

COUNTY COUNCIL

COUNTY OF KAUA'I

**Resolution**

No. 2016-53

**RESOLUTION APPROVING  
THE LIMA OLA WORKFORCE HOUSING PROJECT  
PURSUANT TO SECTION 201H-38, HAWAII REVISIED STATUTES**

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WHEREAS, the Kaua'i County Housing Agency ("Housing Agency") proposes the development of the Lima Ola Workforce Housing Project ("Project") and related improvements on approximately seventy-five (75) acres of County-owned land in 'Ele'ele, Kaua'i, Hawaii, identified as Tax Map Key (4) 2-1-001:027; and

WHEREAS, the proposed project will provide up to five hundred fifty (550) affordable housing units for Kaua'i residents, providing single-family and multi-family units that are affordable to households earning from eighty percent (80%) and below to one hundred forty percent (140%) of the Kaua'i median household income; and

WHEREAS, the Project is being developed in four phases to provide needed affordable housing to meet the current and projected future demand for affordable housing supply; and

WHEREAS, on August 5, 2016, the Housing Agency submitted the 201H Exemption Application ("Application") for the Project to the Kaua'i County Council ("Council") requesting approval of the Project exemptions pursuant to Section 201H-38, Hawaii Revised Statutes ("HRS"); and

WHEREAS, Section 201H-38, HRS, provides for the development of affordable housing, where housing projects may be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; provided that the project meets minimum requirements for health and safety; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project exemptions by resolution within forty-five (45) calendar days after the Housing Agency has submitted the Application to the Council, which submittal occurred on August 5, 2016; and

WHEREAS, pursuant to Section 4.02 of the Charter of the County of Kaua'i, the Council is authorized to act by resolution; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, THAT:

1. Based upon the transmittals and the representations of the Housing Agency, the Council approves the Project exemptions as submitted to the Council on August 5, 2016, pursuant to Section 201H-38, HRS, provided that the Housing Agency shall comply to all statutes, ordinances, charter provisions, and rules of government agencies relating to planning, zoning, construction standards, for subdivisions, development and improvement of land, and the construction of units thereon, except for the requested Project exemptions specified in Exhibit "1," which is attached hereto and made a part hereof; and

2. The General Plan amendment, Preliminary Zoning Map, and Preliminary Subdivision Map for the Project shall be deemed approved by the Council if the final zoning and the final subdivision plans do not substantially deviate, as determined by the Housing Director, from the Preliminary Zoning Map and the Preliminary Subdivision Map submitted to the Council. Any substantial deviation from the Preliminary Zoning Map or the Preliminary Subdivision Map shall be submitted to the Council for prior approval. The Preliminary Zoning Map and the Preliminary Subdivision Map submitted in the Application shall constitute the zoning and subdivision plan for the Project.

BE IT FINALLY RESOLVED, that certified copies of this Resolution be transmitted to the County Engineer, the Planning Director, and the Housing Director.

Introduced by:



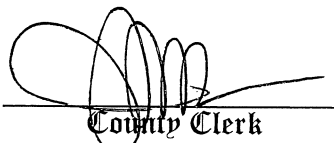
JOANN A. YUKIMURA  
(By Request)

V:\RESOLUTIONS\2014-2016 TERM\Lima Ola 201h AMK:aa

	Aye	May	Excused	Refused
Chock	X			
Hooser	X			
Kagawa	X			
Kaneshiro	X			
Kuali'i	X			
Rapoza	X			
Yukimura	X			
<b>Total</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>

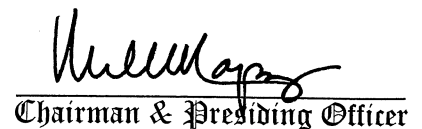
### Certificate Of Adoption

We hereby certify that Resolution No. 2016-53 was adopted by the Council of the County of Kaua'i, State of Hawai'i, Lihu'e, Kaua'i, Hawai'i, on August 17, 2016.



County Clerk

Dated August 18, 2016



Chairman & Presiding Officer

## Lima Ola Workforce Housing Development Requested Exemptions

Kauai County Code (KCC) Current Requirement	Requested Exemption	Proposed Alternate Standard	Benefit
Title IV, KCC, Chapter 7, Article 3, Section 7-3.1, <u>General Plan</u> for the County of Kauai	Amendment to the General Plan is required to proceed with change to project area map designation	Project area map designation amended thru 201H-38 process, pursuant to Section 201H-38, HRS	Reduce time and decrease cost
Title IV, KCC, Chapter 8, Article 2, Section 8-2.2 (c), <u>Zoning Maps</u>	Changes in the boundary of any zoning district shall be by ordinance	Project zoned thru 201H-38 process, pursuant to Section 201H-38, HRS	Reduce time, decrease cost, and allow for the building of single-family and multi-family residential units and supporting infrastructure
Title IV, KCC, Chapter 8, Article 2, Section 8-2.4, <u>Uses and Structures in the Agriculture and Residential Zoning Districts That Require a Use Permit</u>	A Use Permit is necessary for proposed community center in either the Agriculture or Residential Zoning Districts	Proceed without Use Permit for proposed community center	Reduce time and decrease cost
Title IV, KCC, Chapter 8, Article 4, Section 8-4.4 (a), <u>Development Standards for Residential Structures Which Involve the Subdivision of Land Single Family Detached</u>	<ol style="list-style-type: none"> <li>1. Minimum Average Lot Size: 6,000 Sq. Ft.</li> <li>2. No more than 20% of the lots in the proposed subdivision shall be less than 6,000 Sq. Ft.</li> <li>3. Setback (Rear): Minimum of 15 Ft.</li> <li>4. Minimum Lot Width: 45 Ft.</li> <li>5. Pole Section of Flag Lot Width: Minimum of 15 Ft.</li> </ol>	<ol style="list-style-type: none"> <li>1. Minimum Average Lot Size: 5,500 Sq. Ft.</li> <li>2. No more than 20% of the lots in the proposed subdivision shall be less than 5,000 Sq. Ft.</li> <li>3. Setback (Rear): Minimum of 5 Ft.</li> <li>4. Minimum Lot Width: 35 Ft.</li> <li>5. Pole Section of Flag Lot Width: Minimum of 10 Ft.</li> </ol>	Maximize buildable land area
Title IV, KCC, Chapter 8, Article 4, Section 8-4.4 (b) <u>Development Standards for Residential Structures Which Involve the Subdivision of Land Single Family Attached</u>	<ol style="list-style-type: none"> <li>1. Minimum Average Lot Area: 3,000 Sq. Ft.</li> <li>2. No Lot shall be less than 2,400 Sq. Ft.</li> <li>3. No more than 40% of the lots in the proposed subdivision shall be less than 3,000 Sq. Ft.</li> <li>4. Setback (Rear): Minimum of 15 Ft.</li> <li>5. Minimum Lot Width: 24 Ft.</li> <li>6. Minimum lot length shall not exceed four times its average width</li> </ol>	<ol style="list-style-type: none"> <li>1. Minimum Average Lot Area: 2,400 Sq. Ft.</li> <li>2. No lot shall be less than 1,800 Sq. Ft.</li> <li>3. No more than 40% of the lots in the proposed subdivision shall be less than 2,200 Sq. Ft.</li> <li>4. Setback (Rear): Minimum of 5 Ft.</li> <li>5. Minimum Lot Width: 20 Ft</li> <li>6. Minimum Lot Length: 20 Ft</li> </ol>	Maximize buildable land area

## Lima Ola Workforce Housing Development Requested Exemptions

Kauai County Code (KCC) Current Requirement	Requested Exemption	Proposed Alternate Standard	Benefit
<p>Title IV, KCC, Chapter 8, Article 4, Section 8-4.4 (c), <u>Development Standards for Residential Structures Which Involve the Subdivision of Land Multi-Family</u></p>	<p>1. Minimum Lot Size: 10,000 Sq. Ft.                      2. Setback (Rear): Minimum of 10 Ft.                      3. Minimum Lot Width: 80 Ft.                      4. Minimum Lot Length: The average length of any lot shall not exceed three times its average width</p>	<p>1. Minimum Lot Size: 8,000 Sq. Ft.                      2. Setback (Rear): Minimum of 5 Ft.                      3. Minimum Lot Width: 60 Ft.                      4. Minimum Lot Length: The average length of any lot shall not exceed five times its average width</p>	<p>Maximize buildable land area</p>
<p>Title IV, KCC, Chapter 8, Article 4, Section 8-4.5 (a) (4), <u>Standards of Development Applicable to all Residential Development</u></p>	<p>A minimum of two (2) off-street parking spaces per dwelling unit shall be provided</p>	<p>A minimum of one and one (1) off-street parking spaces per dwelling unit shall be provided</p>	<p>Maximize buildable land area and encourage bike and multimodal transportation</p>
<p>Title IV, KCC Chapter 9, Article 3, Section 9-2.3 (e) (3), <u>Streets</u></p>	<p>Curbs, gutters, sidewalks on all proposed streets within or abutting the subdivision.  If the requirement of sidewalks is waived, the developer shall be required to pay a fee in lieu of required sidewalk construction.</p>	<p>Install vegetated swales and pedestrian walkways on all proposed streets within or abutting the subdivision.  All applicable fees waived</p>	<p>Cost savings, increase green space, promote green sustainable features, and encourage healthy lifestyles with walkable and bikeable paths.  Cost savings</p>
<p>Title IV, KCC Chapter 9, Article 3, Section 9-3.2 (b), <u>Filing fees for Preliminary Subdivision Map Approval and Section 9-3.7(c) Construction Inspection fee</u></p>	<p>Required fees</p>	<p>All applicable fees waived</p>	<p>Cost savings</p>
<p>Title IV, KCC Chapter 9, Article 2, Section 9-2.11, <u>Blocks</u></p>	<p>Maximum block length of four hundred and fifty feet (450') in Residential Districts</p>	<p>Increase maximum block length to eight hundred feet (800') in Residential Districts</p>	<p>Maximize buildable area and cost savings</p>

Housing

COUNTY OF KAUAI  
HOUSING AGENCY

COUNTY COUNCIL

17 JAN 17 A9:02 COUNTY OF KAUAI

# Resolution No. 2017-12

## RESOLUTION AMENDING RESOLUTION NO. 2016-53, APPROVING THE LIMA OLA WORKFORCE HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, THAT:

SECTION 1. Resolution No. 2016-53, is hereby amended in its entirety to read as follows:

“WHEREAS, the Kauai County Housing Agency (“Housing Agency”) proposes the development of the Lima Ola Workforce Housing Project (“Project”) and related improvements on approximately seventy-five (75) acres of County-owned land in ‘Ele‘ele, Kauai, Hawaii, identified as Tax Map Key [(4) 2-1-001:027] (4) 2-1-001:054; and

WHEREAS, the proposed project will provide up to five hundred fifty (550) affordable housing units for Kauai residents, providing single-family and multi-family units that are affordable to households earning from eighty percent (80%) and below to one hundred forty percent (140%) of the Kauai median household income; and

WHEREAS, the Project is being developed in four phases to provide needed affordable housing to meet the current and projected future demand for affordable housing supply; and

WHEREAS, on August 5, 2016, the Housing Agency submitted the 201H Exemption Application (“Application”) for the Project to the Kauai County Council (“Council”) requesting approval of the Project exemptions pursuant to Section 201H-38, Hawaii Revised Statutes (“HRS”); and

WHEREAS, Section 201H-38, HRS, provides for the development of affordable housing, where housing projects may be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; provided that the project meets minimum requirements for health and safety; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project exemptions by resolution within forty-five (45) calendar days after the Housing Agency has submitted the Application to the Council, which submittal occurred on August 5, 2016; and

WHEREAS, pursuant to Section 4.02 of the Charter of the County of Kauai, the Council is authorized to act by resolution; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, THAT:

1. Based upon the transmittals and the representations of the Housing Agency, the Council approves the Project exemptions as submitted to the Council on August 5, 2016, pursuant to Section 201H-38, HRS, provided that the Housing Agency shall comply to all statutes, ordinances, charter provisions, and rules of government agencies relating to planning, zoning, construction standards, for subdivisions, development and improvement of land, and the construction of units thereon, except for the requested Project exemptions specified in Exhibit "1," which is attached hereto and made a part hereof; and

2. The General Plan amendment, Preliminary Zoning Map, and Preliminary Subdivision Map for the Project shall be deemed approved by the Council if the final zoning and the final subdivision plans do not substantially deviate, as determined by the Housing Director, from the Preliminary Zoning Map and the Preliminary Subdivision Map submitted to the Council. Any substantial deviation from the Preliminary Zoning Map or the Preliminary Subdivision Map shall be submitted to the Council for prior approval. The Preliminary Zoning Map and the Preliminary Subdivision Map submitted in the Application shall constitute the zoning and subdivision plan for the Project.

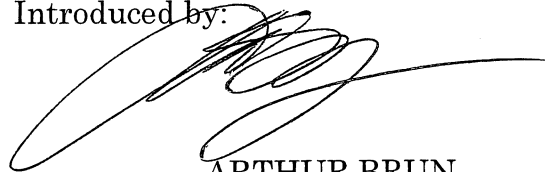
BE IT FINALLY RESOLVED, that certified copies of this Resolution be transmitted to the County Engineer, the Planning Director, and the Housing Director."

SECTION 2. Material to be deleted is bracketed. New material is underscored. Exhibit "1" is incorporated herein by reference.

SECTION 3. This Resolution shall take effect upon its approval.

SECTION 4. Certified copies of this Resolution shall be transmitted to the County Engineer, the Planning Director, and the Housing Director.

Introduced by:



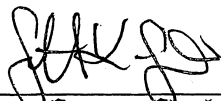
ARTHUR BRUN  
(By Request)

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	Aye	Ray	Excused	Recused
Brun	X			
Chock	X			
Kagawa	X			
Kaneshiro	X			
Kawakami	X			
Kapozo	X			
Dukimura		X		
<b>Total</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>

**Certificate Of Adoption**

We hereby certify that Resolution No. 2017-12 was adopted by the Council of the County of Kaua'i, State of Hawai'i, Lihu'e, Kaua'i, Hawai'i, on January 12, 2017.

  
Deputy County Clerk  
Dated January 13, 2017

  
Chairman & Presiding Officer