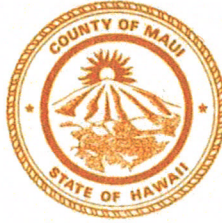


MICHAEL P. VICTORINO  
Mayor

LORI TSUHAKE  
Director

LINDA R. MUNSELL  
Deputy Director



RECEIVED

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OFFICE OF THE MAYOR

DEPARTMENT OF HOUSING  
& HUMAN CONCERNS  
COUNTY OF MAUI  
2200 MAIN STREET, SUITE 546  
WAILUKU, MAUI, HAWAII 96793  
PHONE: (808) 270-7805

July 21, 2021

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

APPROVED FOR TRANSMITTAL

*Michael P. Victorino* 7-21-21  
Mayor Date

For Transmittal to:

Honorable Gabe Johnson, Chair  
Affordable Housing Committee  
Maui County Council  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Chair Johnson:

**SUBJECT: AFFORDABLE HOUSING PROJECTS (CHAPTER 201H, HAWAII REVISED STATUTES (AH-1))**

The Department of Housing and Human Concerns is transmitting for your review and action the Hawaii Revised Statutes (HRS) Chapter 201H application for the proposed Hōkūao 201H Housing Project.

The applicant, Pulama Lanai, proposes to develop approximately 76 acres of land, which is identified as TMKs (2)4-9-002:061 (por.), (2)4-9-014:001 (por.) and 009 (por.) in Lanai City, Lanai, Hawaii, pursuant to Section 201H-38, HRS. The proposed project area is sited close to Dole Park to take advantage of its walkable proximity to shops, groceries, educational, and entertainment venues.

The applicant is proposing a 150-unit residential development consisting of a total of 150 single family homes, with seventy-six (76) homes exclusively for lease by renters falling within the HUD low-income guidelines and seventy-four (74) homes to be rented at market rates.

The proposed seventy-six (76) units will be 100 percent affordable to qualified individuals earning up to 140 percent of Maui's median income, as set forth by the County of Maui, Department of Housing and Human Concerns' Affordable Sales Price Guidelines.

Honorable Gabe Johnson, Chair  
Affordable Housing Committee  
Maui County Council  
July 21, 2021  
Page 2

Copies of the project's preliminary HRS Chapter 201H-38 application were distributed to various federal, state and county agencies for review and comment prior to the HRS Chapter 201H-38 application being finalized. Agency comments and responses to substantive comments are included in the HRS Chapter 201H-38 application for your information.

Enclosed for consideration by your committee and the County Council are the following documents:

1. Nineteen (19) copies and one (1) CD containing a digital version of the Application for Affordable Housing Project Pursuant to Section 201H-38, Hawaii Revised Statutes, Hōkūao 201H Housing Project, TMKs (2)4-9-002:061 (por.), (2)4-9-014:001 (por.) and 009 (por.);
2. Proposed resolution entitled, "APPROVING THE INDEPENDENT DEVELOPMENT OF THE HŌKUAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES";
3. Proposed resolution entitled, "APPROVING WITH MODIFICATIONS THE INDEPENDENT DEVELOPMENT OF THE HŌKUAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES"; and
4. Proposed resolution entitled, "DISAPPROVING THE INDEPENDENT DEVELOPMENT OF THE HŌKUAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES".

Thank you for your attention to this matter. If you have any questions or require additional information, please feel free to contact me at Ext. 7805.

Sincerely,



LORI TSUHAKO, LSW, ACSW  
Director of Housing and Human Concerns

Enclosures

xc: Buddy Almeida, Housing Administrator  
Karlynn Fukuda, Munekiyo Hiraga  
Keiki-Pua Dancil, Pulama Lanai



# Resolution

No. \_\_\_\_\_

## APPROVING THE INDEPENDENT DEVELOPMENT OF THE HŌKUAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES

WHEREAS, Pūlāma Lānaʻi, a Hawaii corporation, proposes the development of the Hōkūao 201H Housing Project (the "Project") for qualified residents on approximately 76 acres of land, which is identified for real property tax purposes as Tax Map Key Nos. (2) 4-9-002:061(por.), (2) 4-9-014:001(por.), and (2) 4-9-014:009(por.) in Lānaʻi City, Lānaʻi; and

WHEREAS, the proposed Project will consist of a residential development consisting of 150 single family homes, with seventy-six (76) homes exclusively for lease by renters falling within the Housing and Urban Development's low-income guidelines and seventy-four (74) homes to be rented at market rates; and

WHEREAS, the proposed Project will provide a one-acre park, a 1,500-square foot community center for use by the Lānaʻi community, and 60-parking stalls for use by the Project residents; and

WHEREAS, the Project will provide needed residential workforce housing to meet the current and growing demand for housing on Lānaʻi; and

WHEREAS, on July 21, 2021, the Department of Housing and Human Concerns ("DHHC") submitted the preliminary plans and specifications and accompanying application to the Council of the County of Maui ("Council") recommending approval of the Project pursuant to Chapter 201H, Hawaii Revised Statutes ("HRS"); and

WHEREAS, the Project is being independently developed pursuant to Section 201H-41, HRS; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council may approve certain exemptions for the Project, the requested exemption list is attached hereto as Exhibit "A"; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project by resolution within forty-five (45) days after the DHHC has submitted the preliminary plans and specifications for the Project to the Council, which submittal occurred on July 21, 2021; and

Resolution No. \_\_\_\_\_

WHEREAS, pursuant to Section 4-1 of the Revised Charter of the County of Maui (1983), as amended, the Council is authorized to act by resolution; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That based upon the transmittals and the representations of the DHHC and Pūlāma Lānaʻi, the Council approves the Project, including the Project's preliminary plans and specifications, as submitted to the Council on July 21, 2021, pursuant to Section 201H-38, HRS; provided that Pūlāma Lānaʻi shall comply with all statutes, ordinances, charter provisions, and rules of governmental agencies relating to planning, zoning and construction standards for subdivisions, development and improvement of land, and the construction of units thereon, except for the exemptions specified in Exhibit "A", attached hereto; and

2. That the final plans and specifications for the Project shall be deemed approved by the Council if the final plans and specifications do not substantially deviate, as determined by the Director of DHHC, from the preliminary plans and specifications submitted to the Council. Any substantial deviation from the preliminary plans and specifications shall be submitted to the Council for prior approval. The final plans and specifications shall constitute the zoning, building, construction, and subdivision standards for the Project; and

3. In the event of any conflict between the plans and specifications of the Project and this Resolution, terms of this Resolution and any exhibits thereof shall control; and

4. That certified copies of this Resolution be transmitted to the Director of Public Works, the Planning Director, the Director of DHHC, and Pūlāma Lānaʻi.

APPROVED AS TO FORM  
AND LEGALITY:

/s/ Mimi Desjardins

---

MIMI DESJARDINS  
Deputy Corporation Counsel  
County of Maui  
2020-1925  
Hōkūao Approve



Resolution No. \_\_\_\_\_

Hōkūao 201H Housing Project  
Requested Exemptions and Fee Waivers

**Requested Exemptions:**

The following exemptions from the Maui County Code (MCC) are being requested for the proposed project:

*Exemptions from Chapter 2.80B – General Plan and Community Plans*

An exemption from Chapter 2.80B is requested to permit the project to proceed without obtaining an amendment to the West Maui Community Plan.

*Exemption from Chapter 12.24A – Landscape Planting and Beautification*

An exemption from Chapter 12.24A is requested to permit the project to proceed without requiring compliance with the landscape planting plan of one tree per residential lot.

*Exemption from Title 18 – Subdivisions*

Exemptions from Section 18.04.030, Administration, and Section 18.16.020, Compliance, are requested to exempt the project from obtaining a change in zoning and community plan amendment.

Exemptions from Section 18.16.220, Lots – Size and Shape, and Section 18.16.230 – Lots – Minimum Sizes, are requested to allow lot sizes, widths, shapes, orientations, fence and wall heights, and minimum setback lines within the project that are not in conformance with the provisions of Chapter 19.30A, Agricultural District.

Exemptions from Section 18.20.070, Sidewalks, is requested to exempt the project from constructing sidewalks on both sides of the internal subdivision roadways. A five-foot wide concrete sidewalk will instead be provided on one side of the internal subdivision roadways.

**EXHIBIT “A”**

## Resolution No. \_\_\_\_\_

### *Exemptions from Title 19 - Zoning*

An exemption from Chapter 19.30A, MCC, Agricultural District, is requested to permit the development and use of the subject parcel for single-family residential purposes. The proposed workforce housing project shall be exempt from all development design standards set forth in Chapter 19.30A, including wall height restrictions. Further, this exemption shall allow the subdivision of the property in the plat as shown in the project site plan.

The following zoning standards shall apply to the proposed lots identified as 1 thru 49 (as shown on the project site plan):

Minimum Lot Size:	10,000 Square Feet
Height:	No building shall exceed two stories or thirty feet in height
Minimum Lot Width:	50 Feet

#### SETBACK

Front Yard	Minimum of 15 feet
Side and Rear Yard	
One Story homes	Minimum of 6 feet
Two Story Homes	Minimum of 10 feet

The following zoning standards shall apply to the proposed agricultural lots identified as 1-A thru 10-A (as shown on the project site plan):

Minimum Lot Size:	One Acre
Height:	No building shall exceed two stories or thirty feet in height

#### SETBACK

Front Yard	Minimum 25 feet
Side and Rear Yard	
One Story homes	Minimum of 15 feet
Two Story Homes	Minimum of 15 feet

Pursuant to Section 205-3.1, HRS and Section 19.68.040, MCC, the Maui County Council is the

## Resolution No. \_\_\_\_\_

decision-making authority for the requested state land use district boundary reclassification to change the approximately 14.7-acre portion of the property containing the 49 parcels roughly 10,000 square feet in area from the State Land Use Agricultural District to the State Land Use Urban District. The balance of the 27.799-acre parcel will remain in the State Land Use Agricultural District. Exemptions from Section 19.68.020, MCC, Applications, Section 19.68.030, MCC, Procedures, and Section 8-8.4, Maui County Charter, are requested to exempt the project from: 1) the need to file an application for a boundary reclassification of state land use district boundaries for the 14.7-acre portion; and 2) the procedures associated with such applications, including the requirement for the Maui Planning Commission to conduct a public hearing on the requested boundary reclassification. However, the applicant is not requesting an exemption from Section 19.68.040, MCC, which provides for the Maui County Council to: 1) consider the boundary reclassification; 2) hold hearings; 3) take evidence and testimony; 4) be the decision-making authority on the boundary reclassification; and 5) impose conditions upon the use of the property to prevent adverse effects upon public health, safety, and welfare.

### **Fee Waivers**

The following fee waivers (MCC section reference noted below) are being requested for the proposed project:

1. Driveway permit and inspection fees, Section 12.08.
2. Traffic and roadway improvements impact fees in West Maui, Section 14.62.
3. Fire plan review fee, Section 16.04C.
4. Plumbing permit fees, Section 16.20B.
5. Electrical permit fees, Section 16.18B.
6. Building permit fees, Section 16.26B.
7. Park dedication and assessment fees, Subsection 18.16.320(I)(5).
8. Grubbing and grading permit fees, Section 20.08.090.



# Resolution

No. \_\_\_\_\_

APPROVING WITH MODIFICATIONS THE INDEPENDENT DEVELOPMENT OF  
THE HŌKUAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38,  
HAWAII REVISED STATUTES

WHEREAS, Pūlāma Lānaʻi, a Hawaii corporation, proposes the development of the Hōkūao 201H Housing Project (the "Project") for qualified residents on approximately 76 acres of land, which is identified for real property tax purposes as Tax Map Key Nos. (2) 4-9-002:061(por.), (2) 4-9-014:001(por.), and (2) 4-9-014:009(por.) in Lānaʻi City, Lānaʻi; and

WHEREAS, the proposed Project will consist of a residential development consisting of 150 single family homes, with seventy-six (76) homes exclusively for lease by renters falling within the Housing and Urban Development's low-income guidelines and seventy-four (74) homes to be rented at market rates; and

WHEREAS, the proposed Project will provide a one-acre park, a 1,500-square foot community center for use by the Lānaʻi community, and 60-parking stalls for use by the Project residents; and

WHEREAS, the Project will provide needed residential workforce housing to meet the current and growing demand for housing on Lānaʻi; and

WHEREAS, on July 21, 2021, the Department of Housing and Human Concerns ("DHHC") submitted the preliminary plans and specifications and accompanying application to the Council of the County of Maui ("Council") recommending approval of the Project pursuant to Chapter 201H, Hawaii Revised Statutes ("HRS"); and

WHEREAS, the Project is being independently developed pursuant to Section 201H-41, HRS; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council may approve certain exemptions for the Project, the requested exemption list is attached hereto as Exhibit "A"; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project by resolution within forty-five (45) days after the DHHC has submitted the preliminary plans and specifications for the Project to the Council, which submittal occurred on July 21, 2021; and

Resolution No. \_\_\_\_\_

WHEREAS, pursuant to Section 4-1 of the Revised Charter of the County of Maui (1983), as amended, the Council is authorized to act by resolution; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That based upon the transmittals and the representations of the DHHC and Pūlāma Lānaʻi, the Council approves the Project with the modifications specified in Exhibit "B", including the Project's preliminary plans and specifications, as submitted to the Council on July 21, 2021, pursuant to Section 201H-38, HRS; provided that Pūlāma Lānaʻi, shall comply with all statutes, ordinances, charter provisions, and rules of governmental agencies relating to planning, zoning and construction standards for subdivisions, development and improvement of land, and the construction of units thereon, except for the exemptions specified in Exhibit "A", attached hereto and made a part hereof; and

2. That the final plans and specifications for the Project shall be deemed approved by the Council if the final plans and specifications do not substantially deviate, as determined by the Director of Housing and Human Concerns, from the preliminary plans and specifications submitted to the Council. Any substantial deviation from the preliminary plans and specifications shall be submitted to the Council for prior approval. The final plans and specifications shall constitute the zoning, building, construction, and subdivision standards for the Project; and

3. In the event of any conflict between the plans and specifications of the Project and this Resolution, terms of the Resolution and any exhibits thereof shall control; and

4. That certified copies of this resolution be transmitted to the Director of Public Works, the Planning Director, the Director of Housing and Human Concerns, Pūlāma Lānaʻi.

APPROVED AS TO FORM  
AND LEGALITY:

/s/ Mimi Desjardins

---

MIMI DESJARDINS  
Deputy Corporation Counsel  
County of Maui  
2020-1925  
Hōkūao Approve w/ Modifications

Resolution No. \_\_\_\_\_

Hōkūao 201H Housing Project  
Requested Exemptions and Fee Waivers

**Requested Exemptions:**

The following exemptions from the Maui County Code (MCC) are being requested for the proposed project:

*Exemptions from Chapter 2.80B – General Plan and Community Plans*

An exemption from Chapter 2.80B is requested to permit the project to proceed without obtaining an amendment to the West Maui Community Plan.

*Exemption from Chapter 12.24A – Landscape Planting and Beautification*

An exemption from Chapter 12.24A is requested to permit the project to proceed without requiring compliance with the landscape planting plan of one tree per residential lot.

*Exemption from Title 18 – Subdivisions*

Exemptions from Section 18.04.030, Administration, and Section 18.16.020, Compliance, are requested to exempt the project from obtaining a change in zoning and community plan amendment.

Exemptions from Section 18.16.220, Lots – Size and Shape, and Section 18.16.230 – Lots – Minimum Sizes, are requested to allow lot sizes, widths, shapes, orientations, fence and wall heights, and minimum setback lines within the project that are not in conformance with the provisions of Chapter 19.30A, Agricultural District.

Exemptions from Section 18.20.070, Sidewalks, is requested to exempt the project from constructing sidewalks on both sides of the internal subdivision roadways. A five-foot wide concrete sidewalk will instead be provided on one side of the internal subdivision roadways.

**EXHIBIT “A”**



## Resolution No. \_\_\_\_\_

### *Exemptions from Title 19 - Zoning*

An exemption from Chapter 19.30A, MCC, Agricultural District, is requested to permit the development and use of the subject parcel for single-family residential purposes. The proposed workforce housing project shall be exempt from all development design standards set forth in Chapter 19.30A, including wall height restrictions. Further, this exemption shall allow the subdivision of the property in the plat as shown in the project site plan.

The following zoning standards shall apply to the proposed lots identified as 1 thru 49 (as shown on the project site plan):

Minimum Lot Size:	10,000 Square Feet
Height:	No building shall exceed two stories or thirty feet in height
Minimum Lot Width:	50 Feet

#### SETBACK

Front Yard	Minimum of 15 feet
Side and Rear Yard	
One Story homes	Minimum of 6 feet
Two Story Homes	Minimum of 10 feet

The following zoning standards shall apply to the proposed agricultural lots identified as 1-A thru 10-A (as shown on the project site plan):

Minimum Lot Size:	One Acre
Height:	No building shall exceed two stories or thirty feet in height

#### SETBACK

Front Yard	Minimum 25 feet
Side and Rear Yard	
One Story homes	Minimum of 15 feet
Two Story Homes	Minimum of 15 feet

## Resolution No. \_\_\_\_\_

Pursuant to Section 205-3.1, HRS and Section 19.68.040, MCC, the Maui County Council is the decision-making authority for the requested state land use district boundary reclassification to change the approximately 14.7-acre portion of the property containing the 49 parcels roughly 10,000 square feet in area from the State Land Use Agricultural District to the State Land Use Urban District. The balance of the 27.799-acre parcel will remain in the State Land Use Agricultural District. Exemptions from Section 19.68.020, MCC, Applications, Section 19.68.030, MCC, Procedures, and Section 8-8.4, Maui County Charter, are requested to exempt the project from: 1) the need to file an application for a boundary reclassification of state land use district boundaries for the 14.7-acre portion; and 2) the procedures associated with such applications, including the requirement for the Maui Planning Commission to conduct a public hearing on the requested boundary reclassification. However, the applicant is not requesting an exemption from Section 19.68.040, MCC, which provides for the Maui County Council to: 1) consider the boundary reclassification; 2) hold hearings; 3) take evidence and testimony; 4) be the decision-making authority on the boundary reclassification; and 5) impose conditions upon the use of the property to prevent adverse effects upon public health, safety, and welfare.

### **Fee Waivers**

The following fee waivers (MCC section reference noted below) are being requested for the proposed project:

1. Driveway permit and inspection fees, Section 12.08.
2. Traffic and roadway improvements impact fees in West Maui, Section 14.62.
3. Fire plan review fee, Section 16.04C.
4. Plumbing permit fees, Section 16.20B.
5. Electrical permit fees, Section 16.18B.
6. Building permit fees, Section 16.26B.
7. Park dedication and assessment fees, Subsection 18.16.320(I)(5).
8. Grubbing and grading permit fees, Section 20.08.090.

Resolution No. \_\_\_\_\_

EXHIBIT "B"



# Resolution

No. \_\_\_\_\_

## DISAPPROVING THE INDEPENDENT DEVELOPMENT OF THE HŌKUAO 201H HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES

WHEREAS, Pūlāma Lānaʻi, a Hawaii corporation, proposes the development of the Hōkūao 201H Housing Project (the "Project") for qualified residents on approximately 76 acres of land, which is identified for real property tax purposes as Tax Map Key Nos. (2) 4-9-002:061(por.), (2) 4-9-014:001(por.), and (2) 4-9-014:009(por.) in Lānaʻi City, Lānaʻi; and

WHEREAS, the proposed Project will consist of a residential development consisting of 150 single family homes, with seventy-six (76) homes exclusively for lease by renters falling within the Housing and Urban Development's low-income guidelines and seventy-four (74) homes to be rented at market rates; and

WHEREAS, the proposed Project will provide a one-acre park, a 1,500-square foot community center for use by the Lānaʻi community, and 60-parking stalls for use by the Project residents; and

WHEREAS, the Project will provide needed residential workforce housing to meet the current and growing demand for housing on Lānaʻi; and

WHEREAS, on July 21, 2021, the Department of Housing and Human Concerns ("DHHC") submitted the preliminary plans and specifications and accompanying application to the Council of the County of Maui ("Council") recommending approval of the Project pursuant to Chapter 201H, Hawaii Revised Statutes ("HRS"); and

WHEREAS, the Project is being independently developed pursuant to Section 201H-41, HRS; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council may approve certain exemptions for the Project, the requested exemption list is attached hereto as Exhibit "A"; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project by resolution within forty-five (45) days after the DHHC has submitted the preliminary plans and specifications for the Project to the Council, which submittal occurred on July 21, 2021; and

Resolution No. \_\_\_\_\_

WHEREAS, pursuant to Section 4-1 of the Revised Charter of the County of Maui (1983), as amended, the Council is authorized to act by resolution; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the Council disapproves the Project submitted to the Council on July 21, 2021, pursuant to Section 201H-38, HRS; and

2. That certified copies of this Resolution be transmitted to the Director of Public Works, the Planning Director, the Director of DHHC, and Pūlāma Lānaʻi.

APPROVED AS TO FORM  
AND LEGALITY:

/s/ Mimi Desjardins

---

MIMI DESJARDINS  
Deputy Corporation Counsel  
County of Maui  
2020-1925  
Hōkūao disapprove

Resolution No. \_\_\_\_\_

Hōkūao 201H Housing Project  
Requested Exemptions and Fee Waivers

**Requested Exemptions:**

The following exemptions from the Maui County Code (MCC) are being requested for the proposed project:

*Exemptions from Chapter 2.80B – General Plan and Community Plans*

An exemption from Chapter 2.80B is requested to permit the project to proceed without obtaining an amendment to the West Maui Community Plan.

*Exemption from Chapter 12.24A – Landscape Planting and Beautification*

An exemption from Chapter 12.24A is requested to permit the project to proceed without requiring compliance with the landscape planting plan of one tree per residential lot.

*Exemption from Title 18 – Subdivisions*

Exemptions from Section 18.04.030, Administration, and Section 18.16.020, Compliance, are requested to exempt the project from obtaining a change in zoning and community plan amendment.

Exemptions from Section 18.16.220, Lots – Size and Shape, and Section 18.16.230 – Lots – Minimum Sizes, are requested to allow lot sizes, widths, shapes, orientations, fence and wall heights, and minimum setback lines within the project that are not in conformance with the provisions of Chapter 19.30A, Agricultural District.

Exemptions from Section 18.20.070, Sidewalks, is requested to exempt the project from constructing sidewalks on both sides of the internal subdivision roadways. A five-foot wide concrete sidewalk will instead be provided on one side of the internal subdivision roadways.

**EXHIBIT “A”**



Resolution No. \_\_\_\_\_

*Exemptions from Title 19 - Zoning*

An exemption from Chapter 19.30A, MCC, Agricultural District, is requested to permit the development and use of the subject parcel for single-family residential purposes. The proposed workforce housing project shall be exempt from all development design standards set forth in Chapter 19.30A, including wall height restrictions. Further, this exemption shall allow the subdivision of the property in the plat as shown in the project site plan.

The following zoning standards shall apply to the proposed lots identified as 1 thru 49 (as shown on the project site plan):

Minimum Lot Size:	10,000 Square Feet
Height:	No building shall exceed two stories or thirty feet in height
Minimum Lot Width:	50 Feet

SETBACK

Front Yard	Minimum of 15 feet
Side and Rear Yard	
One Story homes	Minimum of 6 feet
Two Story Homes	Minimum of 10 feet

The following zoning standards shall apply to the proposed agricultural lots identified as 1-A thru 10-A (as shown on the project site plan):

Minimum Lot Size:	One Acre
Height:	No building shall exceed two stories or thirty feet in height

SETBACK

Front Yard	Minimum 25 feet
Side and Rear Yard	
One Story homes	Minimum of 15 feet
Two Story Homes	Minimum of 15 feet

## Resolution No. \_\_\_\_\_

Pursuant to Section 205-3.1, HRS and Section 19.68.040, MCC, the Maui County Council is the decision-making authority for the requested state land use district boundary reclassification to change the approximately 14.7-acre portion of the property containing the 49 parcels roughly 10,000 square feet in area from the State Land Use Agricultural District to the State Land Use Urban District. The balance of the 27.799-acre parcel will remain in the State Land Use Agricultural District. Exemptions from Section 19.68.020, MCC, Applications, Section 19.68.030, MCC, Procedures, and Section 8-8.4, Maui County Charter, are requested to exempt the project from: 1) the need to file an application for a boundary reclassification of state land use district boundaries for the 14.7-acre portion; and 2) the procedures associated with such applications, including the requirement for the Maui Planning Commission to conduct a public hearing on the requested boundary reclassification. However, the applicant is not requesting an exemption from Section 19.68.040, MCC, which provides for the Maui County Council to: 1) consider the boundary reclassification; 2) hold hearings; 3) take evidence and testimony; 4) be the decision-making authority on the boundary reclassification; and 5) impose conditions upon the use of the property to prevent adverse effects upon public health, safety, and welfare.

### **Fee Waivers**

The following fee waivers (MCC section reference noted below) are being requested for the proposed project:

1. Driveway permit and inspection fees, Section 12.08.
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4. Plumbing permit fees, Section 16.20B.
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6. Building permit fees, Section 16.26B.
7. Park dedication and assessment fees, Subsection 18.16.320(I)(5).
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