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

September 27, 2017

Mr. William Spence, Director
Department of Planning
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Spence:

**SUBJECT: COUNTY-OWNED PARCEL ON NORTH PAPA AVENUE
(KAHULUI) (HHT-14)**

May I please request your assistance with the following as it relates to the county-owned parcel (tax map key (2) 3-8-007-117, 8.804 acres) located on North Papa Avenue in Kahului, Maui:

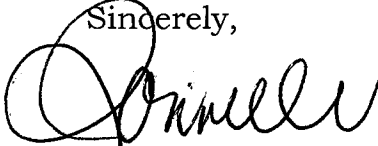
1. According to your correspondence dated August 2, 2017, zoning for the parcel changed from R-2 Residential to Maui Central Park (now, Park) in 1986. The college dormitories were built in 1981 when the parcel was zoned residential (see, Section 19.08.020(C), Maui County Code ("MCC")). Residential zoning permits on-campus dormitories for public or privately owned colleges. Therefore, the dormitory use appears to be an existing, nonconforming use under Section 19.500.110(C), MCC. The buildings may also be existing, nonconforming structures under Section 19.500.110(B), MCC. Current Park District zoning, Chapter 19.27A, MCC, does not include residential uses. Given the limitations of zoning and considering the "grandfathering" of uses and structures, please address the following:
 - a. Is the use of the structures on the parcel as a dormitory a nonconforming use under Section 19.500.110, MCC?
 - b. The Housing Director has indicated that the buildings "have sat vacant and unused for a length of time." Has dormitory use been discontinued for a period of twelve consecutive

months at any time since 1986? If so, may dormitory use be resumed consistent with Section 19.500.110(C)(2), MCC?

- c. If dormitory use may be resumed, must it only be conducted by a school or college for on-campus dormitories (see, Section 19.08.020(C), MCC)?
 - d. Are any other residential uses grandfathered for the parcel? What are they?
 - e. May the structures be used for affordable housing as either a permitted or nonconforming use?
2. Proposed plans for the parcel include affordable housing. As stated above, the parcel is currently zoned Park. Will zoning need to be amended to permit affordable housing? What would be the most appropriate zoning for this use? Please identify options other than a change in zoning that would allow for affordable housing such as a conditional permit, 201H exemption, or other process.
 3. The parcel is owned by the County, and currently leased to the University of Hawaii Maui College. Pending results of a structural assessment, the County may consider renovating, rather than demolishing the existing structures. What actions to develop the property would trigger the need for an environmental assessment?
 4. Identify the land use applications and permits that would be required to rebuild or rehabilitate the current structures for affordable housing.
 5. Identify the land use applications and permits that would be required to demolish the existing structures and to construct a new affordable housing facility.
 6. The existing parcel has an area of 8.8 acres, of which the current structures occupy only a portion. Confirm whether the entire parcel is suitable for development, and if not, identify the conditions that limit development such as slope, grade, required setbacks, location of easements, soil conditions, etc. Please provide an estimate of the developable portion of the lot.

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May I further request you provide your response **no later than Friday, October 6, 2017**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Sincerely,


STACY CRIVELLO, Chair
Housing, Human Services, and
Transportation Committee

hht:ltr:014apl02:ssm

cc: Mayor Alan M. Arakawa