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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

May 14, 2021

Mr. Lance Collins, Chair  
and Members of the Charter Commission  
c/o Department of the Corporation Counsel  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair Collins and Members of the Charter Commission:

**SUBJECT: 201H AFFORDABLE HOUSING PROJECT  
REQUIREMENTS**

May I respectfully request your consideration for the following proposed amendment to the Charter of the County of Maui:

“ARTICLE 13  
GENERAL PROVISIONS

**Section 13-17, 201H Affordable Housing Projects.**

1. Projects under chapter 201H, Hawaii Revised Statutes, are subject to the requirements of this Article. Where the terms of this Article and chapter 201H are in conflict, the stricter provisions will control.
2. Projects under chapter 201H, Hawaii Revised Statutes, are required to provide a minimum of seventy-five percent of the total dwelling units for very low, low, below-moderate, moderate, and above-moderate income households, unless a lower percentage, which is greater than fifty percent, is approved by council resolution."

As you may be aware the above language was taken from Bill 10, (2021) Draft 1, (Bill 10) that was vetoed by Mayor Victorino and the Council was unable to override the veto.

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The purpose of Bill 10 is to encourage developers to assist county residents by creating additional affordable housing through proposed 201H projects.

As you can see in the proposed language, the measure simply “asks” for more affordable housing, it does not mandate it. Since developers are benefiting from expedited permit review, waiving of permits and exemption from fees and assessments, it seems only right to ask for more affordable units since they realize financial benefits from the 201H program.

Testimony on Bill 10 was divided by developers opposing the bill and families in need that supported the bill. The Council majority consistently voted with the families in need.

I believe if this matter is placed before the electorate it will generate support from people that are need of clean, safe and truly affordable housing. Therefore, I respectfully request your consideration of this proposed Charter amendment to help encourage the creation of more affordable housing.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Molina". The signature is written in a cursive, flowing style.

MICHAEL J. MOLINA  
Councilmember