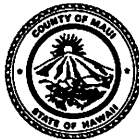


Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
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Tamara Paltin
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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

July 14, 2021

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

RECEIVED
Deputy Director of Council Services
David M. Raatz, Jr., Esq.

2021 JUL 14 PM 12:38

OFFICE OF THE
COUNTY CLERK

The Honorable Alice L. Lee
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair Lee:

SUBJECT: **EXEMPTING DEPARTMENT OF HAWAIIAN HOME
LANDS FROM WATER AVAILABILITY POLICY**
(PAF 21-209)

May I request the attached proposed bill, entitled "A BILL FOR AN ORDINANCE EXEMPTING THE DEPARTMENT OF HAWAIIAN HOME LANDS FROM THE WATER AVAILABILITY POLICY," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, reading "Keani N.W. Rawlins-Fernandez".

KEANI N.W. RAWLINS-FERNANDEZ
Council Vice-Chair

paf:dmr:21-209d

Enclosure

COUNTY COMMUNICATION NO. 21-348

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE EXEMPTING THE DEPARTMENT OF HAWAIIAN
HOME LANDS FROM THE WATER AVAILABILITY POLICY

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

SECTION 1. The purpose of this Ordinance is to exempt from the Water Availability Policy development by the Department of Hawaiian Home Lands under Section 221, "Water," of the Hawaiian Homes Commission Act.

SECTION 2. Section 14.12.030, Maui County Code, is amended to read as follows:

"14.12.030 Exemptions. This chapter [shall] does not apply to:

A. Building permits as described in chapter 18.28 [of this code,] or other ministerial construction permits that do not require new or additional water services;

B. Subdivisions that do not require water service, such as[, but not limited to,] family subdivisions as defined in section 18.20.280, [of this code,] consolidations and concurrent re-subdivisions that do not create additional developable lots, road widening lots, utility lots, or easements for access or utility purposes;

C. Subdivisions that will not be regulated as a public water system [pursuant to] under department of health rules, [provided] except that this exemption [shall] does not apply to any subsequent subdivision of any of the resulting parcels;

D. Infill development, [provided] exempt that this exemption [shall] does not apply to any [subsequent] later development or subdivision of any resulting parcels;

E. Residential workforce housing units developed by a qualified housing provider [pursuant to] under chapter 2.96 [of this code,] and are within the service area of the department's central or west Maui water system;

F. Residential development projects with [one hundred] 100 percent affordable housing units and are within the service area of the department's central or west Maui water system; [or]

G. Public or quasi-public development projects as defined in section 19.04.040 [of this code] and related subdivisions that are within the service area of the department's central or west Maui water system[.]; or

H. Development by the department of Hawaiian home lands under section 221 of the Hawaiian Homes Commission Act."

SECTION 2. This Ordinance takes effect upon its approval.

paf:dmr:21-209c