

COUNTY OF MAUI  
DEPARTMENT OF PLANNING  
2200 MAIN STREET, SUITE 619  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 270-8205 FAX: (808) 270-7634

### CLUSTER HOUSING DEVELOPMENTS

SOURCE OF LEGAL AUTHORITY: Chapter 19.83, Maui County Code, as amended.

### INFORMATIONAL SHEET

The purpose of cluster housing developments is to allow development of housing sites which would otherwise be difficult to develop under conventional County subdivision standards; allow flexibility in housing types, including attached units; encourage innovative site design and efficient open space; minimize grading by allowing private roadways, narrower roadway widths, and steeper grades than otherwise permitted; provide common amenities when appropriate; and encourage affordable housing as defined in chapter 2.86 of the Maui County Code.

The intent of cluster housing developments is to allow administrative review and approval by the directors of public works and planning, thereby streamlining the development process in order to reduce development costs to the developer and thus housing costs to the consumer.

**Preliminary Conceptual Review:** Prior to submission of a cluster housing application, the applicant may undergo a twenty-one day preliminary conceptual review of the project with the of planning in accordance with the following:

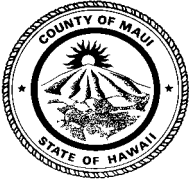
1. Submittal of a preliminary site plan drawn to scale showing the following:
  - a) Approximate location and dimensions of all proposed structures, roadways, common open areas and recreational facilities.
  - b) A conceptual landscaping plan, with existing contours at vertical intervals of five feet where the slope is greater than ten percent, and contours not more than two feet where the slope is less than ten percent. Any areas designated for grading shall be indicated and approximate amounts of cut or fill shown.
2. This review shall indicate the Director's comments on the basic project concept, the number and general location of all dwelling units and other structures, the location of all common areas and the preliminary landscape plan.
3. The applicant should check with appropriate agencies on availability of utilities and public services.

#### **Processing of Application:**

The Planning Director shall either approve, approve with modifications, or deny, stating in writing the reasons for such action. The Director shall use the following criteria:

1. The applicant's compliance to the provisions of the chapter 19.83 and title 18 of the Maui county code.
2. The applicant's compliance with requirements of other government agencies.
3. Assurance that the proposed development will be of a quality and character compatible with surrounding land uses and will not have a detrimental effect on the health, safety and welfare of persons living or working in the area, as would any use or uses generally permitted in the district.





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**APPLICATION TYPE: CLUSTER HOUSING DEVELOPMENT**

DATE: \_\_\_\_\_ VALUATION: \$ \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

PROPOSED DEVELOPMENT: \_\_\_\_\_

TAX MAP KEY NO.: \_\_\_\_\_ CPR/HPR NO.: \_\_\_\_\_ LOT SIZE: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

OWNER: \_\_\_\_\_ PHONE:(B) \_\_\_\_\_ (H) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

OWNER SIGNATURE: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE (B): \_\_\_\_\_ (H): \_\_\_\_\_ FAX: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_

AGENT NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE (B): \_\_\_\_\_ (H): \_\_\_\_\_ FAX: \_\_\_\_\_

EXISTING USE OF PROPERTY: \_\_\_\_\_

CURRENT STATE LAND USE DISTRICT BOUNDARY DESIGNATION: \_\_\_\_\_

COMMUNITY PLAN DESIGNATION: \_\_\_\_\_ ZONING DESIGNATION: \_\_\_\_\_

OTHER SPECIAL DESIGNATIONS: \_\_\_\_\_

**CLUSTER HOUSING DEVELOPMENTS**  
**REQUIRED SUBMITTALS**

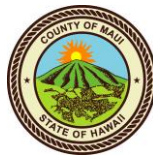
- \_\_\_ 1. Evidence that the applicant is the owner or lessee of record of the real property.
- \_\_\_ 2. A notarized letter of authorization from the legal owner if the applicant is not the owner.
- \_\_\_ 3. Original + 1 copy of a location map showing the project in relation to the surrounding area and the location of all major community facilities within a one-half mile radius of the project.
- \_\_\_ 4. Original + 1 copy of a site plan showing:
  - a) A metes and bounds map of site, prepared and certified by a registered engineer or surveyor, including any deed restrictions.
  - b) Lot layout and approximate dimensions, lot number of each lot, area of each lot, proposed use of each lot, total number of lots and total area of project.
  - c) Locations, names dimensions, approximate gradients and radius of curves of existing and proposed streets within and adjacent to the project; approximate location and area dimensions of existing and proposed easements; existing and proposed drainage facilities; existing and proposed utilities, including sewers, water, electric, telephone and refuse.
  - d) Approximate location of areas subject to inundation or storm water overflow, and all areas covered by waterways, including ditches, gullies, streams and drainage courses within or abutting the site and features such as slide areas or falling boulder areas likely to be harmful to the project or the surrounding area.
  - e) Existing contours at vertical intervals of five feet where the slope is greater than ten percent, and contours not more than two feet where the slope is less than ten percent.
  - f) The finished condition to be achieved by proposed grading to be shown by contours, cross sections, spot elevations or other means, and estimated quantities of cut and fill. Elevations shall be marked on such contours based on established benchmarks.
  - g) Approximate location and general description of any historical or significant landmarks or other natural features, and trees with a trunk diameter of six inches or more at five feet above ground, and an indication of the proposed retention or disposition of such measures.
  - h) Location, size, spacing, setbacks and dimensions of all existing and proposed structures, and improvements, including the number and type of dwelling units.
  - i) The shoreline, shoreline setback lines, beach access and stream and other setback lines, when applicable.
  - j) Location with notations, and the sizes of all parcels of land, including streets, improvements, facilities and easements, proposed to be dedicated to the county, or whether the streets, improvements, facilities and easements are to be private.

k) Number and location of dwelling units and guest parking (covered and uncovered).

l) Abutting land uses.

- \_\_\_ 5. Original + 1 copy of architectural drawings showing elevations, sections and dimensions of buildings and units.
- \_\_\_ 6. Landscape plan showing location, type and size of existing and proposed new vegetation.
- \_\_\_ 7. Photographs of the site, surrounding properties, and relationship of the site to the nearest public roadway.
- \_\_\_ 8. **Non-refundable filing fee** (see Fee Schedule, Table B), payable to *County of Maui, Director of Finance*.

After reviewing Items 3-6, and upon deeming the information to be sufficient for agency review, the Planning Department will notify the applicant as to how many additional copies are needed.



## ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
PROJECT NAME \_\_\_\_\_ E-MAIL \_\_\_\_\_  
PROPERTY ADDRESS \_\_\_\_\_ TAX MAP KEY \_\_\_\_\_

Yes  No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?  
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:

A)  Yes  No Will it be processed under a consistency exemption from [Section 18.04.030\(B\), MCC?](#)  
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) \_\_\_\_\_

B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law):  
\_\_\_\_\_

- INSTRUCTIONS:**
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
  - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
  - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

**LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: <sup>1</sup>**

**STATE DISTRICT:**  Urban  Rural  Agriculture  Conservation  (SMA) Special Management Area

**MAUI ISLAND PLAN** Growth Boundary: <sup>2</sup>  Urban  Small Town  Rural  Planned Growth Area  Outside Growth Boundaries

Protected Area: <sup>2</sup>  Preservation  Park  Greenbelt  Greenway  Sensitive Land  Outside Protected Areas

**COMMUNITY PLAN:** <sup>2</sup>  (PD) Planned Development

**COUNTY ZONING:**  (PH) Project District

OTHER/COMMENTS:  See Additional Comments (Pg.2)

**FEMA FLOOD INFORMATION:** A Flood Development Permit is required if any portion of a parcel is designated V, VE, A, AO, AE, AH, D, or Floodway, and the project is on that portion.  See Attached LUD Map

**FLOOD HAZARD AREA ZONES <sup>3</sup>** & BASE FLOOD ELEVATIONS:

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: \_\_\_\_\_

**SUBDIVISION LAND USE CONSISTENCY:**  Not Consistent, (LUDs appear to have NO permitted uses in common).

\_\_\_\_\_  Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).

(Signature)  Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

<sup>4</sup> Consistent, (LUDs appear to have ALL permitted uses in common).

<sup>4</sup> Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

<sup>4</sup> Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

- NOTES:**
- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change In Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
  - 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
  - 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
  - 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

**REVIEWED & CONFIRMED BY:**

\_\_\_\_\_ (Signature) \_\_\_\_\_ (Date)

For: John S Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division