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OFFICE OF THE
COUNTY COUNCIL

MEMO TO: AH-35 File

F R O M: Gabe Johnson, Chair 
Affordable Housing Committee

SUBJECT: **TRANSMITTAL OF INFORMATIONAL DOCUMENT RELATING TO
KUIKAHI VILLAGE WORKFORCE HOUSING PROJECT** (AH-35)

The attached informational document pertains to Item 35 on the Committee's agenda.

ah:ltr:035afile01:pmg

Attachment

KUIKAHI VILLAGE WORKFORCE HOUSING PROJECT

REQUESTED EXEMPTIONS

#	MCC (yellow indicates corrected code sections)	Purpose	Notes
A (1)	2.97.160 – Timing of Completion	Stating that the developer will use material house bond funding.	<ul style="list-style-type: none"> Applicant will secure their own bond funding and under 2.97.160 is supposed to work with DPW to determine the form of bonding once construction commences.
D (4)	8.04.040 & 8.04.050 – Disposal Permits & Disposal Charges	No waste disposal permit or disposal fees during construction.	<ul style="list-style-type: none"> Standard exemption is from fees, EXCEPT exemption from getting the permit.
E (5)	12.08.050 – Driveways Permit Fee	<p>No fees for approval or construction of driveways.</p> <p>Developer's list references 2.97.150 but the exemption needed is 12.08.050.</p>	<ul style="list-style-type: none"> Standard request.
F (6)	12.04.025(A) – Street and Highway Excavations Permit Fee	No fees for highway permit approval to construct improvements and install off-site utilities on Kuikahi Drive.	<ul style="list-style-type: none"> Standard request.

		Developer's list references 2.97.120 but the exemption needed is 12.04.025A.	
K (11)	2.97.150 & 14.35.080 – Wailuku/Kahului Regional Wastewater Treatment System Expansion	<p>No wastewater assessment fees for Wailuku/Kahului facility expansion.</p> <p>Developer lists 2.97.150 and 14.35.080 which state the project is exempt, but if they want to make it explicit then the section that "needs" to be exempted from is 14.35.060 – Assessment Fee.</p>	<ul style="list-style-type: none"> • Standard request.
L (12)	2.97.150 & 14.76.120 – Impact Fees for Traffic and Roadway Improvements in Wailuku-Kahului	<p>No impact fees for traffic and roadway improvements.</p> <p>Developer lists 2.97.159 and 14.76.120 which ARE the exemptions (not what needs exempting from), so if they want to make it explicit then the section that "needs" to be exempted from is 14.76.030 – Impact Fees.</p>	<ul style="list-style-type: none"> • Standard request.
M (13)	2.97.150 & 16.04C, 16.18B, 16.20B & 16.26B – Fire, Electrical, Plumbing & Building Code	<p>No fire, electrical, plumbing, and building permit fees, plan review fees, or inspection fees.</p> <p>Developer references 2.97.150 that <i>provides</i> the exemptions (except for fire), so no need to reference it <i>as an</i> exemption.</p>	<ul style="list-style-type: none"> • Standard request.

Q (16)	2.97.150 & 18.16.320 – Parks and Playgrounds	No park dedication, in-lieu payment, or assessment fees.	<ul style="list-style-type: none"> • Standard request. • Project will have a playground with covered pavilion, 5 parking spots, and shared bike/pedestrian pathway.
W (22)	19.04.050 & 19.510.010(B) – Zoning – Fees & General Application Procedures	No building permit resubmittal fees.	<ul style="list-style-type: none"> • Standard request.
CC (28)	20.08.090 – Grubbing and Grading Permit Fees	<p>No grubbing and grading permit fees.</p> <p>2.97.050(10) already exempts 100% workforce housing units from this fee, but can be made explicit.</p>	<ul style="list-style-type: none"> • Standard request.
J (10)	14.10.040 – Temporary Meter Charges & Water Use Restrictions	<p>No temporary water meter charges & no water use restrictions.</p> <p>Water use restrictions are not provided for in 14.10.040 but are provided in 14.06A.060 – Stages of Water Shortage.</p>	<ul style="list-style-type: none"> • No process exists for this exemption.
I (9)	14.07.030 – Water System Development Fees	No water system development fees.	<ul style="list-style-type: none"> • No process exists for this exemption.
DD (29)	20.08.130, 20.08.140 & 20.08.150 – Soil Erosion and Sedimentation Control Permit – Bond	Exempt project from filing a bond for soil erosion and sedimentation control and instead allow for a cash equivalent to the County for grading, drainage improvements,	

	Required, Conditions & Term	and implementation of erosion control measures.	
C (3)	2.96.050(A)(3) – Residential Workforce Housing Credits	Allow 100% of units to qualify for workforce housing credits.	<ul style="list-style-type: none"> • Code states only 75% of units will qualify for credits.
N & O (14)	16.26B.3600 – Improvements to Public Streets	<p>Exempt project from improvements to public streets, such as no requirement for road widening, or for curbs, gutters, or sidewalks along Kuikahi Drive.</p> <p>Developer references 108.2.1 schedule of permit fees (letter “N” on their list) but fee exemptions have already been covered.</p>	<ul style="list-style-type: none"> • Developer requests blanket exemption but did not list out all of the possible requirements under 16.26B.3600, such as pavement widening, undergrounding or relocating utilities, and drainage improvements.
R (17)	18.16.050 & 18.16.060 – Minimum right-of-way and pavement widths & Widening of existing rights-of-way	Exempt from road width and widening requirements.	<ul style="list-style-type: none"> • Developer intends to have narrower roads (20-foot wide right-of-way). • Developer does not intend to dedicate internal roads to the County in the future.
T (19)	18.20.070 – Sidewalks	No sidewalk on Kuikahi Drive and internal sidewalks will be 3-feet-wide with no curb or gutter.	<ul style="list-style-type: none"> • A sidewalk already exists on the north side of Kuikahi Drive. • Bike lanes already exist on both sides of Kuikahi Drive.
U (20)	18.20.080 – Curbs and Gutters	Allow grass swales within the project site.	

<p>X</p> <p>(23)</p>	<p>19.30A – Agricultural District</p>	<p>Exempt from following Ag District design standards.</p>	<ul style="list-style-type: none"> • Project will follow their own design standards: <ul style="list-style-type: none"> ○ Permitted <u>principal</u> uses: single-family dwellings, multi-family dwellings, parks, pavilions, gazebos, playgrounds and play courts, and home-based businesses, as defined by Chapter 19.67 ○ Permitted <u>accessory</u> uses: carports, private garages, small-scale energy systems, fences and walls, storage sheds ○ Minimum lot size: <ul style="list-style-type: none"> ▪ Dwellings: 4,500 square feet ▪ Parks: 1,250 square feet ○ Building Height: <ul style="list-style-type: none"> ▪ Dwellings: no building shall exceed 3 stories or 42 feet in height ▪ Park Structures: no building shall exceed 2 stories or 30 feet in height ▪ Walls: retaining walls up to 8 feet; fences and other walls up to 6 feet ○ Setbacks: <ul style="list-style-type: none"> ▪ For single-story dwellings up to 15 feet in height: front setback = 15 feet; side and rear = 6 feet ▪ For 2- and 3-story dwellings above 15 feet in height: front = 15 feet; side and rear = 10 feet • For Parks Structures: 0 feet
<p>Y</p> <p>(24)</p>	<p>19.30A.030(F) – (Ag) District Standards – Maximum Wall Height</p>	<p>Allow some walls to be 8 feet.</p>	

Z (25)	19.30A.030(E) – (Ag) District Standards – Maximum Height Limit	Allow maximum height of 3 stories or 42 feet.	<ul style="list-style-type: none"> To allow multi-family units to be built.
G (7)	12.24A – Landscape Planting and Beautification	Exempt from landscape planting plan application and Arborist Committee review.	<ul style="list-style-type: none"> Developer will follow their own conceptual landscape plan. Request describes exemption from Arborist Committee Review and landscape planting plan application, but they reference the <u>entire Chapter (12.24A)</u> (which includes provisions relating to parking area trees, street trees, park trees, exceptional trees, and hazardous trees and shrubs).
H (8)	12.24A.070(D) Street Trees (Subdivisions)	Exempt from street tree requirements for subdivisions.	<ul style="list-style-type: none"> Developer will follow their own conceptual landscape plan.
AA (26)	19.36B.080 – Landscaping	Allow flexibility in location of landscaping, no landscaping planting plan application (covered in #7), exempt from any amendments to the code section through the end of construction.	<ul style="list-style-type: none"> Project will provide the required amount of shade trees, but they may be placed in a layout different than what is required.
B (2)	Chapter 2.80B – General Plan and Community Plans	<p>Exempt from change in zoning or community plan amendment.</p> <p>Developer's list references 2.97.120 but the exemption needed is Chapter 2.80B.</p>	<ul style="list-style-type: none"> Current state land use designation: Agricultural Current zoning: Agricultural Current community plan designation: Agricultural Proposed uses: Single Family, Multi-Family, Business/Multi-Family, and Park

P (15)	18.04 & 18.16.020 – Subdivision General Provisions & Design Standards Compliance	Exemption from requirement to obtain change in zoning or community plan amendment and to allow for flexible design standards for the proposed roundabout at Kuikahi and Kehalani Mauka Parkway to enable subdivision approval.	
S (18)	18.04.030 – Subdivisions – General Provisions – Administration	Exempt project from obtaining a change in zoning or community plan amendment.	<ul style="list-style-type: none"> Project will be developed according to the standards and uses outlined in exemption list.
V (21)	Title 14 – Public Services Title 16 – Building and Construction Title 18 – Subdivisions 19.30A – Agricultural District	<p>Allow the TMK to be divided into two parcels: the project site (14.97 acres) and the remainder (133 acres) without various subdivision requirements or limitations.</p> <p>The lots “will be subject to the provisions of Titles 14, 16, and 18, and Section 19.30A, MCC, upon application for <u>further subdivision or building permit</u>, whichever occurs first, with the understanding that certain exemptions are being requested for the Project Site as part of this Chapter 2.97, MCC, application.”</p>	<p>NOT a standard request.</p> <ul style="list-style-type: none"> Per Developer: The remaining 133 acres will be subject to regular subdivision requirements.

BB (27)	19.68 – State Land Use District Boundaries & 19.510 – Zoning – Application and Procedures & Maui County Charter Article 8, Chapter 8	Exempt from obtaining a district boundary amendment, including processing through the Maui Planning Commission.	<ul style="list-style-type: none"> • Projects cannot be exempt from Charter requirements.
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