

ORDINANCE NO. \_\_\_\_\_

BILL NO. 143 (2018)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019  
BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO  
APPENDIX B, REVENUES – FEES, RATES, ASSESSMENTS AND TAXES,  
DEPARTMENT OF HOUSING AND HUMAN CONCERNS,  
SPECIAL REVENUE/TRUST AND AGENCY FUND,  
RESIDENTIAL WORKFORCE HOUSING POLICY INCENTIVES AND EXEMPTIONS,  
RESIDENTIAL WORKFORCE HOUSING FAST TRACK DEVELOPMENT  
APPLICATION FEE

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

SECTION 1. Ordinance No. 4861, Bill No. 57 (2018), "Fiscal Year 2019 Budget", Appendix B, "Revenues – Fees, Rates, Assessments and Taxes", is hereby amended as it pertains to the Department of Housing and Human Concerns, Special Revenue/Trust and Agency Fund, by adding a Residential Workforce Housing Fast Track Development Application Fee, to read as follows:

"COUNTY OF MAUI REVENUES – FEES, RATES, ASSESSMENTS AND TAXES"					
ACCOUNT	REVENUE SOURCE	FEE, RATE, ASSESSMENT OR TAX	HRS	COUNTY CODE	ORDINANCE
DEPARTMENT OF HOUSING AND HUMAN CONCERNS SPECIAL REVENUE/TRUST AND AGENCY FUND					
3290	Sale of Dog Licenses: License - Dogs	For neutered dog.....\$10 every two years For unneutered dog.....\$75 every two years	143-3	6.04.020	
		Dog tag.....\$1 each	143-4	6.04.020	
		Duplicate dog tag .....\$1 each	143-4 and 143-6	6.04.020	
3430	Animal Shelter Revenue	First Impound: First day of impoundment .....\$25 Each day thereafter.....\$20		6.04.060(A)	
		Second Impound: First day of impoundment.....\$50 Each day thereafter.....\$20			
		Third Impound: First day of impoundment .....\$75 Each day thereafter.....\$20			
		Fourth Impound and thereafter: First day of impoundment .....\$100 Each day thereafter.....\$20			
		Adoption Fee.....\$8		6.04.070	
		Service Charge: Collection service prior to or at the time of collection of a dog or cat .....\$35		6.20.020	
	Fees – Appeal	Appeal cost to the Animal Control Board, Rule 7-501- 28, Rules of the Animal Control Board.....\$50		6.04.095	
3430	Animal Shelter Revenue	Redemption of Dogs by Owners:	143-8	6.04.060	
		Quarantine: First day of quarantine.....\$25		6.04.060(B)	

ACCOUNT	REVENUE SOURCE	FEE, RATE, ASSESSMENT OR TAX	HRS	COUNTY CODE	ORDINANCE
		Each day thereafter.....\$15			
		Cat Trap - Deposit/Rental/Late Fee:			
		Security deposit - refundable upon return of trap .....\$75			
		Rental Charge for first seven days.....\$0			
		Late fee - imposed each day beyond one week.....\$5 per day			
		Dog Trap - Deposit/Rental/Late Fee:			
		Security deposit - refundable upon return of trap .....\$200			
		Rental Charge.....\$10 per week			
		Late fee - imposed each day beyond one week.....\$5 per day			
3431	Poundkeeper	Charges to capture and impound animals:		6.16.080	
		For animal captured within a radius of five miles from the pound .....\$20 per animal and for each mile traveled by the poundkeeper beyond such five mile radius to capture the animal .....\$1.00 per mile			
		For actual expenses incurred in keeping impounded animals, except that actual expense on account of feed shall not exceed .....\$5 per animal per day			
		Pound fee.....\$5 per animal per day			
	Fees – Kaunoa Senior Services Leisure Program Activities	The fees shall be as follows:		3.37.040	
		Special Events – will be offered based on the cost of guest/artist presenter, equipment and supplies for the event, and number of participants. Meal cost may be included if the participant selects the meal option.			
		Off Property Activities and Excursions – will be offered based on the entrance fee, meal cost, rental of equipment and supplies and number of participants.			
		Short Term Classes – will be offered based on the cost of the instructor's fee, equipment and supplies, number of participants. Meal cost may be included if the participant selects the meal option.			
	Residential Workforce Housing Requirement	A. Developers shall be required to provide a number of residential workforce housing units equivalent to at least twenty-five percent, rounding up to the nearest whole number, of the total number of market rate lots, lodging units, time share units, or dwelling units, excluding farm labor dwellings or a second farm dwelling, as defined in section 19.04.040, Maui County Code. If a developer satisfies the requirements of this chapter through subsection (B)(3) and the units shall remain available only to income- qualified groups in perpetuity, the developer shall provide at least twenty percent, rounding up to the nearest whole number, of the total number of market rate lots, lodging units, time share units, or dwelling units, excluding farm labor dwellings or a second farm dwelling, as defined in section 19.04.040, Maui County Code.		2.96.040	
		B. Prior to final subdivision approval or issuance of a building permit for a development subject to this chapter, the department shall require the developer to enter into a residential workforce housing agreement. The agreement shall set forth the method by which the developer satisfies the requirements of this chapter. The requirements may be satisfied by one or a combination of the following, which shall be determined by the director of housing and human concerns and stated in the agreement:			
		1. Offer for sale, single-family dwelling units, two-family dwelling units, or multi-family dwelling units as residential workforce housing within the community plan area;			

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		<p>2. Offer for rent, multi-family dwelling units as residential workforce housing units within the community plan area;</p> <p>3. In lieu of directly selling or renting units pursuant to subsections (B)(1) or (B)(2) the developer may convey such units to a qualified housing provider subject to department approval pursuant to section 2.96.150; or</p> <p>4. In lieu of providing residential workforce housing units, the residential workforce housing requirement may be satisfied by payment of a fee, by providing improved land, or by providing unimproved land in accordance with the following:</p> <p>a. The in-lieu fee per residential workforce housing unit required by this chapter shall be equal to the difference in unit costs for a three-bedroom, single-family dwelling unit, at one hundred percent and a three-bedroom, single-family dwelling unit at one hundred sixty percent of median income, for a family of four, pursuant to HUD affordable sales price guidelines, or as adjusted by the development for Hana, Lanai, and Molokai.</p> <p>b. Any dedication of improved or unimproved land in-lieu of residential workforce housing units shall be subject to the approval of the director of housing and human concerns and the council by resolution.</p> <p>5. Application of residential workforce housing credits issued pursuant to Maui County Code.</p> <p>C. Income group distribution.</p> <p>1. Unless an exemption is granted by the director, the percentage of ownership units within each income group shall be as follows:</p> <p>a. Thirty percent of the ownership units shall be for "below-moderate income" residents.</p> <p>b. Fifty percent of the ownership units shall be for "moderate income" residents.</p> <p>c. Twenty percent of the ownership units shall be for "above-moderate income" residents.</p> <p>2. Unless an exemption is granted by the director, the percentage of rental units within each income group shall be as follows:</p> <p>a. One-third of the rental units shall be for "very low income" and "low income" residents.</p> <p>b. One-third of the rental units shall be for "below-moderate income" residents.</p> <p>c. One-third of the rental units shall be for "moderate income" residents.</p>			
	<u>Residential Workforce Housing Policy Incentives and Exemptions</u>	<u>Residential Workforce Housing Fast Track Development Application Fee.....</u> <u>*Application fee shall be refunded to applicant upon completion of the project within the timeframe set forth by resolution.</u>			<u>2.97.070"</u>

SECTION 2. New material is underscored.

SECTION 3. This Ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

  
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JEFFREY UEOKA  
Deputy Corporation Counsel

DIGEST

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RESIDENTIAL WORKFORCE HOUSING FAST TRACK DEVELOPMENT  
APPLICATION FEE

This bill proposes to amend Ordinance No. 4861, Bill No. 57 (2018), the "Fiscal Year 2019 Budget" of the County of Maui, by amending Appendix B, "Revenues – Fees, Rates, Assessments and Taxes", as it pertains to the Department of Housing and Human Concerns, Special Revenue/Trust and Agency Fund, by adding a Residential Workforce Housing Fast Track Development Application Fee.

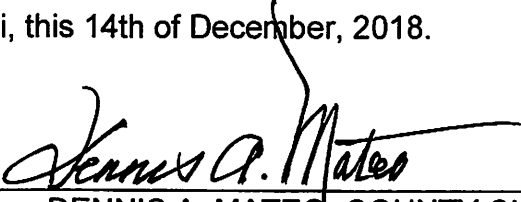
I, DENNIS A. MATEO, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 143 (2018) was passed on First Reading  
by the Council of the County of Maui, State of Hawaii, on the 13th day of December, 2018,  
by the following vote:

AYES: Councilmembers Alike Atay, Eleanora Cochran, S. Stacy Crivello,  
Donald S. Guzman, G. Riki Hokama, Kelly T. King, Yuki Lei K.  
Sugimura, and Chair Michael B. White.

NOES: None.

EXCUSED: Vice-Chair Robert Carroll.

DATED at Wailuku, Maui, Hawaii, this 14th of December, 2018.

  
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DENNIS A. MATEO, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,  
County of Maui, for use and examination by the public.