

## Guidelines for the New Community Plan Land Use Designations

Rob Weltman, April 23, 2023

The new land use designations have two major benefits:

- Allow for mixed development both in terms of commercial and residential, and in types of housing
- Drastically reduce the need for community plan amendments; this will have an even greater effect when the changes are implemented to zoning as well

But they have the major disadvantage of being vague about what is allowed in each and not setting clear limits; developers will be able to get permits to put in things that many people feel do not belong in a neighborhood without triggering a public review in the Planning Commission or Council since so many zoning designations go with each (see <https://bit.ly/smcp-landuse>) and since appendix F suggests but does not require them, meaning that other zoning designations can be applied to each.

This document proposes changes to Appendix F to define what is permitted in each of the new designations.

## Rural Residential (RR)

The Rural Residential community plan designation is intended to preserve rural character. Rural Residential areas are generally developed with large-lot subdivisions, family farms, and estates. This designation serves as a transition between agricultural areas and more urban development.

~~Rural Residential areas are generally developed with large lot subdivisions and family farms. This designation may serve as a buffer area between agricultural areas and more urban development.~~ Clustered development is encouraged to preserve sensitive natural features, common open space, or working agricultural lands. ~~The primary use in this designation is low-density residential and may include support uses such as parks, schools, and farming~~

### Permitted Uses

1. Low density residential
2. Parks
3. Schools
4. Farming

## Residential (RES)

The Residential community plan designation is intended to establish, protect, and appropriately infill low-to-moderate-density residential areas. This designation encourages a range of housing types ~~such as single family, 'ohana units, duplex, tri-plex, townhouses, and small-scale multi-family units~~. New Residential developments should include pedestrian, bicycle, and transit connections to provide residents with access to services and amenities, and existing Residential neighborhoods should be retrofitted to allow these multimodal connections. ~~Related and compatible uses include parks, schools, churches, foodscapes, and other public/quasi-public uses. Small-scale, mom-and-pop commercial uses may also be permitted on a limited basis, provided these businesses are pedestrian-oriented and will generate minimal vehicular traffic.~~ These uses should create safe, walkable commercial nodes for the surrounding neighborhood, while the overall district remains predominantly residential and must include safe multimodal options.

### Permitted Uses

1. Single-family homes
2. 'Ohana units (accessory dwellings)
3. Duplex and triplex dwellings
4. Townhouses
5. Small-scale multi-family units
6. Public/quasi-public uses such as parks, schools, churches
7. Small-scale commercial uses that serve the immediate neighborhood may also be permitted on a limited basis, provided that they are pedestrian-oriented and will generate minimal vehicular traffic

## Rural Village (RV)

The Rural Village community plan designation is intended to preserve the character of Maui's small rural towns and includes services that support nearby Rural Residential communities. Uses within this designation include a mix of neighborhood-serving commercial and public/quasi-public uses. Rural Villages are generally small, do not exceed the approximate area of four corners of an intersection, and have clear edges defined by land uses, building types, or natural features. ~~Uses within this designation include a mix of neighborhood-serving commercial and public/quasi-public uses such as parks, schools, and churches, and may include limited residential.~~ New development should be appropriate in scale and designed to complement the character and sense of place of the rural area. Development must follow the scale and character of the surrounding area until design standards are established by the Council.

### Permitted Uses

1. Neighborhood-serving commercial and public/quasi-public uses such as parks, schools and churches
2. Limited residential

## Neighborhood Center (NC)

The Neighborhood Center community plan designation is intended to include services that support nearby residential within pedestrian-oriented commercial nodes. Uses within this designation are primarily neighborhood serving, with small scale buildings, like traditional mom-and-pop shops, providing opportunities for people to take care of daily activities close to home. Pedestrian, bicycle, and transit connections provide residents with access to the Neighborhood Center. ~~This designation may also include residential uses, such as small lot single family and multi family, and human scale, mixed use buildings that include residential. Related and compatible uses include parks, schools, churches, and other public/quasi-public uses. Buildings shall be limited to 25 feet in height. Regional scale uses are not permitted in Neighborhood Centers.~~ Development must follow the scale and character of the surrounding area until design standards are established by the Council.

### Permitted Uses

1. Small-lot single-family
2. Small-lot multi-family residential
3. Duplex and triplex dwellings
4. Townhouses
5. Mixed commercial/residential
6. Commercial uses that service neighborhoods up to one-quarter mile away
7. Public/quasi-public uses such as parks, schools, and churches

## Small Town Center (STC)

The Small Town Center community plan designation is intended to preserve the character of Maui's smaller towns and communities and allow for development of new low-to-medium-density commercial centers with a mix of uses that service nearby neighborhoods. The mix of uses and human-scale design in Small Town Centers is similar to Neighborhood Centers, however, these areas typically cover a larger area and may serve more neighborhoods. Some Neighborhood Centers may evolve into Small Town Centers over time. Ground floor commercial with second floor apartments is encouraged to provide live-work opportunities for residents. A mix of medium density housing types are also encouraged. Preferred design elements include smaller blocks; buildings fronting property lines; ample pedestrian, bicycle and transit facilities; as well as public/private amenities, civic spaces and parks. Buildings shall be limited to 35 feet in height. Regional scale uses are not permitted in Small Town Centers. Development must follow the scale and character of the surrounding area until design standards are established by the Council.

### Permitted Uses

1. Low-to-medium-density commercial centers that service nearby neighborhoods
2. Low-to-medium-density housing
3. Mixed commercial/residential
4. Public/quasi-public uses such as civic spaces, parks, schools, and churches

## Transit Oriented Corridor (TOC)

The Transit Oriented Corridor community plan designation is intended to create transit-friendly areas that are, or are planned to be, characterized by a mix of higher-density commercial, employment, light industrial, and residential uses. Within this designation, residential uses and retail and other businesses serving local or regional markets mix to create pedestrian-friendly activity centers and multimodal corridors with vibrant street life. ~~Housing types in this designation include a mix of medium to high density development.~~ Preferred design elements include buildings fronting property lines; pedestrian, bicycle, and transit facilities; public/private amenities; and civic space and parks. Developments within Transit Oriented Corridor designations should be designed to provide the majority of the services residents would need on a daily basis, within walking distance. Buildings shall be limited to 45 feet in height. Development must follow the scale and character of the surrounding area until design standards are established by the Council.

### Permitted Uses

- 1) Higher-density commercial uses that serve local or regional markets
- 2) Light industrial uses (warehousing, light assembly, service and craft-type operations)
- 3) Medium to high density residential uses
- 4) Public/quasi-public uses such as parks, schools, and churches

## Resort/Hotel (RH)

The Resort/Hotel community plan designation is intended to provide for existing and future visitor-oriented development in appropriate areas. When developed, these areas are typically medium-to high-density with a broad range of uses primarily intended to serve visitors, ~~including transient accommodations, retail and commercial uses, and other visitor amenities. Related and compatible uses include parks and other public/quasi-public uses.~~ Public beach access must be provided as required by law and will not be discouraged.

### Permitted Uses

1. Transient accommodations
2. Retail and commercial uses and other visitor amenities
3. Parks and other public/quasi-public uses



## Employment Center (EC)

The Employment Center community plan designation is intended to encourage a range of employment uses ~~like light manufacturing, processing, other light industrial uses, business incubators, and compatible uses in appropriate areas~~. These areas may also include amenities that serve the employees that work there ~~including retail, restaurants, and live-work spaces~~. Retail and/or commercial uses that serve regional needs beyond the area of the Employment Center are not permitted. Development in these areas should include ample multimodal options, such as pedestrian, bicycle, and transit facilities, ~~and may include some parks or civic spaces~~. Development must follow the scale and character of the surrounding area until design standards are established by the Council.

### Permitted Uses

- 1) Light industrial uses (warehousing, light assembly, service and craft-type operations)
- 2) Business incubators
- 3) Live-work spaces
- 4) Retail and commercial uses that serve the needs of workers in the Employment Center
- 5) Parks and civic spaces

## **Industrial (IN)**

The Industrial community plan designation is intended to permit intense industrial and manufacturing activities which could include noxious uses.

### Permitted Uses

The manufacture, processing, storage or treatment of goods from raw materials

## **Special Purpose District (SPD)**

The Special Purpose District community plan designation is intended to provide for specified land uses that, due to their uniqueness or incompatibility, do not easily fall within one or a combination of the other community plan designations.

### Permitted Uses

1. Airports
2. Established project districts that do not easily fall within one or more of the other community plan designations

## Public/Quasi Public (PQP)

The Public/Quasi Public community plan designation is intended to provide facilities for public use or benefit. Many of the uses in this designation are also allowed in other districts, ~~like churches, parks and schools~~, but this designation is typically for planned or existing larger-scale government, nonprofit, or educational uses, including churches, parks, schools, libraries, fire and police stations, government buildings, public utilities, hospitals, cemeteries and community centers.

### Permitted Uses

Government, non-profit or educational uses

## Park (PK)

The Park community plan designation is intended to preserve and manage lands for recreational activities, ~~including golf courses and related amenities~~.

### Permitted Uses

- 1) Recreational activities (including picnics, walking, running, golf courses and related amenities)
- 2) Uses which support natural processes that provide for flood management and/or erosion control

## Open Space (OS)

The Open Space community plan designation is intended to preserve and manage lands for Native Hawaiian traditional and customary uses, while protecting sensitive ecological resources, scenic resources, hazardous areas, drainage ways, and open space greenbelts and greenways. Open Space areas support natural processes such as flood management and erosion control.

### Permitted Uses

1. Recreational activities (including walking, hiking and running)
2. Hawaiian traditional and customary uses
3. Protection of sensitive ecological resources, scenic resources, recreational resources, hazardous areas, drainage ways, open space, greenbelts, and greenways
4. Uses which support natural processes that provide for flood management and/or erosion control

## **Agriculture (AG)**

The Agriculture community plan designation is intended to promote agricultural development, preserve and protect agricultural resources, and support the agricultural character and components of the County's economy and lifestyle. Lifestyle estate-type subdivisions with lots that are not used for active agricultural production are prohibited, and long-term leaseholds are encouraged for farming.

### Permitted Uses

1. Agriculture
2. Agricultural land conservation
3. Agricultural parks
4. Animal and livestock raising
5. Minor utility facilities
6. Historical or archaeological preservation
7. Solar energy facilities
8. Accessory uses such as farm dwellings and farm labor dwellings shall be permitted only if they are associated with bona fide agricultural use

## State Conservation (SC)

The State Conservation community plan designation is intended to recognize the designation of lands in the State Conservation District and is used to protect and preserve wilderness areas, beach reserves, scenic areas, historic sites, open ranges, wetlands, and watersheds; to conserve fish and wildlife; and to promote forestry and grazing.

The following is not necessary if the County is not involved in permitting for State land:

### Permitted Uses

*Uses allowed under HRS Section 205-2, including protection of watersheds and water sources; preservation of scenic and historic areas; provision of park lands, wilderness, and beach reserves; conservation of indigenous or endemic plants, fish, and wildlife, including those which are threatened or endangered; prevention of floods and soil erosion; forestry; open space areas whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities, or would maintain or enhance the conservation of natural or scenic resources; areas of value for recreational purposes; other related activities; and other permitted uses not detrimental to a multiple use conservation concept. Uses in State Conservation districts are regulated by the Hawaii State Department of Land and Natural Resources.*