Chapter 7: Land Use

Our place under the sun is brief. Our actions will leave an indelible print on the face of the land. Our obligation spans across the history and future of Maui, to those who came before and those yet to come. We must remember we speak for them, as well as for ourselves, to respect their dreams and their rights as well as our own.

The purpose of the land use chapter is three-fold: to provide an overview of Maui’s past and current land use patterns; to explore future land use challenges and opportunities; and to provide policy direction that will enhance Maui’s agricultural lands and protect the rural character and scenic beauty of the countryside. Agricultural lands are a necessary link to self-sufficiency and a diverse economy. In addition, the agricultural landscape contributes to our sense of place and is a part of our island heritage. The island’s small towns are a treasure to be protected. Residents also desire clean, safe, and livable urban environments that provide a high quality of life.
Agricultural Lands

Agriculture is deeply rooted in Maui’s history and will continue to be an important industry from an economic, social, and environmental perspective. Traditional Hawaiian ahupua`a land divisions had a complete ecological system that included agriculture as a basic component. With the arrival of American and European immigrants in the eighteenth century came a new era of Hawaiian agriculture: sugarcane and pineapple. These industries drove Maui’s economy for over 90 years, having long-lasting impacts on the island’s people, land, and water. Within the past two decades, Maui has experienced a decline in sugarcane and pineapple production, and an increase in the cultivation and sale of diversified crops. Although Maui’s agriculture has evolved over the years, its importance remains constant.
Background Information

This chapter of the MIP draws on a series of technical papers that provide background information and policy direction for the future. The following studies and reports are available at the Maui County Planning Department’s Long Range Planning Division:

4. Land Use Forecast, Island of Maui, Maui County General Plan 2030, November 2006 (PlanPacific, Inc.); and

Vital Component of Economy

Agriculture creates a diversity of jobs, generates tax revenues, and produces a variety of crops for different local and export markets. While agriculture ranks behind tourism and retail business in terms of market value, its contributions to the economy are significant. In 2007, the total value of crop sales in Maui County approached $139 million and the agricultural industry provided 1,700 jobs. Agriculture also benefits Maui’s tourism industry by providing green landscapes and enhancing the island’s sense of place.

Food and Energy Security

Although Maui has an ideal climate and location for crop production, according to the Hawai`i Business Magazine (April 2005) nearly 90 percent of our State’s food is imported. Diversified local food production can help buffer our food supplies by reducing our dependency on imported foods. Moreover, local agriculture can deliver fresher, and more flavorful and nutritious alternatives when compared to many mainland and foreign agricultural products. Energy crops are an emerging agricultural industry that has the potential to significantly increase Maui’s energy security and the demand for agricultural land.

Stewardship of Land and Water

Unlike urban development, agriculture protects land use options for future generations. In addition, agriculture gives residents a connection to the land and promotes the stewardship of natural resources.

Open Space Implications

A desirable attribute of agricultural land, whether in active production or not, is that it is considered to be open space, often green and scenic. It thus plays an important role in Maui’s beautiful landscape. In 2006, Maui County had over 244,000 acres of land designated for agricultural use within the State Land Use District.\(^1\)

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\(^1\) Department of Agriculture (2008). *Statistics of Hawai`i Agriculture.*

The State and County have enacted zoning laws to protect agricultural resources and promote agricultural activities; nevertheless, there remain numerous challenges within the industry.

When additional Urban District lands are needed to accommodate growth, it is almost inevitable that agriculturally zoned land will be converted. It is the "default" zoning or district on the island, and it most often borders our urbanized areas. While providing housing and jobs is desirable and necessary to meet the needs of our residents, there is also a corresponding loss of agricultural land.

Urbanization is not the only factor contributing to the loss of viable agricultural land. Commercial farming is a business venture where the ability to make a profit is a necessity. If the business is not profitable, it will stop operating and the assets will be used differently. Residential development and other factors within the agricultural district contribute to the loss of agricultural land productivity and profitability:

- **Diminished Production Capacity.** Fragmentation of agricultural parcels affects the agricultural production capacity of the land. Noncontiguous and fragmented agricultural parcels offer less economy-of-scale for production and marketing and make it more difficult to justify the cost of agricultural investment. When roads, waterlines, and other infrastructure are introduced into an agricultural area, the expansion of this infrastructure to support more development is likely. Once fragmentation begins, it leads the way to further development of agricultural land.

- **Higher Land Costs to Farmers.** Non-agricultural land uses are viewed by many to be a more profitable investment than agricultural land uses. This perception, coupled with expanding infrastructure, lead to elevated land costs. Those who may consider starting a farming business or expanding their current operation are often unable to afford these higher land costs, thus stifling the viability of agriculture and leaving the land available for urban or rural development.

- **Conflicts with Non-agricultural Land Uses.** Agricultural activities often create noise, odors, dust, and other byproducts that residential neighbors view as nuisances. With encroachment of rural and urban uses adjacent to agricultural land uses, farmers who have operated their farms for decades with few nearby neighbors suddenly find themselves in conflict with new homeowners. This situation may result in higher operating costs for farmers and a higher incidence of further land conversion.

- **Social Changes.** Small farms have traditionally been passed from one generation to the next. As social mores change, commercial farming may be considered by some to be a difficult occupation with an undesirable lifestyle. Where families no longer wish to pursue farming, land may be subdivided and sold.

- **Affordable housing.** Some small farmers desire to pass land on to their children by subdividing and thus providing them with an affordable opportunity for housing. While this directly benefits family members,
fragmenting the original property can result in loss of agricultural productivity as described above. It is more difficult to have a viable farm on a small property than it is on a larger one.

- Water. A reliable and inexpensive source of water is particularly important to keep agricultural lands in production. Without it, farmers cannot predictably plant and harvest, and the land may be good for other uses. Other land uses also compete for available source, including urban, cultural, and conservation uses; and new source development has not kept pace with this demand. Finally, where water is available it is often expensive, as it is treated to potable standards.

Agricultural land management can be enhanced through a directed growth strategy that identifies areas appropriate for development, utilizing tools for agricultural protection such as zoning, transfer and purchase of development rights (TDR/PDR), and Conservation Subdivision Design (CSD).

The Agricultural Zoning District (Chapter 19.30A, MCC) requires a distribution of minimum lot sizes that range from two to forty acres for new subdivisions. The required distribution provides a greater diversity of lot sizes, and has decreased fragmentation of agricultural lands. The Agricultural District Ordinance could be reviewed and revised to further decrease fragmentation by considering such tools as decreasing the number of 2-acre lots, or clustering of the 2-acre lots into smaller parcels, or developing CSD provisions as described below.

Many communities have established TDR programs to protect important agricultural lands and direct development to areas suitable for development.

An Agricultural Land Protection Toolbox

TDR programs allow landowners to sever the building rights from a particular piece of property and sell them...TDR programs strive for two main goals. First, communities can use TDR programs to preserve open space, agriculture, historic buildings or housing. And TDR programs make such preservation more equitable and politically palatable by compensating landowners who lose the right to develop their property.²

The Farm and Ranch Lands Protection Program, or 2002 Farm Bill, is administered by the Natural Resources Conservation Service, U.S. Department of Agriculture, to help farmers and ranchers keep their land in agriculture through the purchase of conservation easements. Grants from this federal program can be used in conjunction with State Legacy Land Conservation Program grants, or other land preservation funds, to permanently protect agricultural land.

CSD requires the preparation of a detailed site assessment to identify important natural resources, cultural sites, agricultural lands, and open space to be preserved during subdivision. Based upon the assessment, a CSD plan is prepared to minimize environmental impacts, protect agricultural land and open space for future generations, reduce the cost of infrastructure, and preserve the land’s natural character. CSD plans are typically required for agricultural subdivisions that exceed a specified number of lots. CSDs should be sparingly used so as not to promote further development of agricultural lands.

The best strategy to protect agricultural lands is to prevent non-agricultural subdivisions and create an environment where agriculture can be profitable (see Chapter 4, Economic Development). Agricultural entrepreneurs require access to support services, affordable and productive agricultural land, and affordable and reliable supplies of irrigation water.

Implementation of the 2009 Maui Agricultural Development Plan will effectuate the following: the implementation of marketing support programs; the expansion of direct marketing opportunities; the identification and implementation of programs to expand access to prime agricultural lands for small- and medium-sized farmers; support for agricultural tourism; the identification of various regulatory and non-
regulatory barriers to industry growth; and transportation of agricultural products to market. The development of additional agricultural parks and the preparation and implementation of the Agricultural Water Plan are of high importance to the viability and growth of agriculture on Maui.

Agricultural parks provide farmers with long-term access to affordable land and water resources to start or expand their operations. Although a considerable amount of agricultural land exists on Maui, much of this land is currently planted in sugar, used for grazing, or owned by developers and investors. For smaller diversified farmers, gaining affordable long-term tenancy to land and water resources can be difficult. Maui’s only agricultural park is located in Kula and provides affordable land leases to farmers. The development of additional agricultural parks would facilitate the expansion of diversified agriculture. Additional agricultural parks will be strategically located throughout the island.

Complementing the Agricultural Development Plan, a comprehensive Agricultural Water Plan will be prepared to ensure that farmers continue to have affordable access to water. The report will address the availability and distribution of non-potable water resources to potential users. The plan should compare costs across user groups and develop strategies to ensure that Maui’s agricultural water is cost competitive with irrigation water available to farmers statewide.

<table>
<thead>
<tr>
<th>SUMMARY OF AGRICULTURAL LAND USE ISSUES</th>
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<tbody>
<tr>
<td>Preserving agricultural lands is important for the long term sustainability of Maui. A few agricultural resource protection challenges and opportunities include:</td>
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<tr>
<td>• Reduction of the conversion of prime and productive agricultural lands to non-agricultural uses</td>
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<tr>
<td>• Innovative planning and regulatory tools to reduce the loss of important agricultural lands</td>
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<tr>
<td>• Investment and incentives, from both the public and private sectors, to make agriculture more profitable</td>
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</tbody>
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<table>
<thead>
<tr>
<th>GOAL, OBJECTIVES, POLICIES, AND ACTIONS</th>
</tr>
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<tbody>
<tr>
<td>Goal:</td>
</tr>
<tr>
<td>7.1 Maui will have a prosperous agricultural industry and will protect agricultural lands.</td>
</tr>
</tbody>
</table>

| Objective: |
| 7.1.1 Significantly reduce the loss of productive agricultural lands. |

| Policies: |
| 7.1.1.a Allow, where appropriate, the clustering of development on agricultural lands when approved as a CSD plan or similar approval mechanism. |
| 7.1.1.b Require, where appropriate, the review and approval of CSD plans prior to the subdivision of agricultural land. |
7.1.1.c Discourage developing or subdividing productive agricultural lands for residential uses in which the residence would be the primary use and any agricultural activities would be secondary uses.

7.1.1.d Consider requirements for public notification and review of the subdivision of agricultural land into four or more lots.

7.1.1.e Focus urban growth, to the extent practicable, away from productive and important agricultural lands.

7.1.1.f Strongly discourage the conversion of productive and important agricultural lands (such as sugar, pineapple, and other produce lands) to rural or urban use, unless justified during the General Plan update, or when other overriding factors are present.

7.1.1.g Further develop the requirements for agricultural assessments found under Section 19.510, MCC.

7.1.1.h Provide incentives for landowners to preserve and protect agricultural lands from development through the use of TDR/PDR, tax credits, easement programs, or similar means.

7.1.1.i Promote the use of U.S.D.A. Farm and Ranch Lands Protection Program grants to fund the acquisition of conservation easements on eligible agricultural lands.

7.1.1.j Require all major developments adjacent to agricultural lands to provide an appropriate and site-specific agricultural protection buffer as part of a required site plan.

7.1.1.k Support and promote the viability of Maui’s agricultural businesses through property tax incentives and other programs and subsidies.

7.1.1.l Encourage future community plan efforts to identify lands within the County Agricultural zoning district that are primarily being used for large-lot residential or rural use and consider such lands for reclassification to an appropriate County Rural zone.

**Implementing Actions:**

7.1.1-Action 1 Implement the Maui Island Directed Growth Strategy.

7.1.1-Action 2 Implement County responsibilities under Acts 183 (2005) and 233 (2008) to designate and establish Important Agricultural Lands (IAL) and the incentives therein.

7.1.1-Action 3 Develop, adopt, and implement TDR and PDR Programs for, productive Agricultural Lands and IALs with a preference given to lands with a current or recent history of productive agricultural uses.

7.1.1-Action 4 Revise the Agricultural District Ordinance to allow for limited clustering and CSD, where appropriate.

7.1.1-Action 5 Revise existing land use regulations to ensure that Prime Agricultural Lands are distinct from rural (primarily residential) land uses.
7.1.1-Action 6  Consider developing or amending regulations to:

1. Reduce the subdivision of agricultural lands by strengthening applicable zoning and subdivision ordinances, and consider the creation of Agricultural categories to better reflect agricultural uses and land use patterns;
2. Require public notification and review of the subdivision of agricultural land into four or more lots; and
3. Require the preparation of a more detailed agricultural impact assessment for changes to the Urban Growth Boundary, Community Plan Amendments, and change in zoning requests of Prime agricultural land as required by Section 19.510, MCC.

7.1.1-Action 7  Utilize farm land trust mechanisms to preserve agricultural lands and family farms.

7.1.1-Action 8  Promote farm profitability by supporting programs or subsidies including:

1. Low-cost, reliable transportation for export agricultural products;
2. Hawaii Farm Bureau Federation, Maui County; and farmers cooperatives;
3. Promotion of locally-grown products to hotels, restaurants, or other segments of the visitor industry;
4. The expansion of marketing efforts such as Grown on Maui to the mainland or Far East markets;
5. Development of new or value-added products; and
6. Property tax incentives for commercial agricultural uses.

Objective:

7.1.2  Reduction of the island’s dependence on off-island agricultural products and expansion of export capacity.

Policies:

7.1.2.a  Coordinate with the agricultural community, associations/community groups, agricultural landowners, and the State to designate IALs.

7.1.2.b  Support an incentive package for productive Agricultural Lands which aims to ensure agricultural viability for small- and commercial-scale agricultural producers.

7.1.2.c  Actively look to acquire land and provide infrastructure to expand the agricultural park and establish new agricultural parks.

7.1.2.d  Support the designation of a research and development area within agricultural parks to help farmers stay attuned to new technology and research.

7.1.2.e  Support local cooperative extension services to facilitate timely technology transfer opportunities.

7.1.2.f  Support plans and programs to develop additional sources of water for irrigation purposes.
7.1.2.g Consider appropriate subdivision requirements (gravel roads, above-ground utilities, etc.) in those subdivisions creating Agricultural Parks where lots are limited to agricultural production with no dwellings.

7.1.2.h Support the recommendations, policies, and actions contained within the Maui Agricultural Development Plan, July 2009, when consistent with the MIP.

7.1.2.i Allow water and tax discounts for legitimate farming operations on rural and agricultural land.

7.1.2.j Give priority in delivery and use of agricultural water and agricultural land within County agricultural parks to cultivation of food crops for local consumption.

7.1.2.k Support programs that control pests and diseases that affect agriculture.

7.1.2.l Support the development of training and apprenticeship programs to encourage an adequate supply of agricultural workers.

Implementing Actions:

7.1.2-Action 1 Identify and acquire productive and community Agricultural Lands that are appropriate for the development of agricultural parks and community gardens in each community plan area.

7.1.2-Action 2 Coordinate with the State Department of Agriculture, the development of an Agricultural Water Strategy, and incorporate an agricultural component in the Water Use and Development Plan.

7.1.2-Action 3 Revise the subdivision ordinance to create appropriate subdivision requirements for agricultural parks, and to promote research and development activities.

7.1.2-Action 4 Coordinate with industry stakeholders to develop alternative sources of irrigation water including wastewater reuse, recycled stormwater runoff, and brackish well water.

Objective:

7.1.3 Support and facilitate connectivity between communities.

Policies:

7.1.3.a Evaluate the impact of gated communities on interconnectivity.

7.1.3.b Discourage land use and urban design that impedes interconnectivity between adjacent communities.
Rural and agricultural lands are intrinsically linked by their physical, economic, and cultural connections. Rural communities and agricultural activities evolved to form a symbiotic relationship: each land use benefits from the other. Rural areas supply agricultural operations with labor, commercial and civic services, and a local market for agricultural goods. Conversely, agricultural areas provide rural communities with employment opportunities, local agricultural products, and a connection to a rural lifestyle. The linkages between rural and agricultural land uses dictate that the consequences of policy decisions for one must consider the implications to the other.
Background Information

Traditional rural lifestyle and settlement patterns are distinct from urban and suburban areas as a result of their strong connection to agricultural land uses. Rural settlement patterns typically consist of small towns, low-density residential development, open space, and an agricultural landscape. Rural towns are often walkable, contain human-scale buildings, cater to the everyday needs of residents, and frequently include an identifiable main street. Expanding out from the town’s center, rural roads follow the natural topography of the landscape and residential development gives way to small and large scale farming and ranching operations.

Rural areas commonly possess a more flexible set of standards for infrastructure and public services. Paved roadways, traffic control, trash removal, telecommunications, emergency response, and utilities are provided at a lower-service-level standard. Reduced levels of service are not only a key characteristic of the rural lifestyle, they are important to the aesthetic and environmental objectives in the countryside.

With a mix of natural landscapes and productive agricultural lands, rural areas offer a high concentration of environmental and cultural resources. Streams, wetlands, floodplains, forestlands, steep slopes, and wildlife are common. Cultural resources include a mix of historic structures, archaeological sites, and important cultural lands. Table 7-1 provides a brief overview of the rural land regulatory controls.

**Table 7 - 1: State and County Regulatory Controls for Rural Lands**

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Purpose</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural District</td>
<td>The State Land Use Law (Chapter 205, HRS) establishes an overall framework</td>
<td>State Rural Districts allow for activities and uses characterized by low-density</td>
</tr>
<tr>
<td></td>
<td>of land use management whereby all lands within the State are classified</td>
<td>residential development and small-scale agriculture. The minimum lot size for</td>
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<tr>
<td></td>
<td>into one of four Districts: Urban, Rural, Agricultural, and Conservation.</td>
<td>residential development within the State Rural District is one-half acre.</td>
</tr>
<tr>
<td>Urban District</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural District</td>
<td>County regulatory control over rural lands stems from the County Zoning</td>
<td>Maui County has a variety of districts that vary in lot size, from 0.5 acres to</td>
</tr>
<tr>
<td></td>
<td>Ordinance (Chapter 19.29, Maui County Code). The purpose of rural districts is</td>
<td>10 acres or more.</td>
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<tr>
<td></td>
<td>to allow for low density development that preserves the country character of</td>
<td></td>
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<tr>
<td></td>
<td>the area, allows for small-scale agricultural operations, and serves as a</td>
<td>Maui County can use a number of districts normally considered &quot;urban&quot; to</td>
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<tr>
<td></td>
<td>transition between urban density development and agricultural lands.</td>
<td>maintain the rural character of our small towns, while achieving desired</td>
</tr>
<tr>
<td>Other County Zoning Districts</td>
<td>Country Town Business District, Chapter 19.15; Residential Districts,</td>
<td>business, public, residential, or other uses.</td>
</tr>
<tr>
<td></td>
<td>Chapter 19.08; Public Quasi-Public District, Chapter 19.31; M-1 Light</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Industrial, Chapter 19.24, MCC; and others.</td>
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</table>
mix of small country towns, limited residential development, productive agricultural operations, and natural lands. However, in recent decades the character of the landscape, stretching from Ha`ikū to `Ulupalakua and beyond, has experienced a marked increase in lower-density residential sprawl.

**Land Use and Planning Management**

*Rural, large lot residential development pattern, Upcountry.*

Standards established by the State and County agricultural and rural districts could do more to protect the character of existing towns, rural resources, lifestyles, and heritage resources. Typical subdivisions utilizing the one-acre and one-half acre minimum lot sizes permitted within the County rural districts are often not compatible with the rural character of the immediate area, but often produce a landscape pattern more appropriately identified as large-lot residential. The County could consider such things as site plan review and open space requirements as a part of their standards.

Implementing a combination of rural planning tools and techniques will help influence the form of future development and mitigate its impact on the rural landscape. Below, two such techniques are summarized.

1. **Low Impact Development (LID):** Conventional stormwater management focuses on directing all runoff to a centrally located management system. This conventional method alters the hydrologic conditions of an area by reducing the dispersed absorption of stormwater across the landscape and channeling the water to an offsite location. Utilizing LID strategies as an alternative to conventional stormwater management encourages a decrease in land and hydrologic disturbances and the stormwater can be used for agricultural purposes and other uses. LID attempts to mimic predevelopment site hydrology by reducing offsite runoff and ensuring adequate groundwater recharge.

2. **Conservation Subdivision Design (CSD):** Applying conventional subdivision models to rural lands typically results in low-density residential development sprawl, which alters the natural landscape and can negatively impact community character. CSD offers an alternative approach to regulating the subdivision process on rural lands. This alternative allows for the clustering of development within a portion of a site while the remainder of the land remains undeveloped and protected. Development potential is not taken away from the developer; rather it is concentrated within a smaller portion of the parcel, allowing for the simultaneous preservation of agricultural land, environmental resources, and open space.
Large portions of the island are rural in identity and lifestyle. Maintaining that identity requires us to address certain challenges and opportunities:

- Low density rural sprawl
- Revision to our land use and planning management
- Development of rural-scale infrastructure in rural areas

**SUMMARY OF RURAL LAND USE ISSUES**

In addition to potential revisions to land use regulations, urban-like infrastructure standards threaten the character of rural areas. The County’s minimum road widths and sidewalk and lighting requirements may be inappropriate for rural areas. The urban-like nature of these requirements diminishes the small-scale, rugged country atmosphere. Pavement standards for roads and parking lots may increase flooding and impact the hydrologic balance. Additionally, urban-like infrastructure and public services in rural areas elevate the cost of providing these services to sparsely populated regions.

County infrastructure system and public service standards must reflect the distinct differences that exist between the needs of urban and rural areas. Creating strong policy statements, which will dictate levels-of-service for rural infrastructure, will guide development in rural areas in a manner that complements the character of the countryside. Levels-of-service standards for infrastructure and public services should protect public health and safety, preserve natural resources, and be financially supportable at rural densities; they should not sustain or encourage urban development. In addition, interconnectivity should be encouraged between rural communities using roadways, greenways, and other forms of byways.

Numerous options exist for revising the rural zoning ordinance to improve the management of rural lands and protect rural landscapes. Rural villages and town centers should be allowed to form in rural areas to provide basic goods and services to more remote areas and to offer lifestyle choices. By utilizing the Country Town Business District, and establishing a Country Residential District, future rural development could be focused into compact village centers bounded by open space, ranching, and active agricultural lands.
**Goal, Objectives, Policies, and Actions**

**Goal:**

7.2 Maui will have a rural landscape and lifestyle where natural systems, cultural resources and farm lands are protected and development enhances and compliments the viability and character of rural communities.

**Objective:**

7.2.1 Reduce the proliferation and impact of residential development outside of urban, small town, and rural growth boundaries.

**Policies:**

7.2.1.a Focus development to areas inside urban, small town, and rural growth boundaries to preserve natural, cultural, and agricultural resources.

7.2.1.b Encourage cluster development with a mandatory buffer requirement/clear edge at the interface of country towns, agricultural uses, and surrounding rural landscapes.

7.2.1.c Encourage or require, where appropriate, CSDs and the use of green spaces/natural separations to protect the character of rural landscapes.

7.2.1.d Encourage basic goods/services in business country towns.

7.2.1.e Allow for mixed uses, including residential uses, within Business Country Town Districts.

7.2.1.f Encourage the use of alternative stormwater management techniques that minimize land disturbance and preserve natural drainage features.

7.2.1.g Encourage green belts, open space buffers, and riparian zones to minimize conflicts between agriculture and residential uses.

7.2.1.h Evaluate the impact of gated communities on inter-connectivity.

**Implementing Actions:**

7.2.1-Action 1 Coordinate with the State to develop and revise regulations for rural development, within the State Rural District, to encourage creative design and sustainable communities.

7.2.1-Action 2 Revise the Country Town Business District Ordinance to allow mixed uses including small-scale residential uses.

7.2.1-Action 3 Create new Country Town Business zoning sub-districts and design guidelines that reflect the unique character and land use patterns of Maui’s Country Towns and that recognize rural villages.
7.2.1-Action 4  Revise subdivision regulations to permit clustering and CSD within the Rural Districts and extend Hawaii Right to Farm Act protections to rural subdivisions.

**Objective:**

7.2.2  More appropriate service/infrastructure standards to enhance and protect the island’s rural character and natural systems.

**Policies:**

7.2.2.a  Minimize impermeable surfaces within rural areas.

7.2.2.b  Protect and support the character, economic viability, and historic integrity of Maui’s small towns.

7.2.2.c  Use infrastructure, public service, and design standards that are appropriate to rural areas.

7.2.2.d  Discourage land use and urban design that impede interconnectivity between adjacent communities.

**Implementing Actions:**

7.2.2-Action 1  Develop and adopt regulations to establish rural infrastructure and public facility LOS standards.

7.2.2-Action 2  Revise stormwater management regulations to allow for LID techniques and potential irrigation uses.

7.2.2-Action 3  Develop and adopt appropriate procedures and standards for the public to review development in County rural zones.

7.2.2-Action 4  Amend Chapter 19.36B, MCC, as it relates to pavement and parking requirements in rural areas.
Urban areas are characterized by a convergence of housing, jobs, civic activities, commercial services, and shopping. Less than five percent of Maui’s lands are within the State Urban District. Prudent planning and managed development within these areas will determine future growth. The character, design, and timing of future growth within Maui’s urban areas will have significant consequences for agricultural lands, rural communities, natural resources, and overall quality of life. Sustainable urban development will be accomplished by supporting infill development, enabling mixed-use development, assuring mobility (especially including alternate modes of transportation) and circulation, and clearly defining town edges. As a result, the MIP will promote vibrant and sustainable communities, economize on infrastructure, and protect open space.
Background Information

Existing urban, rural, and agricultural landscapes are a result of major transformations in the island’s economy, technology, demographics, and population. Over the last half century, Maui’s settlement patterns have become significantly more centralized due, in part, to the mechanization of plantation agriculture and rapid population growth, both of which helped to supply workers for the tourism and resort development industries.

Maui’s existing urban communities are characterized by a mix of commercial, industrial, civic, and residential land uses that support our economy and lifestyle. According to the U.S. Census Bureau, 2010 Census, Maui’s urban communities and their populations are as listed in Table 7-2.

<table>
<thead>
<tr>
<th>Town</th>
<th>2010 Population</th>
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<tbody>
<tr>
<td>Wailuku</td>
<td>15,313</td>
</tr>
<tr>
<td>Kahului</td>
<td>26,337</td>
</tr>
<tr>
<td>Kihei</td>
<td>20,881</td>
</tr>
<tr>
<td>Lahaina</td>
<td>11,704</td>
</tr>
<tr>
<td>Kā`anapali</td>
<td>1,045</td>
</tr>
<tr>
<td>Nāpili-Honokōwai</td>
<td>7,261</td>
</tr>
<tr>
<td>Kapalua</td>
<td>353</td>
</tr>
<tr>
<td>Pukalani</td>
<td>7,574</td>
</tr>
</tbody>
</table>

The three primary urban centers on Maui, measured by the regional distribution of commercial jobs, are Wailuku-Kahului (44 percent), Kihei-Mākena (18 percent), and West Maui (28 percent). Together, these three communities represent 90 percent of all commercial jobs. The island’s primary commercial airport, harbor facility, and hospital are located in Kahului. Kahului also supports the island’s primary industrial zones, large retail centers, and shopping malls. The island’s civic center is located in nearby Wailuku. Kihei-Mākena and West Maui hold the island’s major resort destination areas.

Challenges and Opportunities

There are challenges and opportunities that transcend Maui’s urban communities. Key issues include:

- Building compact, efficient and pleasant communities that meet the affordable housing needs of island residents;
- Fostering self-sufficient, sustainable communities that respect the island’s “sense-of-place”;
- Ensuring the development process is transparent and efficient; and
- Adequately protecting natural and cultural resources within Urban areas.

Maui’s future urban growth will take place in four different physical forms: 1) as infill development; 2) within urban expansion areas; 3) as new towns and settlements; and 4) as orderly infill and expansion of existing country towns and villages. Each development pattern has benefits and costs that will determine the extent and location of their use.

Infill Development

In The Next American Metropolis (1993), Peter Calthorpe states: “infill and redevelopment should always be a central part of a region’s growth policy. It represents the best utilization of our existing infrastructure and the best opportunity to preserve open space.”

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Infill development offers an alternative to conventional development patterns that extend the perimeter of an urban area. Infill development focuses growth into already urbanized areas and creatively utilizes vacant or underdeveloped property. Many of the most successful infill projects provide a mix of uses, are designed to be pedestrian-oriented, and incorporate alternative modes of transportation. The benefits of such projects can be the provision of housing near job centers and transit, increased support for businesses, utilization of established public infrastructure and services, and preservation of urban-fringe natural areas and agricultural land. Infill development can also revitalize a struggling urban area, enhance daily convenience for residents, and foster a sense of place. As illustrated in the following pictures, successful infill development can transform an underused shopping center into a vibrant urban village.

Infill development of an underutilized shopping center allows for creative and beneficial recycling of land.

There are numerous infill opportunities on Maui. Throughout the island’s urban areas, particularly in Kahului, Wailuku, Lahaina, and Kīhei, vacant or underutilized lots could be developed to meet community needs. Future growth can be focused inward to enhance community identity, provide affordable housing, promote convenient access to transit and services, and protect natural areas and agricultural lands.

**Urban Expansion**

Development within urban expansion areas represents one alternative for accommodating future growth on Maui. Urban expansion generally involves the conversion of urban fringe agricultural lands to urban use. These lands typically lie in the path of development, are proximate to existing urban infrastructure and services, and offer favorable topography, which makes development cost-efficient. When developed in a manner that promotes pedestrian and vehicular connectivity, open space, and compact mixed-use development, urban expansion can help strengthen the character and vibrancy of the community.

While urban expansion is oftentimes the most efficient and cost-effective means of accommodating growth, it should be done carefully to prevent sprawl. The location and character of potential urban expansion should be closely scrutinized to prevent land use patterns that consume valuable farmland and open space, and blur the separation between existing communities.

Key areas on Maui, including lands abutting Kahului, Waikapū, Lahaina, and northeast Kīhei, provide opportunities for expanding outward from current urban
settlement. With innovative design and appropriate scale, these urban expansion areas can enhance community identity and address some of Maui’s housing needs.

**New Towns**

Creating new towns in appropriate locations can offer several advantages: 1) protect the unique identity and character of the island’s towns by directing growth away from, rather than adjacent to, existing communities; 2) provide flexibility through the master planning process to design for mixed land uses, interconnectivity, and greenways; and 3) mitigate against sprawl conditions by defining a strong urban boundary and permanently preserving abutting agricultural lands.

While there are many advantages associated with new town development, it can be prohibitively expensive to create a new community. High infrastructure costs associated with new towns can require the development of larger communities to generate the economy-of-scale necessary to make a project feasible. High infrastructure costs may also discourage the development of affordable housing. Additionally, unless developed in response to a primary supporting industry, new towns often become bedroom communities, thus requiring long commutes to employment, and placing considerable strain on nearby public facilities and regional roadways. The development of new towns in remote locations can also facilitate urban sprawl, and impact important environmental and agricultural resources. The Hawai`i State Plan notes that new urban lands should be adjacent to existing urban lands. In *The Next American Metropolis* (1993), nationally recognized planner Peter Calthorpe states: “new towns should only be planned if a region’s growth is too large to be directed to infill and adjacent New Growth Areas.”

Due to the potential challenges, new towns should be carefully analyzed to compare the benefits and costs of new towns to alternative forms of growth. The impact of new towns should be assessed in terms of environmental impact, infrastructure costs and agricultural land conversion. If a new town is created, the physical extent of the town should be defined with clear edges and an urban core should be planned to provide the new community with a distinct identity. Land uses within the new town should be mixed to promote self-sufficiency and a jobs/housing balance.

**Country Town Infill and Expansion**

Existing country towns and villages also have the ability to absorb future growth. The potential for these areas to grow must be weighed carefully against the impacts that both infill and moderate expansion will have on their unique sense of place. In addition, growth and expansion should be carefully reviewed for housing balance, commercial and service availability, and infrastructure impacts.

All four forms of future growth should avoid steep slopes, wetlands, riparian areas, native species habitat, and other environmentally important lands. Many of these areas are separated from existing development and infrastructure and are highly sensitive to disturbance.

The design of the built urban environment will greatly influence the sustainability of all communities and the overall quality of life. The following urban design and physical form principles will play a significant role in shaping growth on Maui:

- Defining town edges and greenbelts;

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• Enabling mixed-use, livable communities;
• Facilitating a jobs/housing balance;
• Assuring mobility and circulation, emphasizing alternate modes of transportation; and
• Designing pedestrian-oriented streets.

Clearly defining the edges of Maui’s towns is essential to guide and shape future growth. As towns expand outward they can grow into other towns and the entire region can become one large urban mass, compromising the unique identity of each individual town and community as a whole.

Maui is home to a number of large and small towns, each with its own history and character. As these towns grow it will be critical to define the physical limits of each town, and restrict growth outside of these limits, to maintain a sense of identity for each individual community while protecting agricultural land, natural resources, and recreation areas.

The majority of Maui’s future growth will be directed into already urbanized areas or proximate to existing urban areas. Therefore, quality design and composition of Maui’s urban centers will be vital for ensuring walkable, bikeable, livable communities.

During the public planning events WalkStory & PlanStory and other recent design charrettes, Maui residents expressed a preference for focusing future growth in existing towns and increasing population densities in appropriate locations as the best way to accommodate growth. The support for urban living was based on neighborhoods that are attractive, safe, user-friendly, and have convenient access to parks and green space. Maximizing livability is vital to making “urban living” an accepted and desired lifestyle on Maui.

The first step in promoting the livability of an urban area is to enable mixed-use commercial, retail, employment, civic, recreational, and educational uses into a pedestrian-scaled community. The mix of uses creates an integrated and multidimensional built-environment that reflects our way of life. Rather than creating an automobile-dependent lifestyle, mixed-use communities bring together our everyday needs into a setting that is scaled to the pedestrian. Mixed-use communities also provide for mixed housing types, lot sizes, and incomes to promote sustainable, walkable, bikeable, livable communities.

Jobs/housing balance is a measure of the harmony between employment and dwelling...
units in a specific area. Striving for this balance by providing housing close to jobs can have many benefits for a community and region, including reduced congestion and commute times, reduction of carbon dioxide emissions, increased opportunities to use alternative modes of transportation, support of a more compact urban form, and reduced costs for infrastructure and services.

Assuring mobility and circulation within and between Maui’s urban areas is an important component of promoting rich urban design and human-scale form. Land use patterns and transportation have a very close relationship – land use decisions affect transportation planning, and transportation planning affects land use patterns. Coordination must exist between transportation and land use planning decisions so they are complimentary rather than contradictory. When designing new communities, expanding current communities, or increasing density in existing communities, ensuring mobility and circulation must be a top priority. Providing for efficient movement of all levels of transportation – automobile, public transit, bike, and pedestrian – is essential to assuring the livability of a community. Parking management is also an important part of assuring mobility and circulation within Maui’s urban areas. The development pattern depicted in Figure A is efficient and conducive to pedestrian mobility, while the development pattern in Figure B is shaped by large-surface parking lots that dominate the built environment and inhibit pedestrian mobility.

Street connectivity and parking management are key elements of promoting good urban design.

![Figure A and Figure B](image)


Current parking requirements often result in large surface parking lots dominating urban landscapes. To effectively address the storage of automobiles in urban areas a comprehensive parking management strategy and revision of parking standards to reduce requirements for mixed-use projects, allow for joint-use parking, and payment of cash-in-lieu fees to support centralized parking would have a mitigating effect.

The layout and design of streets has a significant impact on the character, form, and
livability of communities. As Allan Jacobs, author of *Great Streets*, eloquently stated:

“It is not surprising that, given their multiple roles in urban life, streets require and use vast amounts of land. In the United States, from 25 to 35 percent of a city’s developed land is likely to be in public right-of-way, mostly streets. If we can develop and design streets so that they are wonderful, fulfilling places to be, community building places, attractive public places for all people of cities and neighborhoods, then we will have successfully designed about 1/3 of the city directly and will have an immense impact on the rest.”

Streets are one of the most basic elements of urban form – they play a significant role in shaping the framework and character of neighborhoods. Inappropriate street design can encourage speeding, limit pedestrian mobility, and degrade the aesthetic quality of the built environment. Well-designed streets generally have the following characteristics:

- Proper proportion and width;
- Relationship to adjoining buildings and setbacks;
- Shade;
- Sidewalks;
- Street trees;
- Lighting;
- On-street parking;
- Parking at rear of building; and
- Bike paths, bike lanes, and greenways.

The County’s principal role in the management of the visitor industry involves regulation of land uses, including the location and number of visitor units and resort real estate, the management of commercial attractions for visitors, and the perpetuation of local culture by reviewing new project proposals for cultural sensitivity. The County also provides roads, parks, police and fire protection, and other services that benefit the visitor industry.\(^6\)

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**SUMMARY OF URBAN LAND USE ISSUES**

- Compact, efficient, human-scale communities
- Self-sufficient, sustainable communities
- Transparent planning process

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**LAND USE**

**GOAL, OBJECTIVES, POLICIES, AND ACTIONS**

**Goal:**

7.3 Maui will have livable human-scale urban communities, an efficient and sustainable land use pattern, and sufficient housing and services for Maui residents.

**Objective:**

7.3.1 Facilitate and support a more compact, efficient, human-scale urban development pattern.

**Policies:**

7.3.1.a Ensure higher-density compact urban communities, infill, and redevelopment of underutilized urban lots within Urban Growth Boundaries.

7.3.1.b Maintain a distinct separation between communities, such as but not limited to, Wailuku and Waikapū; Wailuku and Waihe‘e; Pukalani and Makawao; Pukalani and Kula; Makawao and Hāli‘imaile; Lahaina and Kā‘anapali; Kīhei and Mā‘alaea; and Mā‘alaea and Waikapū, to protect the character and identity of Maui’s communities.

7.3.1.c Strengthen evaluation requirements for new urban expansion, new towns, and major urban infill projects within urban growth areas. Tailor submittal requirements to reflect the impact or scale of different projects.

7.3.1.d Ensure future amendments to urban growth boundaries achieve the following: (1) provide a beneficial extension of the existing community; (2) are in areas where it is cost-effective to provide and operate infrastructure/public service facilities; and (3) do not promote automobile-oriented land use patterns.

7.3.1.e Evaluate the impact of gated communities on inter-connectivity.

7.3.1.f Encourage the development and implementation of neighborhood design standards that are environmentally friendly, such as LEED for Neighborhood Development (LEED – ND) standards.

7.3.1.g Discourage future pyramid zoning within the industrial zoning districts, while allowing accessory commercial uses and grandfathering existing uses.

7.3.1.h Promote agriculture by encouraging community gardening, community-supported agricultural programs, and farmers markets within and adjacent to urban areas.

7.3.1.i Discourage land use and urban design that impedes inter-connectivity between adjacent communities.

**Implementing Actions:**

7.3.1-Action 1 Establish minimum-density requirements and design standards within urban areas to support higher densities, infill development, and efficient land use patterns.
LAND USE

7.3.1-Action 2  Update zoning and development regulations to achieve the following:

(1) Facilitate environmentally friendly projects (LEED – ND);
(2) Revise the application and reporting requirements in Title 19, Maui County Code (MCC), to strengthen evaluation requirements and establish design guidelines for new urban expansion, new towns, and major projects within UGBs;
(3) Discourage future pyramid zoning within the industrial zoning districts, while allowing ancillary commercial uses; and
(4) Consider the establishment of a new zoning category that strictly defines and limits uses for heavy industrial areas.

Objective:

7.3.2  Facilitate more self-sufficient and sustainable communities.

Policies:

7.3.2.a  When developing new communities, provide sufficient lands for commercial, appropriate industrial, educational, spiritual, and non-profit uses to serve the daily needs of community residents.

7.3.2.b  Site community facilities such as schools, parks, libraries, and community centers within walking and biking distance of residences.

7.3.2.c  Facilitate self-sufficient communities and shorten commutes by:

(1) Directing residential development to job-rich areas;
(2) Allowing for appropriate commercial development and community services to shorten commutes; and
(3) Allowing home occupations or home-based businesses that are compatible with surrounding neighborhoods and lifestyles.

7.3.2.d  Ensure, where appropriate, that affordable employee housing and multi-modal transportation opportunities are located near major employment centers.

7.3.2.e  Discourage the establishment of bedroom communities where long commutes are required to employment centers.

7.3.2.f  Facilitate the development of housing by focusing projects in locations where land and infrastructure costs facilitate the development of affordably-priced housing.

7.3.2.g  Provide incentives to facilitate the development of multifamily housing.

7.3.2.h  Encourage the placement of rental housing projects in the same areas as for-sale housing to facilitate mixed-income communities.

7.3.2.i  Develop communities that provide sufficient parks, schools, libraries, and other essential public facilities and services to serve resident needs.

7.3.2.j  Promote agriculture by encouraging community gardening, edible landscaping, community-supported agricultural programs, and farmers markets within and adjacent to urban areas.
Implementing Actions:

7.3.2-Action 1  Develop and adopt a TDR Ordinance and a formal TDR program, and identify receiving areas within urban growth boundaries.

7.3.2-Action 2  Amend the zoning ordinance to:
(1) Reduce minimum lot sizes in urban areas;
(2) Encourage a mix of single-family and multifamily lots within the same development; and
(3) Facilitate the establishment of mixed-use towns/village centers.

7.3.2-Action 3  Update regulations to promote community gardens and edible landscapes.

7.3.2-Action 4  Consider standards to regulate the location, design, and massing of big-box retail stores.

7.3.2-Action 5  Amend the Maui County Code (MCC) to reduce parking requirements, where appropriate, in mixed-use projects, encourage joint-use parking, and allow for the use of innovative methods to meet peak parking needs.

7.3.2-Action 6  Revise the zoning ordinance to allow for mixed-use development that is appropriate and in character with the existing community.

Objective:

7.3.3  Strengthen the island’s sense of place.

Policies:

7.3.3.a  Protect and enhance the unique architectural and landscape characteristics of each community.

7.3.3.b  Encourage Hawaiian architecture and tropical building designs.

7.3.3.c  Support the continued revitalization of historic country towns, Wailuku Town, and Kahului’s commercial core and harbor-front without displacing traditional, cultural, recreational and customary uses.

7.3.3.d  Strongly encourage the preservation of buildings, structures, and sites of historic significance.

7.3.3.e  Require community input through Design Workshops for major new urban expansion, new towns, and major urban infill projects.

7.3.3.f  Require design enhancement, landscaping, and integration of park and rides, bicycle parking areas, and mass-transit infrastructure to mitigate the effect of parking lots and structured parking on the urban landscape.

7.3.3.g  Ensure that safe and attractive public spaces (e.g., plazas, parks, town/village squares) are provided throughout the island’s urban areas.
Implementing Actions:

7.3.3-Action 1 Implement the Wailuku Redevelopment Plan, and subsequent updates, and formulate plans for other appropriate areas.

7.3.3-Action 2 Develop and adopt regulations to require Urban Design Review Board review of all major urban expansion, new towns, and urban infill, and redevelopment projects.

7.3.3-Action 3 Prepare general Urban Design Guidelines for Central, South, and West Maui.

7.3.3-Action 4 As part of the Community Plan updates, prepare streetscape, pedestrian/bikeway/transit circulation, redevelopment and infill, and greenway infrastructure and master plan elements.

7.3.3-Action 5 Develop community planning processes to establish standards and priorities for streetscape beautification, public amenities, pedestrian and bicycle circulation, parking, redevelopment target areas, transit amenities, and sense of place and building form/design guidelines.

Objective:

7.3.4 Strengthen planning and management for the visitor industry to protect resident quality of life and enhance the visitor experience.

Policies:

7.3.4.a Discourage the conversion of hotel units to timeshares and fractional ownership.

7.3.4.b Monitor and manage the amount of, and impacts from, timeshares and fractional ownership.

7.3.4.c Manage short-term rentals and bed-and-breakfast homes through a permitting and regulatory process in accordance with adopted ordinances and community plan policies.

7.3.4.d Limit large-scale resort development to the four existing resort destination areas of Wailea, Mākena, Kapalua and Kā`anapali. “Large Scale Resort” is defined as complexes that include multiple accommodation facilities, activity businesses, retail complexes, and other amenities.

Implementing Action:

7.3.4-Action 1 Define and map the Resort Destination Areas of Wailea, Mākena, Kapalua, and Kā`anapali.

Objective:

7.3.5 Ensure that Maui’s planning and development review process becomes more transparent, efficient, and innovative.
## Policies:

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<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>7.3.5.a</td>
<td>Encourage greater community involvement in land use planning and decision making.</td>
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<td>7.3.5.b</td>
<td>Establish a predictable and timely development review process that facilitates the approval of projects that meet planning and regulatory requirements.</td>
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<td>7.3.5.c</td>
<td>Increase inter-agency coordination between the Department of Planning and all State and County agencies responsible for infrastructure and public facilities provision, particularly as it relates to the mitigation of long-term cumulative impacts resulting from development projects.</td>
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<td>7.3.5.d</td>
<td>Provide greater certainty and transparency in the development review process.</td>
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<td>7.3.5.e</td>
<td>Expand and maintain land use and geographic information system databases for improved decisions, and make data and products available to the public.</td>
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### Implementing Actions:

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<tr>
<td>7.3.5-Action 1</td>
<td>Develop and adopt regulations that: (a) mandate early consultation with communities affected by planning and land use activities; and (b) establish efficient and realistic review timelines.</td>
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<tr>
<td>7.3.5-Action 2</td>
<td>Update the MIP and Community Plan land use designations and zoning maps with each update of the General Plan.</td>
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<tr>
<td>7.3.5-Action 3</td>
<td>Evaluate the establishment of time limitations on unused development entitlements for projects which have not commenced within a reasonable time period.</td>
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