

February 28, 2023 Committee meeting

HOUSING AND LAND USE COMMITTEE  
Amendment Summary Form

Legislation: Resolution 23-79, "APPROVING WITH MODIFICATIONS THE INDEPENDENT DEVELOPMENT OF THE HALE MAHAOLU KE KAHUA AFFORDABLE HOUSING COMMUNITY WORKFORCE HOUSING PROJECT UNDER CHAPTER 2.97, MAUI COUNTY CODE"

Proposer: Tasha Kama, Chair  
Housing and Land Use Committee



Description: Replace Exhibit "A" with attached revised version.

Motion: Move to amend Resolution 23-79 by substituting Exhibit "A" with the attached version.

Reasons: The revised Exhibit "A" deletes an exemption from the Charter, an unnecessary waiver, and incorporates nonsubstantive revisions for accuracy and consistency.

Attachment: Revised Exhibit "A."

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## **EXHIBIT “A”**

### **HALE MAHAOLU KE KAHUA AFFORDABLE HOUSING COMMUNITY PROJECT**

All title, chapter, section, and subsection references are to the Maui County Code. The following exemptions and waivers are approved for the Hale Mahaolu Ke Kahua Affordable Housing Community Project, consistent with the requirements of Section 2.97.120:

#### **1. EXEMPTIONS**

##### **A. Exemption from Section 8.04.040, “Disposal permits—Application and suspension”**

An exemption from Section 8.04.040 is granted to exempt the Project from the need to obtain a disposal permit during construction.

##### **B. Exemption from Section 8.04.050, “Disposal charges”**

An exemption from Section 8.04.050 is granted to exempt the Project from disposal charges during construction.

##### **C. 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.

##### **D. 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.

##### **E. Partial exemption from Chapter 16.18B, “Electrical Code”**

A partial exemption from Chapter 16.18B is granted to exempt the Project from Electrical Code fees.

##### **F. Partial exemption from Chapter 16.20C, “Plumbing Code”**

A partial exemption from Chapter 16.20C is granted to exempt the Project from Plumbing Code fees.

##### **G. Partial exemption from Chapter 16.26B, “Building Code”**

A partial exemption from Chapter 16.26B is granted to exempt the Project from Building Code fees.

**H. Exemption from Section 19.36B.020, “Designated number of off-street parking spaces”**

An exemption from Section 19.36B.020 is granted to exempt the Project from the minimum number of off-street parking spaces required.

**I. Partial exemption from Section 19.36B.030, “Designated number of loading spaces”**

A partial exemption from Section 19.36B.030 is granted to exempt the Project from loading-space dimension requirements.

**J. Exemption from Section 16.26B.3600, “Improvements to Public Streets”**

An exemption from Section 16.26B.3600 is granted to exempt the Project from the requirement to complete improvements for the portion of Kahekili Highway fronting the Project site.

**K. Exemption from Section 18.20.040, “Existing streets”**

An exemption from Section 18.20.040 is granted to exempt the Project from the requirement to improve existing streets.

**L. Exemption from Section 18.20.070, “Sidewalks”**

An exemption from Section 18.20.070 is granted to exempt the Project from the requirement to construct sidewalks.

**M. Exemption from Section 18.20.080, “Curbs and gutters”**

An exemption from Section 18.20.080 is granted to exempt the Project from the requirement to construct curbs and gutters.

**N. Exemption from Chapter 19.68, “State land use district boundaries”**

An exemption from Chapter 19.68 is granted to exempt the Project from submitting a District Boundary Amendment application.

**O. Partial exemption from Chapter 19.510, “Application and procedures”**

A partial exemption from Chapter 19.510 is granted to exempt the Project from submitting a District Boundary Amendment application.

**P. Partial exemption from Section 19.510.040, “Change in zoning”**

A partial exemption is granted from Section 19.510.040 to exempt the Project from the need to obtain a Change in Zoning.

**Q. Partial exemption from Section 19.02A, “Regulations generally”**

A partial exemption is granted from Section 19.02A to exempt the Project from the need to obtain a Change in Zoning.

**R. Partial exemption from Chapter 19.30A, “Agricultural district”**

A partial exemption is granted from Chapter 19.30A to exempt the Project from the need to obtain a Change in Zoning.

**S. Partial exemption from Chapter 2.80B, “General plan and community plans”**

A partial exemption is granted from Chapter 2.80B to exempt the Project from: (a) obtaining a Community Plan Amendment, and (b) demonstrating consistency between the Wailuku-Kahului Community Plan and zoning designations.

**2. WAIVERS**

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

- i. Wastewater assessment fees for facility expansion for the Wailuku-Kahului regional wastewater treatment system under Subsection 14.35.080(B).
- ii. Grubbing and grading permit fees under Subsection 20.08.090(D).
- iii. Park assessment fees under Subsection 18.16.320(I)(5).

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