

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

BILL NO. 107, CD2 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.060, MAUI COUNTY CODE, RELATING TO AFFORDABLE HOUSING SALES PRICE GUIDELINES

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

SECTION 1. The purpose of this Ordinance is to establish a new method of determining the sales price for an affordable dwelling unit.

SECTION 2. Section 2.96.060, Maui County Code, is amended by amending Subsection C to read as follows:

“C. Sales price - dwelling units.

1. The sales price of a new dwelling unit [shall] must be established by the department [based on] using the current HUD [price guidelines.] area median income for Maui County and adjusted for very low, low, below moderate, moderate, above moderate, and gap income ranges. The sales price must be calculated using estimated total housing costs capped at 31 percent of gross annual income within each range when a developer receives direct County subsidies in accordance with section 3.35.040. Total housing costs include principal, interest, real property taxes, homeowner's insurance, mortgage insurance, and homeowner's association dues.

2. The sales price must be calculated using only principal and interest capped at 28 percent of gross annual income within each range when a developer does not receive direct County subsidies.

3. The department must create a program within the home acquisition and ownership programs revolving fund to ensure affordability of units for buyers of workforce housing in projects that have been priced according to section 2.96.060(C)(2). Subsidies from this program must be used to subsidize qualified buyers in an amount necessary such that a recipient's final estimated total housing cost does not exceed 31 percent of their household income. Subsidies from this program may be in the form of loans, grants, deferred mortgage payments, or any other mechanism the council finds

appropriate. Any proposed subsidy to a homebuyer from this program must be administered in accordance with chapter 3.34."

SECTION 3. Material to be repealed is bracketed.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 4. This Ordinance takes effect on the thirtieth calendar day following publication of the 2023 HUD area median income guidelines.

APPROVED AS TO FORM AND LEGALITY:



---

MIMI DESJARDINS

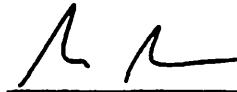
Deputy Corporation Counsel  
Department of the Corporation Counsel  
County of Maui

AH-14(6) 2022-08-23 Ord Amd Ch 2.96

LF2021-0011

ah:misc:014(6)abill07

INTRODUCED BY:

A handwritten signature in black ink, consisting of a stylized 'G' followed by a horizontal line and a small flourish.

---

GABE JOHNSON

DIGEST

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 107, CD2 (2022)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.060, MAUI COUNTY  
CODE, RELATING TO AFFORDABLE HOUSING SALES PRICE GUIDELINES

This bill proposes to amend Section 2.96.060, Maui County Code, to establish 1) new methods for determining the sales price of an affordable dwelling unit; and 2) a program within the Home Acquisition and Ownership Programs Revolving Fund that subsidizes homebuyers when a developer does not receive direct County subsidies.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO  
HEREBY CERTIFY that the foregoing BILL NO. 107, CD2 (2022) was passed on First  
Reading by the Council of the County of Maui, State of Hawaii, on the 2nd day of  
September, 2022, by the following vote:

AYES: Councilmembers Gabriel Johnson, Kelly T. King, Tamara A. M.  
Paltin, Shane M. Sinenci, and Vice-Chair Keani N. W. Rawlins-  
Fernandez.

NOES: Councilmembers Natalie A. Kama, Michael J. Molina, Yuki Lei K.  
Sugimura, and Chair Alice L. Lee.

EXCUSED: None.

DATED at Wailuku, Maui, Hawaii, this 6th of September, 2022.



---

KATHY L. KAOHU, 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.