

Final Environmental Assessment

PROPOSED KAHOMA RESIDENTIAL SUBDIVISION (TMK (2) 4-5-010:005)

Prepared for:

West Maui Land Company, Inc.

September 2011

**Copyright © 2011,
by Munekiyo & Hiraga, Inc.**



EXHIBIT "7"

CONTENTS

Executive Summary	Page i
List of Acronyms	Page iv
I. PROJECT OVERVIEW	Page 1
A. PROJECT LOCATION, EXISTING USE, AND OWNERSHIP	Page 1
B. PROPOSED ACTION	Page 1
1. Habitat for Humanity Lots (10 total)	Page 6
2. West Maui Land Company, Inc. Lots (58 total)	Page 7
C. PROJECT HISTORY	Page 8
D. PROJECT NEED	Page 8
E. AFFORDABLE HOUSING PROGRAM	Page 9
F. EXISTING LAND USE DESIGNATIONS	Page 9
1. State Land Use District	Page 10
2. West Maui Community Plan	Page 10
3. County Zoning	Page 10
G. APPROVALS REQUIRED	Page 10
1. Exemption from Title 2, MCC, Administration and Personnel ...	Page 11
2. Exemption from Title 12, MCC, Streets, Sidewalks, and Public Places	Page 11
3. Exemption from Title 14, MCC, Public Services	Page 11
4. Exemptions from Title 16, MCC, Buildings and Construction ...	Page 11
5. Exemptions from Title 18, MCC, Subdivisions	Page 11
6. Exemption from Title 19, MCC, Zoning	Page 12
7. Exemption from Title 20, MCC, Environmental Protection	Page 12
H. CHAPTER 343, HAWAII REVISED STATUTES REQUIREMENT ...	Page 13
I. IMPLEMENTATION TIME FRAME	Page 13
II. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS, AND PROPOSED MITIGATION MEASURES	Page 14
A. PHYSICAL SETTING	Page 14
1. Surrounding Land Uses	Page 14
2. Climate	Page 15
3. Topography and Soils	Page 16
4. Agriculture	Page 19
5. Flood and Tsunami Hazards	Page 22
6. Flora and Fauna	Page 22
7. Streams, Wetlands, and Reservoirs	Page 24

8.	Archaeological Resources	Page 25
9.	Cultural Resources	Page 26
10.	Air and Noise Quality	Page 30
11.	Scenic Resources	Page 32
B.	SOCIO-ECONOMIC SETTING	Page 33
1.	Land Use and Community Character	Page 33
2.	Population and Demography	Page 34
3.	Housing	Page 35
4.	Labor Force	Page 36
5.	Economy	Page 37
C.	PUBLIC SERVICES	Page 38
1.	Police and Fire Protection	Page 38
2.	Medical Facilities	Page 39
3.	Recreational Facilities	Page 39
4.	Educational Facilities	Page 41
D.	INFRASTRUCTURE	Page 42
1.	Roadways	Page 42
2.	Water	Page 49
3.	Wastewater Systems	Page 51
4.	Solid Waste	Page 52
5.	Drainage	Page 53
6.	Electrical, Telephone, and CATV Service	Page 56
E.	CUMULATIVE AND SECONDARY IMPACTS	Page 56
III.	RELATIONSHIP TO LAND USE PLANS, POLICIES, AND CONTROLS	Page 59
A.	STATE LAND USE DISTRICTS	Page 59
B.	HAWAII STATE PLAN	Page 63
1.	State Agricultural Functional Plan	Page 66
2.	State Housing Functional Plan	Page 66
3.	State Recreational Functional Plan	Page 66
4.	State Transportation Functional Plan	Page 67
5.	State Historic Preservation Functional Plan	Page 67
C.	MAUI COUNTY GENERAL PLAN	Page 67
D.	WEST MAUI COMMUNITY PLAN	Page 71
E.	COUNTY ZONING	Page 77
F.	SECTION 201H-38, HRS APPLICATION	Page 79
G.	COASTAL ZONE MANAGEMENT/OBJECTIVES AND POLICIES ..	Page 80
1.	Recreational Resources	Page 80
2.	Historic Resources	Page 82
3.	Scenic and Open Space Resources	Page 83
4.	Coastal Ecosystems	Page 84
5.	Economic Uses	Page 85
6.	Coastal Hazards	Page 85
7.	Managing Development	Page 86

8.	Public Participation	Page 87
9.	Beach Protection	Page 88
10.	Marine Resources	Page 88
H.	OTHER REGULATORY APPROVALS	Page 89
IV.	SUMMARY OF UNAVOIDABLE IMPACTS AND COMMITMENTS OF RESOURCES	Page 90
V.	ALTERNATIVES TO THE PROPOSED ACTION	Page 92
A.	PREFERRED ALTERNATIVE	Page 92
B.	ALTERNATIVE SITE PLANS	Page 92
C.	AGRICULTURAL USES	Page 94
D.	COMMERCIAL USES	Page 95
E.	NO ACTION ALTERNATIVE	Page 95
VI.	IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES	Page 96
VII.	SIGNIFICANCE CRITERIA ASSESSMENT	Page 97
VIII.	LIST OF PERMITS AND APPROVALS	Page 102
IX.	PARTIES CONSULTED IN THE PREPARATION OF THE DRAFT ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED AND RESPONSES TO SUBSTANTIVE COMMENTS	Page 103
X.	PARTIES CONSULTED DURING THE PREPARATION OF THE FINAL ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED DURING THE 30-DAY PUBLIC COMMENT PERIOD AND RESPONSES TO SUBSTANTIVE COMMENTS	Page 175
XI.	REFERENCES	Page i

K:\DATA\Kahoma\EmpeelHsg\FINAL EA.wpd

LIST OF FIGURES

Figure 1. Regional Location Map	Page 2
Figure 2. Site Location and Tax Map Key	Page 3
Figure 3. Site Photos	Page 4
Figure 4. Subdivision Plan	Page 5
Figure 5. Soil Association Map	Page 17
Figure 6. Soil Classification Map	Page 18
Figure 7. ALISH Map	Page 20
Figure 8. Flood Insurance Rate Map	Page 23
Figure 9. Area Roadways	Page 43
Figure 10. State Land Use District Classifications	Page 60
Figure 11. Existing Community Plan Land Use Designations	Page 72
Figure 12. Existing Maui County Zoning Designations	Page 78
Figure 13. Special Management Area (SMA) Boundary Map	Page 81

LIST OF TABLES

Table 1. Housing Lot Breakdown by Developer	Page 6
Table 2. Kahoma Residential - Unit Count	Page 9
Table 3. Current Land Use Summary	Page 10
Table 4. Labor Force Characteristics	Page 36
Table 5. Enrollments at Department of Education Schools	Page 41
Table 7. Trip Generation Comparison	Page 47

LIST OF APPENDICES

Appendix A.	Preliminary Development Plans
Appendix B.	Soils Investigation Report
Appendix C.	Biological Resources Survey
Appendix D.	Archaeological Assessment
Appendix D-1.	State Historic Preservation Division Approval Letter
Appendix E.	Cultural Impact Assessment
Appendix F.	2007 Traffic Impact Analysis Report
Appendix F-1.	2010 Supplemental Traffic Report
Appendix F-2.	2011 Supplemental Traffic Report
Appendix G.	Preliminary Civil Engineering and Drainage and Erosion Control Report
Appendix H.	Alternate Site Plans
Appendix I.	May 7, 2008 Meeting Memorandum
Appendix I-1.	March 10, 2010 Kaanapali 2020 Community Advisory Group
Appendix I-2.	March 23, 2010 Meeting Memorandum
Appendix I-3.	Letter Dated June 15, 2011 from Lahaina Bypass Now

Executive Summary

Project Name: Proposed Kahoma Residential Subdivision

Type of Document: Final Environmental Assessment

Legal Authority: Chapter 343, Hawaii Revised Statutes

Agency Determination: Finding of No Significant Impact (FONSI)

Applicable Environmental Assessment Review "Trigger": Use of County Lands

Location: TMK: (2) 4-5-010:005
Lahaina
Maui Island

Landowner: Kahoma Residential, LLC
33 Lono Avenue, Suite 450
Kahului, Hawaii 96732
Contact: Peter Martin
Phone: (808) 877-4202

Applicant: West Maui Land Company, Inc.
33 Lono Avenue, Suite 450
Kahului, Hawaii 96732
Contact: Peter Martin
Phone: (808) 877-4202

Approving Agency: County of Maui
Department of Housing and Human Concerns
2200 Main Street
One Main Plaza, Suite 546
Wailuku, Hawaii 96793
Contact: Jo-Ann T. Ridao, Director
Phone: (808) 270-7805

Consultant: Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793
Contact: Gwen Ohashi Hiraga
Phone: (808) 244-2015

Project Summary: The applicant, West Maui Land Company, Inc., proposes the development of a 68-lot Kahoma Residential Subdivision and

related improvements on an approximate 16.7-acre parcel identified as TMK (2) 4-5-010:005 in Lahaina, Maui, Hawaii. The project includes 68 single-family residential lots ranging in size from approximately 5,000 sq. ft. to 12,000 sq. ft., and a neighborhood park.

Of the 68 single-family residential lots, ten (10) lots will be under the direction of Habitat for Humanity. All 68 lots will be in the affordable price range as defined by the Maui Residential Workforce Housing Policy (MRWHP).

The proposed project will connect to a nearby County of Maui roadway, Lui Street. The use of County lands is a trigger for Chapter 343, Hawaii Revised Statutes (HRS). As such, an Environmental Assessment (EA) has been prepared pursuant to Chapter 343, HRS, and Chapter 200 of Title 11, Hawaii Administrative Rules, Environmental Impact Statement Rules. In addition, this EA is intended to cover any use of State and County lands and funds for purposes including, but not limited to, any roadway, infrastructure, utility system or other improvements relating to the development of the project. This would include, but not be limited to, roadway, infrastructure, utility systems and improvements to Lui Street and Kalena Street, as well as at offsite locations. It is also noted that currently funding for the development of the Habitat for Humanity lots is not defined as efforts to establish funding sources are ongoing. Therefore, this EA is also intended to cover any use of State or County funds for purposes of the development of the lots under the direction of Habitat for Humanity to include, but not be limited to, the County of Maui Affordable Housing Program, United States Housing and Urban Development (HUD) Home Funds, and Office of Hawaiian Affairs. If HUD Home Funds are utilized, a HUD EA will also be prepared. This EA documents the project's technical characteristics and environmental impacts, and advances findings and conclusions relative to the significance of the project.

Towards facilitating project implementation, the County of Maui, Department of Housing and Human Concerns is in support of the project as a Section 201H-38, HRS project. Thus, a Section 201H-38, HRS application will be filed with the County of Maui. Additionally, the Land Use Commission petition for State Land Use District Boundary Amendment will be filed pursuant to Chapter 15-15, Subchapter 13,

Section 15-15-97 of the Land Use Commission Rules relating to procedures for processing applications under Section 201H-38, HRS.

List of Acronyms

ALISH	Agricultural Lands of Importance to the State of Hawaii
AMSL	Above Mean Sea Level
BMP	Best Management Practices
CATV	Cable Television
cf	Cubic Feet
cfs	Cubic Feet Per Second
CIZ	Change in Zoning
CPA	Community Plan Amendment
CWRM	Commission on Water Resource Management
DBA	District Boundary Amendment
DEM	Department of Environmental Management
DHHC	Department of Housing and Human Concerns
DLNR	Department of Land and Natural Resources
DOE	Department of Education
DOH	Department of Health
DOT	Department of Transportation
DPW	Department of Public Works
DWS	Department of Water Supply
EA	Environmental Assessment
EaA	Ewa Silty Clay Loam
EPA	United States Environmental Protection Agency
FIRM	Flood Insurance Rate Map
gpd	Gallons Per Day
gpm	Gallons Per Minute
HAR	Hawaii Administrative Rules
HCZMP	Hawaii Coastal Zone Management Program
HEER	Hazard Evaluation and Emergency Response
HRS	Hawaii Revised Statutes
HUD	United States Housing and Urban Development
ITE	Institute of Transportation Engineers
LSB	Land Study Bureau
LWRF	Lahaina Wastewater Reclamation Facility
MCC	Maui County Code
MECO	Maui Electric Company
MG	Million Gallons
MGD	Million Gallons Per Day
MRWHP	Maui Residential Workforce Housing Policy
NPDES	National Pollutant Discharge Elimination System
OHA	Office of Hawaiian Affairs
rRK	Rock Land
SHPD	State Historic Preservation Division
SLUC	State Land Use Commission
SMA	Special Management Area

TIAR	Traffic Impact Analysis Report
TMK	Tax Map Key
UHMC	University of Hawaii Maui College
WdB	Wahikuli Very Stony Silty Clay
WWRD	Department of Environmental Management, Wastewater Reclamation Division

I. PROJECT OVERVIEW

I. PROJECT OVERVIEW

A. PROJECT LOCATION, EXISTING USE, AND OWNERSHIP

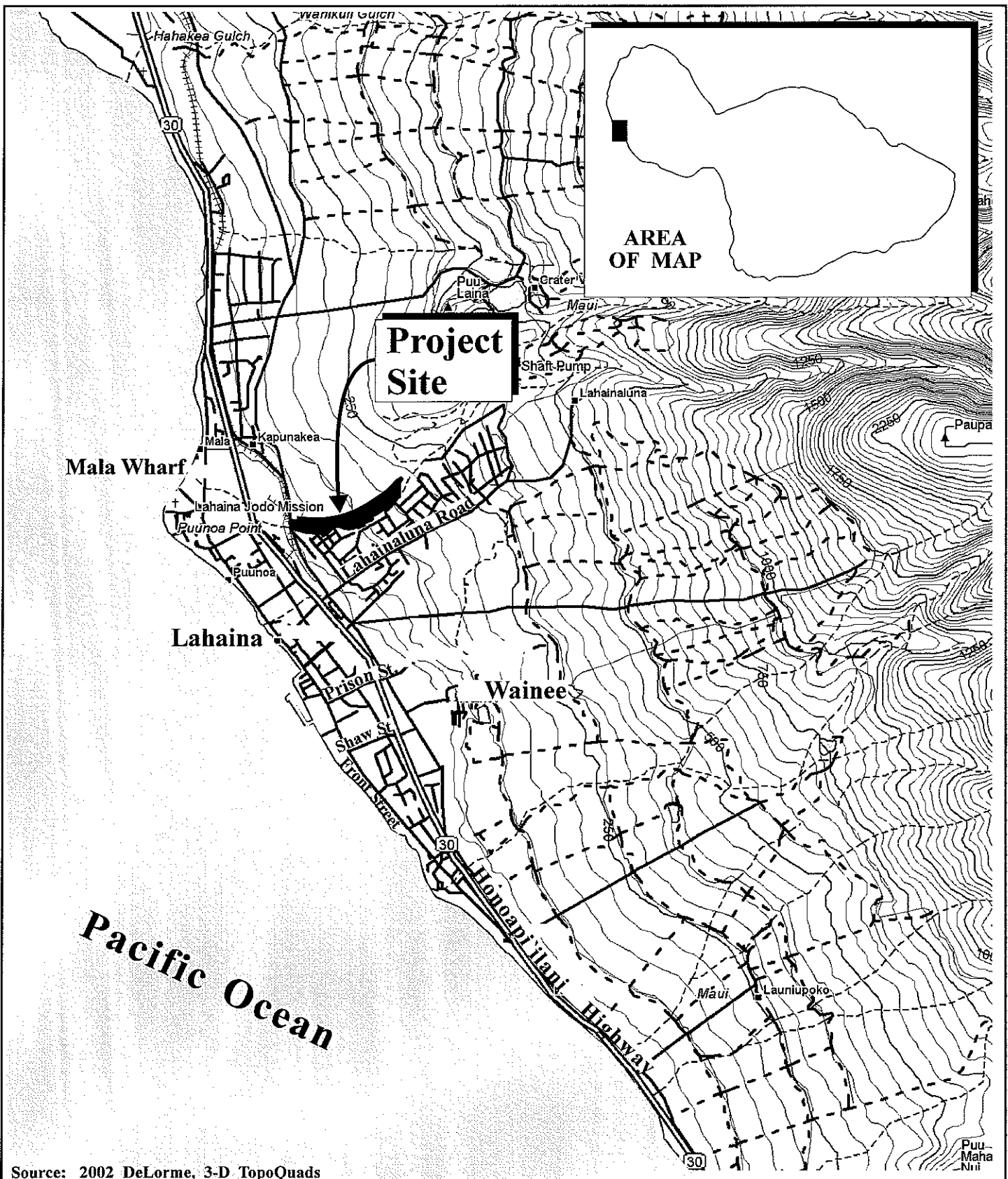
The project site is comprised of approximately 16.7 acres and is identified by Tax Map Key (TMK) (2) 4-5-010:005. See **Figure 1** and **Figure 2**.

Located in Lahaina, Maui to the east (mauka) of Honoapiilani Highway and along the southern edge of the Kahoma Stream Flood Control Channel, the site is currently vacant and undeveloped, but was formerly used for sugar cane cultivation. See **Figure 3**. To the north of the project site, beyond the Kahoma Stream Flood Control Channel, lies the Lahaina Business Park and to the northwest, the Lahaina Gateway Plaza. Residential areas lie to the south of the project site.

The subject property is owned by Kahoma Residential LLC. The applicant, West Maui Land Company, Inc., has an agreement to purchase the parcel from Kahoma Residential LLC.

B. PROPOSED ACTION

The applicant, West Maui Land Company, Inc., proposes the development of the Kahoma Residential Subdivision in Lahaina, Maui, Hawaii. The project will consist of 68 single-family residential lots ranging in size from approximately 5,000 to 12,000 square feet (sq. ft.) and a grassed neighborhood park of approximately 43,000 sq. ft. See **Figure 4**. Of the 68 single-family lots, ten (10) lots will be under the direction of Habitat for Humanity. The remaining 58 lots will be sold as lot only or house/lot packages to afford prospective owners flexibility in their building design and construction. All 68 lots will be priced in the affordable category as defined by the Maui Residential Workforce Housing Policy (MRWHP). See **Table 1**.



Source: 2002 DeLorme, 3-D TopoQuads

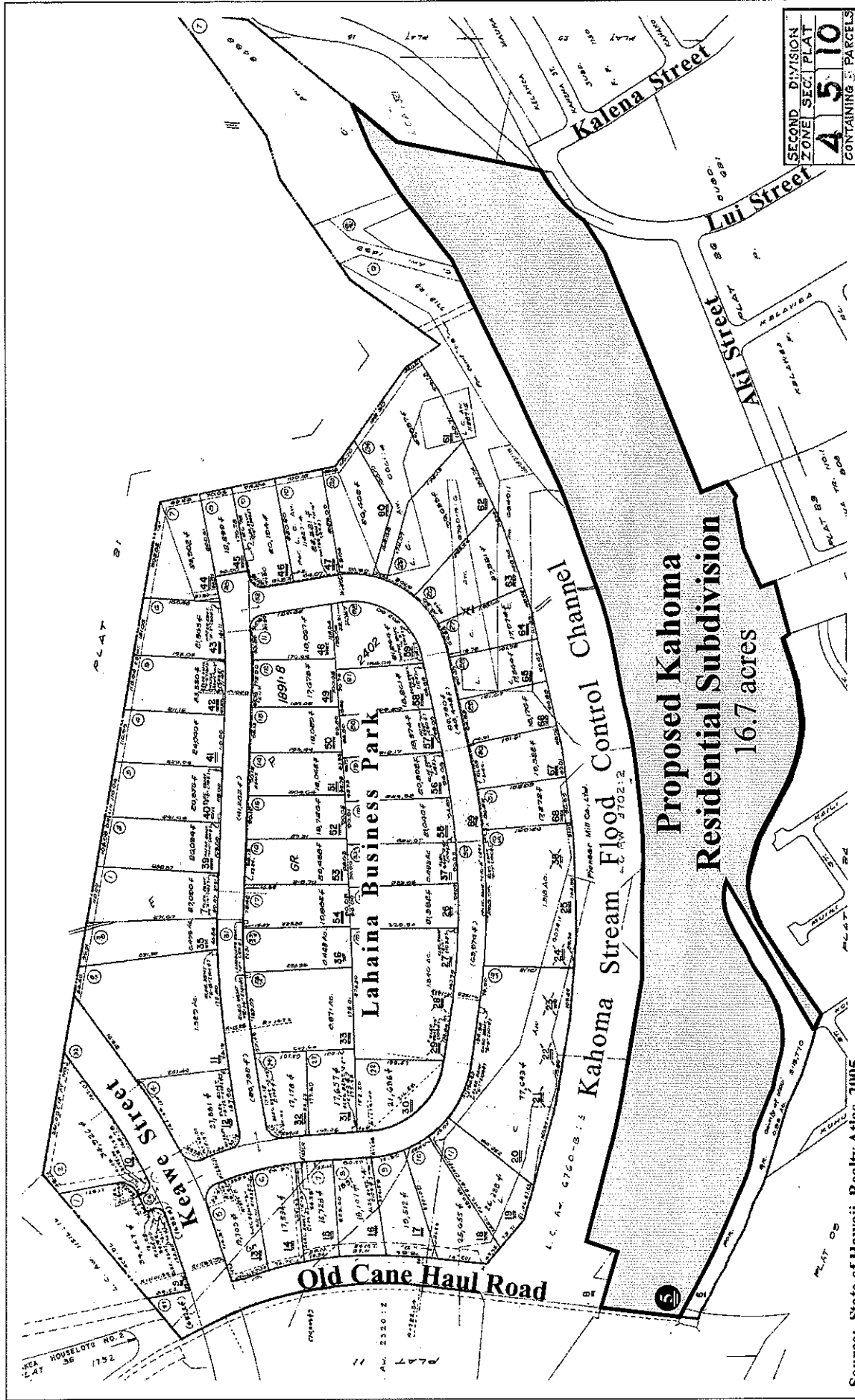
Figure 1

Proposed Kahoma Residential
Subdivision
Regional Location Map



MUNEKIYO HIRAGA, INC.

Prepared for: West Maui Land Company, Inc.



Source: State of Hawaii, Realty Atlas, 2005

Figure 2



Proposed Kahoma Residential Subdivision
 Site Location and Tax Map Key

NOT TO SCALE

Prepared for: West Maui Land Company, Inc.



MUNEKIYO & HIRAGA, INC.

Kahoma\temp\p155\site\location



SOUTHEAST VIEW

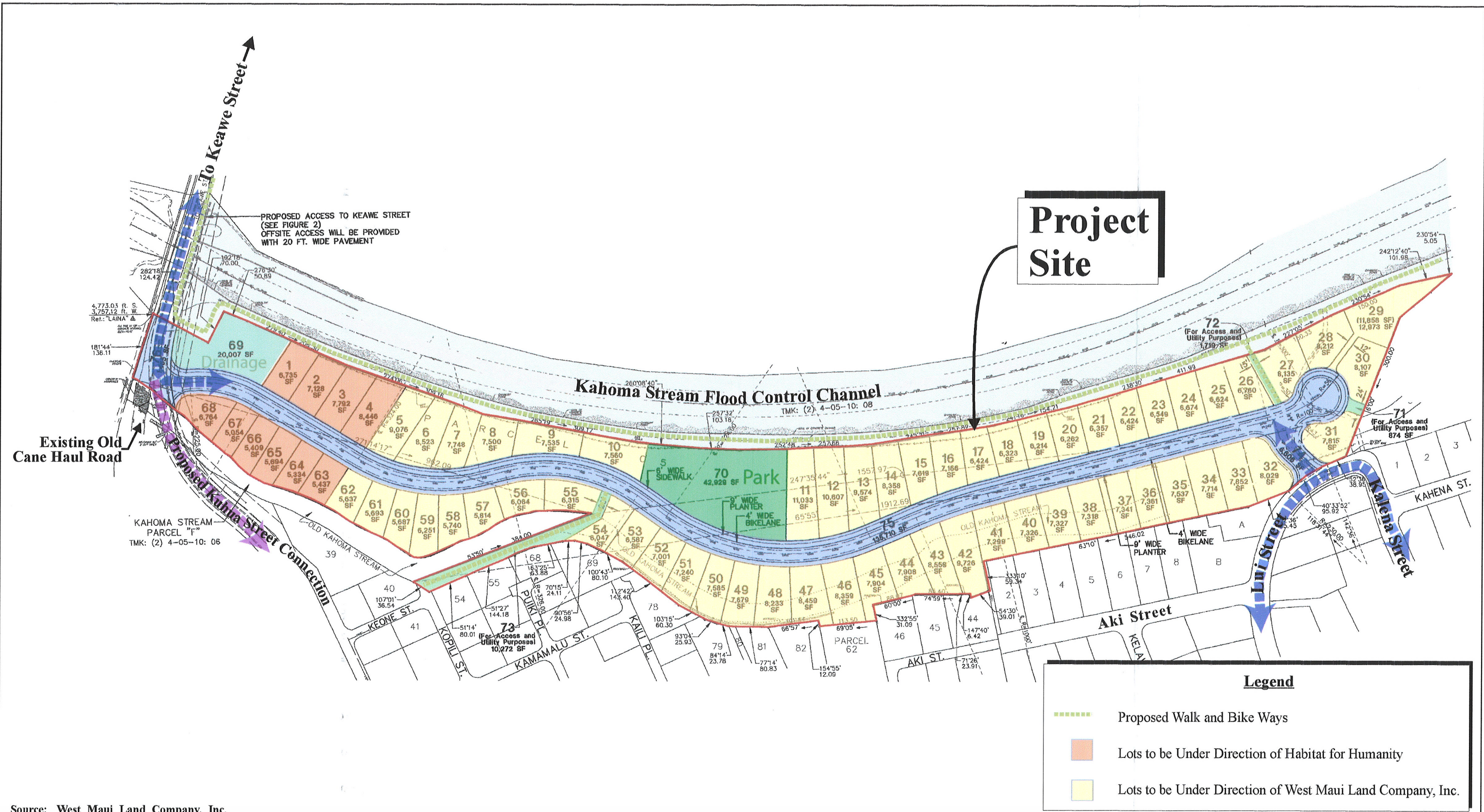


EAST VIEW

Source: West Maui Land Company, Inc.

Figure 3 Proposed Kahoma Residential Subdivision Site Photos

NOT TO SCALE



Source: West Maui Land Company, Inc.

Figure 4

Proposed Kahoma Residential Subdivision
Subdivision Plan

NOT TO SCALE



Prepared for: West Maui Land Company, Inc.



The subdivision will be serviced internally by a 58-foot road right-of-way that is planned to be dedicated to the County in the future. The east portion of the project will connect to Lui Street, while the west portion will connect to an existing old cane haul road (proposed Kuhua Street Extension) that connects to Keawe Street. Refer to **Figure 4**.

Table 1. Housing Lot Breakdown by Developer

Developer	Number of Lots	Unit Type
Habitat for Humanity	10	Single-Family Residential
West Maui Land Company, Inc.	58	Single-Family Residential
Total Lots	68	

1. Habitat for Humanity Lots (10 total)

Ten (10) lots will be developed under the direction of Habitat for Humanity. These ten (10) lots range from approximately 5,000 to 9,000 square feet in area. Habitat for Humanity has a number of single-family home designs, which have already received approval from the County of Maui. The selected homeowner will be able to choose from those designs which may be accommodated based on the site topography and geometry. See **Appendix “A”** for Preliminary Development Plans.

Habitat for Humanity is a non-profit organization whose mission is to eliminate poverty housing and homelessness from the world, and to make decent shelter a matter of conscience and action. Through volunteer labor and donations of money and materials, Habitat for Humanity builds houses with the help of the homeowner (partner) families. Habitat houses are sold to partner families at no profit and are financed with affordable loans. Target families will be those earning less than 80 percent of the household median income.

Families in need of decent shelter apply to local Habitat for Humanity affiliates. The affiliate’s family selection committee chooses homeowners based on their level of need, their willingness to become partners in the program, and their ability to repay the loan. Every affiliate follows a nondiscriminatory policy of family selection. Neither race nor religion is a factor in choosing the families who receive Habitat for Humanity houses.

2. **West Maui Land Company, Inc. Lots (58 total)**

The applicant will retain the 58 affordable lots for eventual sale as either lot only or house-lot packages. The lots range from approximately 5,000 to 12,000 square feet. Based on the project's location proximate to established residential subdivisions, the lots will be priced to be affordable to individuals and families between 80 and 160 percent of the household median income range, assuming affordable lot only prices are 50 percent of the affordable 3-bedroom house and lot prices. As mentioned, these 58 lots will be offered for sale as either lot only or house-lot packages, to allow the prospective homeowner independence in home design. The applicant may also contract with a builder and offer house/lot packages for one (1) or more lot(s), depending on the community needs. Refer to **Appendix "A"**. Owners of lots greater than 7,500 sq. ft. may have the option of constructing an ohana on the property. Ohanas, attached or detached, shall be allowed on lots greater than or equal to 7,500 sq. ft. Two (2) car garages shall be required for each residence with an additional two (2) parking spaces required on-site for each lot within the subdivision. One (1) additional parking space will be required for those lots with an ohana.

In addition to developing lots and housing units, the applicant will develop a neighborhood park to promote recreational pursuits within the project limits. Refer to **Figure 4**. The approximately 43,000 sq. ft. neighborhood park will be grassed and located in the center of the project. The applicant will work with the County to establish a public path along the Kahoma Stream Flood Control Channel.

The applicant is requesting ten (10) affordable housing credits from this project for development activities it may pursue in the future.

Towards facilitating project implementation, the Department of Housing and Human Concerns (DHHC) is in support of the project as a Section 201H-38, Hawaii Revised Statutes (201H-38 HRS) project. Thus, a Section 201H-38, HRS application will be filed with the County of Maui. Additionally, the State Land Use Commission (SLUC) petition for State Land Use District Boundary Amendment (DBA) will be filed pursuant to Chapter 15-15, Subchapter 13, Section 15-15-97 of the SLUC Rules relating to procedures for processing applications under Section 201H-38, HRS. This provision of the rules permits fast-track processing of the petition to include action by the SLUC within 45 days of receipt of the completed petition.

C. PROJECT HISTORY

Prior to the current project proposal, the applicant proposed a previous site plan that was presented in the Draft Environmental Assessment (EA). This included the development of 88 housing units that would have been developed in a combination of single-family homes and apartments (63 single-family homes/lots and 25 multi-family units in a two-story duplex configuration). Of the 63 single-family homes/lots, four (4) would have been self-help lots under the direction of Habitat for Humanity to reduce construction costs and twenty-four (24) homes were to have been developed by Lokahi Pacific. Thirty-five (35) lots were to have been sold lot only to afford prospective owners flexibility in their building design. In addition, all 25 of the multi-family units were to have been in the affordable category and developed by Lokahi Pacific for the purposes of special needs accommodations. However, Lokahi Pacific decided to not proceed with the project as part of an overall change in direction of the agency. The applicant initiated discussions with several other potential developers of the multi-family units, including Hale Mahaolu and EAH Housing, however, the parcel layout and size were not conducive to these agencies' typical project criteria. Subsequently, the plans were amended by eliminating the multi-family units from the project and reducing the total unit count from 88 to 68. In turn, Habitat for Humanity's role in the project was increased from the original four (4) units to ten (10).

D. PROJECT NEED

The proposed action will increase the supply of available housing, including the supply of affordable housing units, at a time when affordable housing is in short supply on West Maui. According to the Realtors Association of Maui, as of May 2011, the median sales price of a single-family house and lot on Maui was \$418,000.00 and in Lahaina was \$1,320,000.00 (Realtors Association of Maui, June 2011). At these prices, many residents are unable to purchase their own homes.

In 2010, the median family income as established by the United States Department of Housing and Urban Development (HUD) was \$76,000.00. Using the HUD median family income of \$76,000.00, the County of Maui, Department of Housing and Human Concerns developed a matrix of affordability guidelines. According to that matrix, a family earning 100 percent of median income would be able to afford a \$372,600.00 3-bedroom home, assuming a five (5) percent interest rate. The median single-family house and lot on Maui at \$418,000.00 represents approximately 112 percent of \$372,600.00 and the median single-

family house and lot in Lahaina at \$1,320,000.00 represents approximately 354 percent of \$372,600.00.

In light of the current and projected housing market conditions and prices, the proposed Kahoma Residential Subdivision is considered to provide a significant community benefit by offering residents new opportunities to secure affordable housing products.

E. AFFORDABLE HOUSING PROGRAM

The Kahoma Residential Subdivision proposes to provide housing for sale in accordance with income allocations set forth in **Table 2**.

Table 2. Kahoma Residential - Unit Count

Developer	No. of Units	Product	Percentage of Project	Affordability Range	Duration of Affordability Restrictions
Habitat for Humanity	10	house/lots	14.7%	Under 80%	30 years
West Maui Land Company, Inc.	8	lots or house/lots	11.8%	Under 100%	5 years
West Maui Land Company, Inc.	10	lots or house/lots	14.7%	Under 120%	5 years
West Maui Land Company, Inc.	10	lots or house/lots	14.7%	Under 140%	3 years
West Maui Land Company, Inc.	30	lots or house/lots	44.1%	Under 160%	3 years
	68	Total	100%	68	

An affordable housing agreement will be executed to set forth the specific terms of pricing, marketing, and sale prioritization.

F. EXISTING LAND USE DESIGNATIONS

The existing land use information for the project is summarized in **Table 3** below.

Table 3. Current Land Use Summary

Land Use Parameter	Existing Designation
State Land Use District	Agricultural
West Maui Community Plan	Open Space
County Zoning	Agricultural

1. State Land Use District

The property is currently within the “Agricultural” state land use district. This use indicates areas assigned for agricultural activity within the State of Hawaii. The applicant will file a Section 201H-38, HRS petition with the SLUC for a DBA to re-designate the entire 16.7-acre project site from the “Agricultural” to the “Urban” District. As indicated previously, the petition filing will be made in accordance with Section 15-15-97 of the SLUC Rules.

2. West Maui Community Plan

The property is currently designated as “Open Space” in the West Maui Community Plan. The applicant will file a Section 201H-38, HRS application with the Maui County Council to allow residential development on these “Open Space” lands.

3. County Zoning

The property is currently within the “Agricultural” county zoning district. The applicant will seek, as part of its Section 201H-38, HRS application mentioned above, allowance of residential uses on the subject property in this zoning district, as well as establish development standards for the project.

G. APPROVALS REQUIRED

The Kahoma Residential Subdivision has been designed and programmed to meet the criteria for a Section 201H-38, HRS project by the County of Maui’s DHHC. Section 201H-38, HRS, promotes the delivery of affordable housing by exempting endorsed projects from “*all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of units thereon.*”

As such, the applicant will file a Section 201H-38, HRS application with the DHHC for transmittal to the Maui County Council to seek exemptions from the Community Plan Amendment (CPA) and Change in Zoning (CIZ) approval processes, as well as County requirements, including public infrastructure and construction fees. The requested exemptions from Maui County Code (MCC) requirements are described below.

The applicant will seek the following exemptions for the entire project.

1. Exemption from Title 2, MCC, Administration and Personnel

An exemption from Chapter 2.80B, MCC, General Plan and Community Plans, shall be granted to permit the project to proceed without obtaining a community plan amendment.

2. Exemption from Title 12, MCC, Streets, Sidewalks, and Public Places

An exemption from Chapter 12.08, MCC, Driveways, shall be granted to exempt the project from payment of driveway permit and inspection fees.

3. Exemption from Title 14, MCC, Public Services

An exemption from Section 14.62.070, MCC, West Maui Traffic Impact Fees, shall be granted to exempt the project from payment of traffic impact fees.

4. Exemptions from Title 16, MCC, Buildings and Construction

Exemptions from MCC Chapters 16.04A, Fire Code, 16.18A, Electrical Code, 16.20A, Plumbing Code, and 16.26, Building Code, shall be granted to exempt the project from payment of fire, electrical, plumbing, and building permit fees, as well as inspection fees.

5. Exemptions from Title 18, MCC, Subdivisions

- a. Exemptions from Section 18.04.030, MCC, Administration, and Section 18.16.020, MCC, Compliance, shall be granted to exempt the project from obtaining a community plan amendment and change in zoning.

- b. Exemptions from Section 18.16.320, MCC, Parks and Playgrounds, shall be granted to exempt the project from payment of park and playground fees and exempt the project from the provision of a comfort station and parking.

6. Exemption from Title 19, MCC, Zoning

An exemption from Chapter 19.30A, MCC, Agricultural District, shall be granted to permit the development and use of the parcel for single-family residential purposes. Further, the exemption shall allow the subdivision of the property in the plat configuration shown in **Figure 4**.

The following zoning standards shall apply to the proposed lots:

Minimum lot size:	5,000 square feet
Height:	No building shall exceed two (2) stories or thirty (30) feet in height
Lot width:	Minimum of 35 feet
<u>SETBACK:</u>	
Front yard	Minimum of 15 feet (Dwelling) Minimum of 20 feet (Garage)
One-story homes side and rear	Minimum of 8 feet
Two-story homes side and rear	Minimum of 10 feet
Rear (Lots 32 through 54)	Minimum of 20 feet

7. Exemption from Title 20, MCC, Environmental Protection

An exemption from Section 20.08.090, MCC, Grubbing and Grading Permit Fees, shall be granted to exempt the project from payment of grading, grubbing, and excavation permit fees, as well as inspection fees.

The U.S. Department of Housing and Urban Development (HUD) Description of Materials form is included in Section 5 of this application document.

H. CHAPTER 343, HAWAII REVISED STATUTES REQUIREMENT

The proposed project will connect to Lui Street, which is a County roadway. The use of County lands is a trigger for an environmental assessment pursuant to Chapter 343, HRS. As such, an Environmental Assessment (EA) has been prepared pursuant to Chapter 200 of Title 11, Department of Health Administrative Rules (HAR), Environmental Impact Statement Rules. Accordingly, this document addresses the project's technical characteristics, environmental impacts and alternatives, and advances findings and conclusions relative to the significance of the proposed project. The County of Maui DHHC is the approving agency for the EA.

This EA is intended to cover any use of State and County lands and funds, for purposes including, but not limited to, any roadway, infrastructure, utility system or other improvements relating to the development of the project. This would include, but not be limited to, roadway, infrastructure, utility systems and improvements to Lui Street and Kalena Street, as well as at offsite locations. It is also noted that currently funding for the development of the Habitat for Humanity lots is not defined, as efforts to establish funding sources are ongoing. Therefore, this EA is also intended to cover any use of State or County funds for purposes of the development of the lots under the direction of Habitat for Humanity. These funds may include, but not be limited to, the County of Maui Affordable Housing Program, HUD Home Funds, and Office of Hawaiian Affairs. If HUD Home Funds are utilized, a HUD EA will also be prepared.

I. IMPLEMENTATION TIME FRAME

The implementation of the proposed Kahoma Residential Subdivision land use plan sought by the applicant will commence upon receipt of land entitlements, regulatory permits, and approvals. Upon completion of the entitlements process, it is estimated that design and approval of subdivision and construction plans will take 18 to 24 months. Site construction is estimated to be initiated in early 2013 with build-out of the project estimated over a two (2) year period.