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**DEPARTMENT OF PLANNING**  
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## **SUBDIVISION ASSESSMENT**

### **I. SOURCES OF AUTHORITY**

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Some of the sources of authority and reference for the **Subdivision Assessment** are listed below:

- [Article 11](#), Hawaii State Constitution.
- [Chapter 205](#), Hawaii Revised Statutes.
- [Title 18 Subdivisions and Title 19 Zoning](#), Maui County Code (MCC).
- [Countywide Policy Plan](#), [Maui Island Plan](#), the various [Community Plans](#), and [Community Plan Maps](#).

A fillable and savable PDF version of this application may be downloaded from the Department of Planning section of the County of Maui website, under "[Development Permits, Applications & Reviews](#)", subdivision section. [www.mauicounty.gov](http://www.mauicounty.gov).

### **II. PURPOSE**

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This assessment form is used as an aid in the review of all subdivisions pursuant to Maui County Code (MCC) Chapter 18.04 and Title 19, for consistency with the Countywide Policy Plan, Maui Island Plan, Community Plans, land use ordinances, the provisions of the Maui County Code, and other laws relating to the use of land.

No subdivision application shall be approved unless the Department finds that the Subdivision is consistent with the Countywide Policy Plan, the Maui Island Plan, the applicable Community Plan, land use ordinances, the provisions of the Maui County Code, and other laws relating to the use of land.

This assessment is not required if confirmation is provided from the Department of Public Works that one of the following exclusions of Section 18.04.030 of the Maui County Code applies:

1. Subdivisions created solely for the purpose of dedicating land to the County or State or for lands otherwise acquired by the County or the State for public purposes;
2. Subdivisions for affordable housing or park purposes where the county is the applicant;
3. Subdivisions created solely for designating roadway or access easements;
4. Consolidations and resubdivisions where no additional developable lots are created; or
5. Large lots in subdivisions containing one or more large lots where the large lot(s) are inconsistent with the aforementioned plans, ordinances, codes, and law, provided that the owners, their heirs, executors, and assigns of the subdivision execute an agreement with the director to have each large lot be consistent with said plans, ordinances, codes, and laws then in effect upon actual development of the large lot, or future subdivision into lots which do not fall within the large lot definition.

Subdivisions of agriculturally designated lands involve an additional review to include, but not limited to, the following:

1. The Countywide Policy Plan under Promoting Sustainable Land Use and Growth Management, objective 2, address the intent to:
  - a. To protect prime, productive and potentially productive agricultural lands to maintain the islands' agricultural and rural identities and economies.
  - b. Provide opportunities and incentives for self-sufficient and subsistence homesteads and farms.
  - c. Discourage developing or subdividing agriculturally designated lands when non-agricultural activities would be primary uses.
  - d. Conduct agricultural-development planning to facilitate robust and sustainable agricultural activities.
  - e. Inventory and protect prime, productive, and potentially productive agricultural lands from competing non-agricultural land uses.
2. Maui County Code, Chapter 19.30A.010, addresses the intent to:
  - a. Reduce the land use conflicts arising from encroachment of nonagricultural uses into agricultural areas;
  - b. Mitigate rising property values of farm lands to make agricultural use more economically feasible;
  - c. Discourage developing or subdividing lands within the agricultural district for residential uses, thereby preserving agricultural lands and allowing proper planning of land use and infrastructure development; and
  - d. Discourage establishment of nonagricultural subdivisions.
3. The shape or configuration of each lot in a subdivision should be designed to maximize the potential for agricultural use, including when steep slopes are involved.

### III. SUBDIVISION ASSESSMENT CHECKLIST

- Complete and submit all items below. Incomplete & subpar assessments will delay their processing.
- Include a cover page with your contact information and property information including the subdivision number.

#### 1. ALL SUBDIVISIONS, submit a detailed report addressing items A, B, & C below:

A. Provide a **Countywide Policy Plan Analysis** of the project to demonstrate that the proposed development is consistent with each of the **relevant goals, objectives, policies and actions** of the Countywide Policy Plan.

B. Provide a **Community Plan Analysis** of the project to demonstrate that the proposed development is consistent with each of the **relevant standards, goals, objectives and policies** of the respective Community Plan.

**NOTE:** In your analysis of the project against both item (A), the **Countywide Policy Plan Analysis** and item (B), the relevant **Community Plan Analysis**, include the following basic formatting:

1. Identify the page number of each relevant item (standard, goal, objective, policy or action).
2. Include a quote of each relevant item (standard, goal, objective, policy or action).
3. Following each relevant quoted item, provide an analysis of the project, showing:
  - a. How the project is consistent with the quoted item,
  - b. What will be done to make the project consistent, and / or
  - c. What will be done to mitigate any possible inconsistencies.
4. Provide an overall summary stating how the proposed subdivision is consistent.

The [Countywide Policy Plan](#) and the County of Maui [Community Plans](#) can be purchased from the County of Maui Department of Planning, or viewed on the County's web site at [www.mauicounty.gov](http://www.mauicounty.gov), or viewed by clicking on the links in the PDF version of this document.

C. Provide **photographs** identifying the area of the subdivision, which should be comprehensive enough such that a site visit of the property would not be required. At a minimum, the photographs should include:

1. The site,
2. Any existing structures,
3. If drainage ways or gulches are on the property, include photos of the deepest parts of the gulch and the slopes into the gulch, and
4. For agricultural lots, any current agricultural activity.

**NOTE:** All photographs should be printed on standard sized paper, 8½" by 11", up to four photos per page is acceptable.

#### 2. FOR SUBDIVISIONS OF AGRICULTURAL LANDS ONLY, address items A & B below:

A. Submit a modified **Subdivision Plat**. Use the Subdivision Plat that was submitted with the subdivision application and submit a modified version of that plat showing the area of each lot intended for agriculture use.

Include the following items on the modified subdivision plat:

1. Markings showing the area of each lot to be used for agriculture,
2. The type(s) of agricultural use, and
3. The percent AND acres of land on each lot to be used in agriculture.

**NOTE:** The area used for a main and second farm dwelling, required parking, and yard, cannot be counted as part of the area used for agriculture (51% or more of each lot shall be for agricultural use).

B. Submit a thorough **Agricultural Assessment** addressing in detail, each of the following items:

1. Explain how the proposed subdivision supports each of the specific purposes and intents of [Chapter 19.30A.010, Maui County Code](#) and what is being done to mitigate potential conflicts.
2. What is the general soil capability and productivity of the site and vicinity?  
*Data may be used from the Land Study Bureau's book entitled Detailed Land Classification - Island of Maui or the United States Department of Agriculture USDA Soil Survey of the State of Hawaii.*
3. Describe the existing irrigation and water sources for each of the proposed lots, **-OR-** If water is not currently available to each of the proposed lots, describe the irrigation and water sources that will be developed for each lot.
4. Provide an explanation of any existing agricultural activities and an analysis on how the proposed subdivision will support the existing agricultural activities taking place on the subject property.
5. Provide an analysis of the agricultural activities that are suitable for the proposed subdivision (consider lot sizes & configurations, soil productivity, water availability, economic feasibility, topography, etc.).
6. For lots with steep slopes, provide an additional analysis showing how the lots have been configured to maximize access to all areas of each individual lot (for agricultural purposes).