

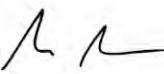
HOLD FOR MEETING

AH-35

September 13, 2022, Committee meeting

AFFORDABLE HOUSING COMMITTEE
Amendment Summary Form

Legislation: Resolution 22-193.

Proposer: Gabe Johnson, Chair 
Affordable Housing Committee

Description: Incorporate revisions to Exhibit "A" based on the Committee's amendments made at the September 6, 2022 Affordable Housing Committee meeting.

Motion: Move to use the attached version of Exhibit "A" as the list of Exemptions for the Committee's deliberations.

Attachment: Revised version of Exhibit "A," incorporating amendments made at the September 6, 2022, Affordable Housing Committee meeting.

ah:ltr:035aasf02:pmg

Exhibit “A”

Kuikahi Village Workforce Housing Project

Title, chapter, section, and subsection references are to the Maui County Code.

1. Exemptions

A. Partial exemption from Section 2.97.160, “Timing of completion”:

A partial exemption from Section 2.97.160 is granted to clarify that bonding to ensure construction completion is in the form of a material bond.

B. Partial exemptions Chapter 2.80B, “General Plan and Community Plans”:

Partial exemptions are granted from Chapter 2.80B to permit the project to proceed without obtaining a community plan amendment.

C. Deleted.

D. Exemption from Section 8.04.050, “Disposal charges”:

Exemption from Section 8.04.050 is granted to exempt the project from paying disposal fees during construction.

E. See 2(A) below.

F. Exemption from Subsection 12.04.025(A), “Permit fee”:

An exemption from Subsection 12.04.025(A) is granted so that no fees will be required for the approval of a County highways permit to construct improvements and install off-site utilities on Kuikahi Drive.

G. Partial exemption from Chapter 12.24A, “Landscape Planting and Beautification”:

A partial exemption from Chapter 12.24A is granted to exempt the landscape plan from Arborist Committee review and the preparation and processing of a Landscape Planting Plan application. Landscaping will follow Chapter 12.24A in accordance with the Conceptual Landscape Plan attached as Exhibit “1.”

H. Exemption from Subsection 12.24A.070(D), “Street trees; Subdivisions”:

An exemption from Subsection 12.24A.070(D) is granted to allow consistency with Chapter 18.20. Landscaping will follow Chapter 12.24A in accordance with the Conceptual Landscape Plan attached as Exhibit “1.”

I. Exemption from Section 14.07.030, “Water system development fee schedule”:

An exemption from Section 14.07.030 is granted to exempt the Project from water system development fees. See Section 3 below.

J. Exemption from Section 14.10.040, “Temporary meter charges,” and Subsection 14.06A.060(B)(3), “Stages of water shortage”:

An exemption from Section 14.10.040 is granted to waive the fees for a temporary construction water meter for the Project. An exemption is granted from Subsection 14.06A.060(B)(3) from the restrictions on water use of the temporary meter during project construction. See Section 3 below.

K. See Section 2(B) below.

L. See Section 2(C) below.

M. Partial exemption from Chapter 16.04C, “Fire Code”:

A partial exemption from Chapter 16.04C is granted to exempt the project from Fire Code fees. Please also see Sections 2(E) through (G) and Section 3 below.

N. See Section 2(G) below.

O. Exemption from Section 16.26B.3600, “Improvements to public streets”:

Exemption from Section 16.26B.3600 is granted so that the Project will not be required to make road widening or other improvements, including curbs, gutters, and sidewalks, along Kuikahi Drive for the Project.

P. Partial exemption from Section 18.16.020, “Compliance”:

A partial exemption from Section 18.16.020 is granted to exempt the project from the need to obtain a change in zoning or community plan amendment to enable subdivision approval, allow for the project to be developed to the standards outlined in this Exemptions list, and allow for flexible design standards for the proposed roundabout on Kuikahi Drive

at the Kehalani Mauka Parkway intersection to enable subdivision approval.

Q. See Section 2(H) below.

R. Exemptions from Sections 18.16.050, “Minimum right-of-way and pavement widths,” and 18.16.060, “Widening of existing rights-of-way”:

Exemptions from Sections 18.16.050 and 18.16.060 are granted for the project’s internal roadways. The project’s internal roadways will have a 20-foot-wide right-of-way.

S. Exemption from Section 18.04.030, “Administration”:

An exemption from Section 18.04.030 is granted to exempt the project from needing to obtain a change in zoning or community plan amendment to enable subdivision approval and for the project to be developed to the standards outlined in this Exemptions list.

T. Deleted.

U. Exemption from Section 18.20.080, “Curbs and gutters”:

An exemption is granted from Section 18.20.080 to allow grass swales within the project instead of curbs and gutters.

V. Partial exemptions from Titles 14, “Public Services,” 16, “Buildings and Construction,” and 18, “Subdivisions”:

Partial exemptions from Titles 14, 16, and 18 are granted to authorize the Director of Public Works to defer various subdivision requirements or limitations, or both; approve the initial subdivision application for the parcel identified as TMK (2)3-5-002:003, approximately 148.01 acres (“Original Parcel”); and create an approximately 14.97-acre site for the Project.

The Applicant represented that no new or additional water service will be required or requested for the purposes of the initial subdivision. Therefore, the initial two-lot subdivision is determined to be exempt from Chapter 14.12.

Additionally, the two-lot subdivision is granted a deferral of subdivision requirements from Chapter 14.05 and Section 16.04C.470 Subsection 18.4.6 until the parcels are developed, further subdivided, or water service is requested.

When the Project site is developed, re-subdivided, or water service is requested, the Applicant (or Successor) must construct the subdivision requirements only applicable to the Project site. When the remaining approximately 133.04-acre parcel of the Original Parcel is developed, further subdivided, or water service is requested, the Applicant (or Successor) must construct the subdivision requirements only applicable to the 133.04-acre parcel.

W. Partial exemptions from Section 19.04.050, “Fees,” and Subsection 19.510.010(B), “General application procedures; fees”:

Partial exemptions from Section 19.04.050 and Subsection 19.510.010(B) are granted to exempt the project from any building permit resubmittal fees.

X. Exemption from Chapter 19.30A, “Agricultural District”:

An exemption from Chapter 19.30A is granted for the Project Site.

The following development standards will be utilized for the project:

Permitted principal uses: single-family dwellings, multi-family dwellings, parks amenities such as pavilions, gazebos, playgrounds and play courts and home-based businesses, as defined by Chapter 19.67.

Permitted accessory uses: carports, private garages, small-scale energy systems, fences and walls, storage sheds.

Minimum lot size:

Dwellings: 4,500 square feet

Parks: 1,250 square feet

Building height as measured from natural or finished grade, whichever is lower:

Dwellings: The maximum building height is limited to three stories and 42 feet.

Park structures: The maximum building height is limited to two stories and 30 feet.

Retaining walls: Retaining walls may not

exceed eight feet in height.

Fences and other walls:

Fences and other walls may not exceed six feet in height.

Setbacks:

Single-story dwellings up to 15 feet in height:

Front: 15 feet;
Side and rear: six feet.

Two- and three-story dwellings above 15 feet in height:

Front: 15 feet;
Side and rear: 10 feet.

Parks structures:

0 feet.

Y. Deleted.

Z. Deleted.

AA. Partial exemption from Section 19.36B.080, “Landscaping”:

A partial exemption from Section 19.36B.080 is granted to allow for flexibility in the location of landscaping and exempting the project from submitting a Landscape Planting Plan application. The project will comply with providing the required number of shade trees. The project will otherwise comply with Section 19.36B.080 in effect at the time of the filing of the Chapter 2.97 application. Refer to Exhibit “1.”

BB. Exemption from Chapter 19.510, “Applications and Procedures”:

An exemption from Chapter 19.510 is granted to enable the District Boundary Amendment to proceed directly to the Maui Council for referral to the Maui Planning Commission for review as required under Section 8-8.4 of the Revised Charter of the County of Maui (1983), as amended.

CC. See Section 2(D) below.

DD. Deleted.

2. Waivers

Under Section 2.97.150, the Project is granted waivers of the following fees:

- A. Driveway permit fee under Section 12.08.050(D).
- B. Wastewater assessment fees for facility expansion for the Wailuku-Kahului regional wastewater treatment system under Section 14.35.080(B).
- C. Impact fees for traffic and roadway improvements in Wailuku-Kahului, Maui, Hawaii under Section 14.76.120(A)(6).
- D. Grubbing and grading permit fees under Section 20.08.090(D).
- E. Plumbing permit fees under Section 16.20B.103.4.1.3.
- F. Electrical permit fees under Section 16.18B.107-1(C).
- G. Building permit fees under Section 16.26B.108.2(2).
- H. Park dedication and assessment fees under Section 18.16.320(I)(5).

3. Fee Reimbursement

For any fee waivers approved by this Resolution, the Affordable Housing Fund or, if necessary, another fund will be used to reimburse the following: a. any fund that would have otherwise received revenue from the waived fees; or b. the developer, if the developer pays the fees in anticipation of being reimbursed.

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EXHIBIT “1”

Conceptual Landscape Plan