

Council Chair
Kelly T. King

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Alice L. Lee
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

September 3, 2019

Ms. Rowena M. Dagdag-Andaya, Director
Department of Public Works
County of Maui
Wailuku, Hawaii 96793

Dear Ms. Dagdag-Andaya:

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

In consideration of the attached proposed bill, may I please request the following information:

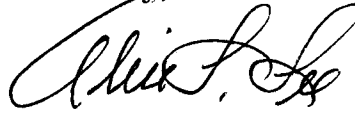
1. Comments on the bill.
2. Since Section 18.20.040, Maui County Code, was revised in 2015:
 - a. What types of improvements to existing streets were not completed because two-lot subdivisions received an exemption?
 - b. For the two-lot subdivisions that did not conduct street improvements because of this exemption, please provide a list, including owner, tax map key, subdivision name, subdivision number, and the types of improvements that were not made.
3. Do requirements for improvements to existing streets vary by zoning district? If so, please describe.

May I further request you transmit the information by **September 10, 2019**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Ms. Rowena M. Dagdag-Andaya
September 3, 2019
Page 2

Should you have any questions, please contact me or the Committee staff (Christy Chung at ext. 7137, or Rayna Yap at ext. 8007).

Sincerely,

A handwritten signature in black ink, appearing to read "Alice L. Lee". The signature is fluid and cursive, with the first name "Alice" being more prominent.

ALICE L. LEE, Chair
Water and Infrastructure Committee

wai:ltr:038apw02:ckc

Attachment

cc: Mayor Michael P. Victorino

ORDINANCE NO. _____

BILL NO. _____ (2019)

A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.040, MAUI COUNTY CODE, RELATING TO IMPROVEMENTS UPON EXISTING STREETS

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

SECTION 1. This ordinance's purpose is to amend a current exemption, and thus require improvements to existing streets for a subdivision creating two developable lots, except for an applicant on the priority list for the upcountry water system who qualifies for the exemption from fire protection mainline infrastructure improvements under Section 14.13.065, Maui County Code.

SECTION 2. Section 18.20.040, Maui County Code, is amended by amending subsection A to read as follows:

"A. No improvements shall be required upon existing streets for the following:

1. [a] A consolidation of lots[;].
2. [for a] A subdivision creating only road widening lots[;].
3. [for a] A consolidation of three developable lots or less [which] that is resubdivided without creating additional developable lots[;].
4. [for a] A subdivision [into] creating only two developable lots for an applicant on the priority list for the upcountry water system, as defined in section 14.13.030, if the subdivision meets the requirements to qualify for the exemption from fire protection mainline infrastructure improvements under section 14.13.065, subject to the following:
 - a. If warranted by public safety, the director may require the improvements as specified in this chapter.

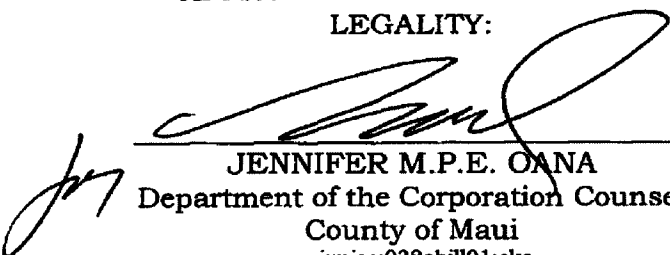
b. If a lot is further subdivided after receiving an exemption under this subsection as part of a two-lot subdivision, any new lot is not eligible for an exemption.

5. [or for a] A subdivided parcel used for a church[.], provided, however, that [Churches] churches shall dedicate land necessary for road widening purposes to comply with the requirements of this chapter. [Parcels that have undergone a subdivision into two developable lots under this subsection shall not qualify for this exemption with respect to any subsequent resubdivision of any of the parcel which creates additional developable lots.]"

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 shall take effect upon its approval, except that the version of Section 18.20.040, Maui County Code, in effect prior to this ordinance's enactment shall apply to a valid subdivision with construction plans approved by the Department of Public Works that is valid on the effective date of this ordinance.

APPROVED AS TO FORM AND
LEGALITY:


JENNIFER M.P.E. OANA
Department of the Corporation Counsel
County of Maui
wai:misc:038abill01:ckc