

MICHAEL P. VICTORINO
Mayor

ROWENA M. DAGDAG-ANDAYA
Director

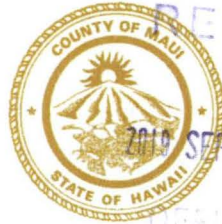
Deputy Director

GLEN A. UENO, P.E., L.S.
Development Services Administration

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COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
200 SOUTH HIGH STREET, ROOM 434
WAILUKU, MAUI, HAWAII 96793

September 16, 2019

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Alice L. Lee, Chair
Water and Infrastructure Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 9/16/19
Mayor Date

Dear Chair Lee:

SUBJECT: **EXISTING STREETS** (WAI-38)

This is in response to your letter dated September 3, 2019, in which you requested:

1. *Comments on the bill.*

- A. Section 4 refers to construction plan approval for "grandfathering" of active subdivision applications. Many of the subdivisions that may use the current version of Section 18.20.040, Maui County Code, do not have construction plan approval and, in fact, may not have been required to submit construction plans, in part or in whole, due to the existing exemption. Past practice for ordinance amendments to Title 18 of the Maui County Code would be to use the date of preliminary subdivision approval as the method of grandfathering.
- B. During discussion of the bill, the term "family subdivisions" was used. In reference to Title 18, the general public typically refers to family subdivisions as the practice of subdividing land for family members where a small amount of new lots are created.

This is separate from the Family Subdivision process referred to in Section 18.20.280 (Family Subdivisions), Maui County Code. There are strict criteria on the types of family members that may use this process and the end result is not an

exemption of requirements; it is only a postponement of completing all the requirements. If roadway improvements are required as a result of the Family Subdivision process, these improvements must still be completed prior to obtaining building permits or additional water service.

- C. Limiting the use of the existing streets exemption to those affected only by the priority list of the Upcountry water system may pose limitations on the smaller subdivisions which are often used to provide increased housing opportunities. One possible suggestion would be to limit the exemption to land zoned residential or rural along with smaller tracts of agricultural land.
 - D. If this bill should pass in its current form, the following are a couple examples of how the ordinance would be applied to those properties no longer exempted. Please note that for both these examples, a survey of the existing roadway and engineered construction plans would be required which are a substantial cost increase to the subdivision action:
 - a. In Lanai City, a residential lot is bordered on two sides by existing roadways that are narrow, paved and with grassed shoulders. If a homeowner wants to subdivide the property in half, with each lot having access directly onto the existing roads, they would be required to install the pavement widening, curbs, gutters, sidewalks and due to the increased impervious areas address the drainage as well with subsurface drains along both roadway frontages and also 100 lineal feet further down the road.
 - b. In Haiku, there may be an existing agricultural lot that is along a roadway that is currently paved 19 feet in width. The property owner would be required to pave an additional 1 foot of asphalt to widen the roadway to 20 feet of pavement width along the property frontage and also 100 lineal feet further down the road.
2. *Since Section 18.20.040, Maui County Code, was revised in 2015:*
- a. *What types of improvements to existing streets were not completed because of two-lot subdivisions received an exemption?*

The types of improvements exempted would be those described in Section 18.20.040(B), Maui County Code. It would typically be roadway improvements to streets within, adjoining or providing access to the land being subdivided. The roadway improvements may include pavement widening, sidewalks, curbing, drainage swales, striping and grading of the roadway shoulders.

Please note that the Department of Public Works defers to the State of Hawaii, Department of Transportation if the affected roadway is a State Highway. Therefore, the existing exemption is not applicable to State Highways.

- b. *For the two-lot subdivisions that did not conduct street improvements because of this exemption, please provide a list, including owner, tax map key, subdivision name, subdivision number, and the types of improvements that were not made.*

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Honorable Alice L. Lee, Chair
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Please refer to Exhibit "A". For all subdivision actions, roadway improvements listed in 2.a. above, were exempted. We do not have a detailed list of the improvements that were not made being that engineered construction drawings for the roadway improvements were not required.

3. *Do requirements for improvements to existing streets vary by zoning district? If so, please describe.*

Yes, improvements vary by County zoning. Please refer to Title 18 of the Maui County Code and the Hawaii Standard Details for Public Works Construction. As an example, please see attached County of Maui Standard Details R-52 and R-53. Typically, rural and agricultural adjoining roadway improvements would require grassed swales while urban roadway adjoining roadway improvement would require curb and gutter. Please refer to Exhibit "B" and Exhibit "C".

If you have any questions, please feel free to contact me at Ext. 7845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rowena M. Dagdag-Andaya', with a long horizontal flourish extending to the right.

ROWENA M. DAGDAG-ANDAYA
Director of Public Works

Attachments

File No.	Subdivision Name	TMK:	Owner listed with Subd.
1.0322	Kaupo Ranch Subdivision	1-7-002:018	Kaupo Ranch, Limited
2.2765	Hillman-Adams Subdivision	2-2-016:034	Marilyn Hillman, Randall L. Adams
2.2914	Eric & Willa Romanchak Subdivision	2-2-016:018	Erik G. Romanchak & Willa A. Romanchak Family Trust
2.2919	Wong Tract	2-2-004:054	Clayton Matchett, Shae Martin
2.2926	Waiohuli-Keokea Subdivision	2-2-016:099	Dane Dingerson, Lydie Baudry, John Papazian, Claudia Gerbaulet
2.3222	Raymond Subdivision	2-2-012:062	Spalding Family Revocable Trust, Megan Luana Bouhey Revocable Trust
2.3284	Land Court Application 1804	2-1-008:118	SCTC Deyoung, LLC, Wailea Old Blue LLC, Bunham Lake Forrest Associates, LP, Fresno Renaissance SPE, LLC
2.3287	Hui Kuai Aina O Peahi Partition	2-8-005:019	Thomas Rosenbaum, Deborah Rosenbaum
2.3300	Jackson Subdivision	2-7-002:035	Michael W. Jackson Revocable Living Trust
2.3307	Omaopio Homesteads	2-3-003:173	Revocable Trust of Howard Y. Takishita
2.3308	Pauwela Farm Lots Subdivision	2-7-012:086	Robert Copp, Jr., D & S Ventures, LLC, LCRC Ohana LLC
2.3311	Kaonoulu Lots Subdivision	2-2-006:058	Jore Park, Wylci Fables
2.3323	Hui Kauai Aina O Ulumalu	2-8-001:019	Jack Licha, Tom Optiz
2.3347	Peahi Hui Partition	2-8-004:063	Thomas A. Hunt Trust
2.3353	Richard Hoehn Subdivision	2-8-003:012	Erik Aeder, Bonni Aeder
2.3367	Kuiaha-Pauwela Homesteads	2-7-008:123	HGH Enterprises, LLC
2.3376	Fleming Lots	2-4-040:044	Jeffrey Takemoto
2.3377	Fleming Lots	2-4-040:045	Iris Akemi Imamura
2.3378	Alae 3 & 4 Homesteads	2-2-013:035	Declaration of Revocable Living Trust of Eleanor M. Martin
3.2312	Uluniu Acre Subdivision	3-9-008:014	Jacob Freeman, Cheryl King, Cory Jacobson
3.2377	First Assembly of God Subdivision	3-8-006:003	Alexander & Baldwin, LLC
3.2390	Waikapu East Subdivision No. 3	3-5-002:011	Emmanuel Lutheran Church of Maui
3.2403	Iao Valley Homesteads	3-3-018:002	Robert Horcajo Trust, Tamara Horcajo Trust
4.996	Mailepai Hui Land	4-3-003:048	5106 Lower Road, LLC
4.1004	Land Court Application 1599	4-5-005:007	Robert Wintner Trust
4.1011	Wahikuli House Lots Third Series	4-5-014:049	Doris H. Nakamura Trust
5.691	Lamkin Subdivision	5-2-012:036	Lucille A. Lamkin Revocable Trust Agreement, David Lunney Revocable Trust Agreement

R-52

STANDARD
DETAILS

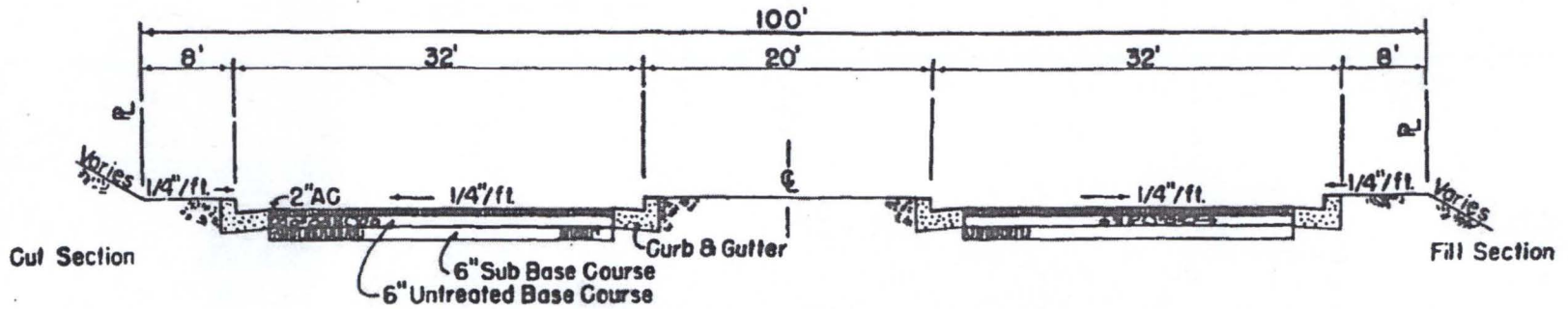
ROADWAY TYPICAL SECTIONS

COUNTY OF MAUI

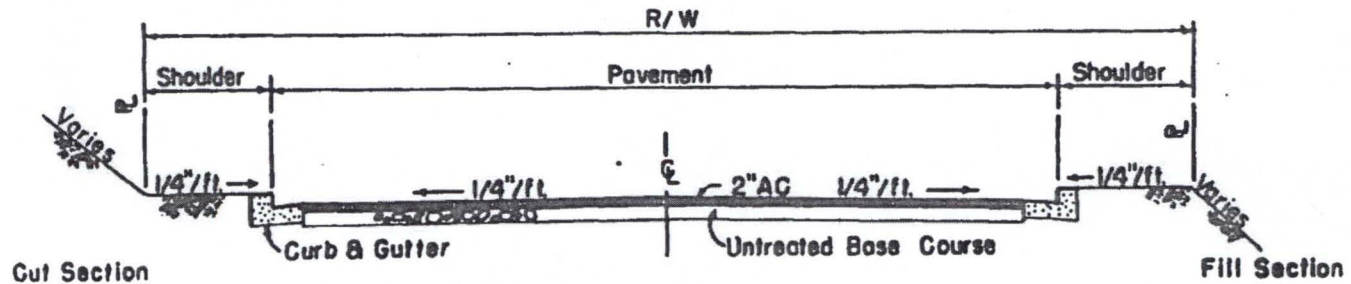
SEPTEMBER 1984

NOT TO SCALE

Exhibit "B"



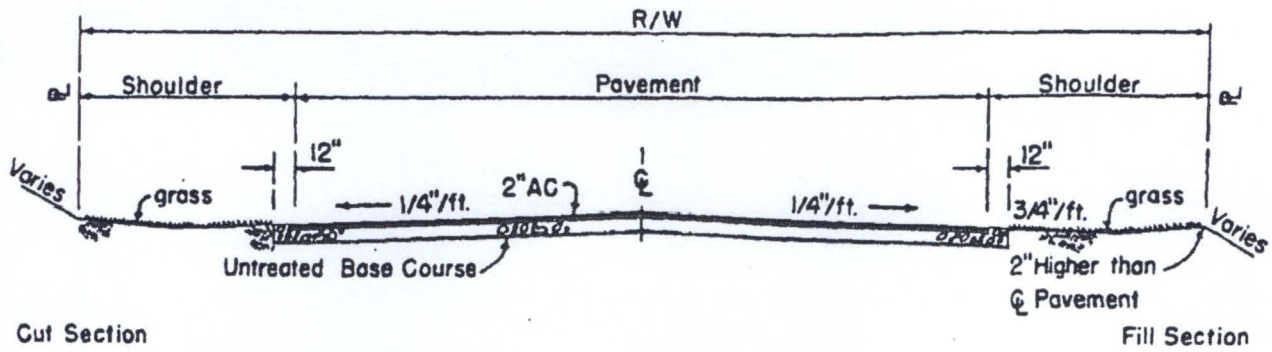
PARKWAY



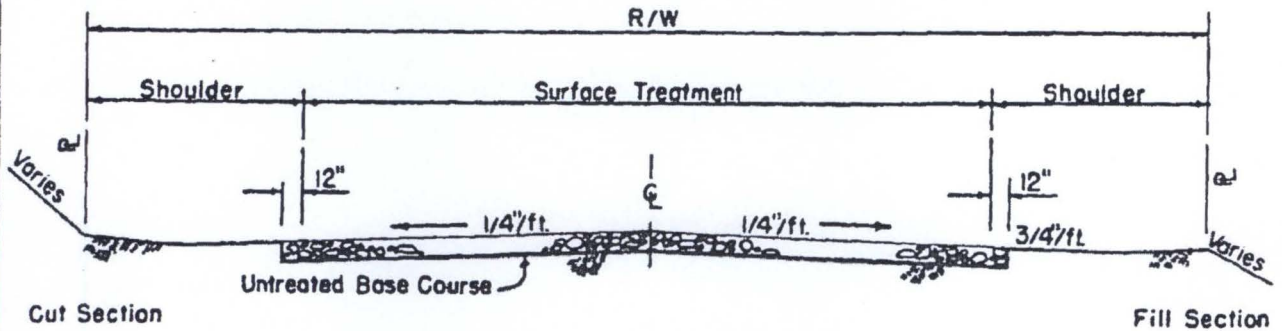
STREETS W/ CURBS

ROADWAY
TYPICAL SECTIONS

Scale None



TYPICAL SECTION ROADWAY W/O CURBS



TYPICAL SECTION GRAVEL ROAD - PRIVATE

ROADWAY TYPICAL SECTIONS

COUNTY OF MAUI	ROADWAY TYPICAL SECTIONS ..	STANDARD DETAILS	R-53
	NOT TO SCALE	SEPTEMBER 1984	