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OFFICE OF THE
COUNTY COUNCIL

MEMO TO: AH-5 File



F R O M: Keani N. W. Rawlins-Fernandez, Council Vice-Chair

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
AMENDING THE RESIDENTIAL WORKFORCE HOUSING POLICY
(AH-5)**

The attached legislative proposal pertains to Item 5 on the Committee's agenda.

paf:alkl:21-040b

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE AMENDING THE RESIDENTIAL WORKFORCE
HOUSING POLICY EXEMPTIONS FOR DEVELOPMENTS WITHIN THE
WAILUKU REDEVELOPMENT AREA AND DEVELOPMENTS BY A
GOVERNMENT ENTITY OR A COMMUNITY LAND TRUST

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

SECTION 1. This Ordinance's purpose is to amend the Residential Workforce Housing Policy by repealing the exemption for developments within the Wailuku Redevelopment Area and replacing the exemption approval authority for developments by a government entity or a community land trust to the council by resolution instead of approval by the director. The Wailuku Redevelopment Area covers approximately 68 acres from Central Avenue to High Street and Wells Street to Vineyard Street in Wailuku, Maui, Hawaii.

SECTION 2. Section 2.96.030, Maui County Code, is amended by amending Subsection B to read as follows:

"B. Exemptions. This chapter [shall] does not apply to any development that falls into one or more of the following categories:

1. A development subject to an affordable housing requirement, evidenced by an executed affordable housing agreement with the County, currently in effect and approved prior to [the effective date of this chapter] December 5, 2006;

2. A development subject to a change in zoning condition that requires affordable or residential workforce housing, unless the condition expressly allows for the application of the [affordable housing or] residential workforce housing policy [set forth herein];

3. A subdivision granted preliminary subdivision approval prior to [the effective date of this chapter] December 5, 2006;

4. A building permit application submitted prior to [the effective date of this chapter] December 5, 2006;

5. A family subdivision, for immediate family members, as described in subsections 18.20.280.B.1 and B.2 [of this code]; and

6. A development by a government entity or a community land trust, as approved by the [director] council by resolution.; or

7. A development within the boundaries of the Wailuku redevelopment area as defined by the Maui redevelopment agency pursuant to chapter 53, Hawaii Revised Statutes.]

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 upon approval.

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