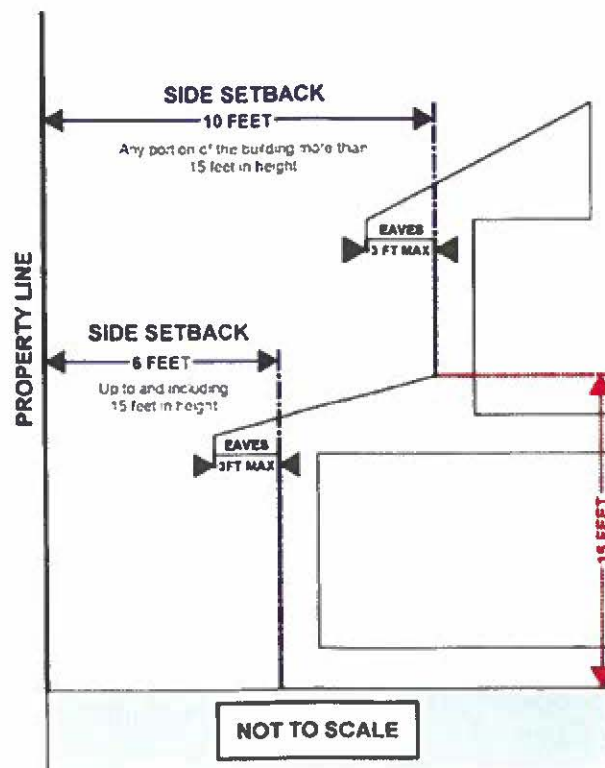


Figure 3 Example of rear and side setback areas for single-family dwelling >15 feet in height (not to scale)

SECTION 5. 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 6. This ordinance takes effect on approval.

APPROVED AS TO FORM
AND LEGALITY:



KRISTIN K. TARNSTROM
Deputy Corporation Counsel
Department of the Corporation Counsel
County of Maui
LF2024-0240
2024-04-25 Ord Amd Ch 19.08.docx

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "John P. Lee", written over a horizontal line.

Upon the request of the Mayor.

HLU Committee

From: Michelle Santos <Michelle.Santos@co.maui.hi.us>
Sent: Friday, August 23, 2024 4:17 PM
To: HLU Committee
Cc: Cynthia Sasada; Josiah Nishita; Nadine Orikasa; Pili Nahooikaika; Robert Schmidt; Shayne Agawa
Subject: MT#10725 Bill 103, Amending Chapter 19.08
Attachments: MT#10725-HLU Committee.pdf

NOTE: PLEASE DO NOT FORWARD MY EMAIL TO ANYONE OUTSIDE OF THE COUNTY OF MAUI. YOU MAY CLICK ON THE ATTACHMENT ITSELF AND CREATE YOUR OWN EMAIL TO FORWARD THE DOCUMENT TO ANOTHER PERSON OUTSIDE OF THE COUNTY.

Michelle L. Santos

Office Operations Assistant

Office of the Mayor
County of Maui
200 S. High Street 9th Floor
Wailuku, HI 96793
phone: (808) 270-7855
fax: (808) 270-7870