

PC Committee

From: Joseph Alueta <Joseph.Alueta@co.maui.hi.us>
Sent: Thursday, August 16, 2018 10:52 AM
To: PC Committee
Subject: CD for Planning Committee

The Planning Department is sending a CD over to the Planning Committee with the Department's Power Point Presentation for the Dead Sea Scroll Replacement project.

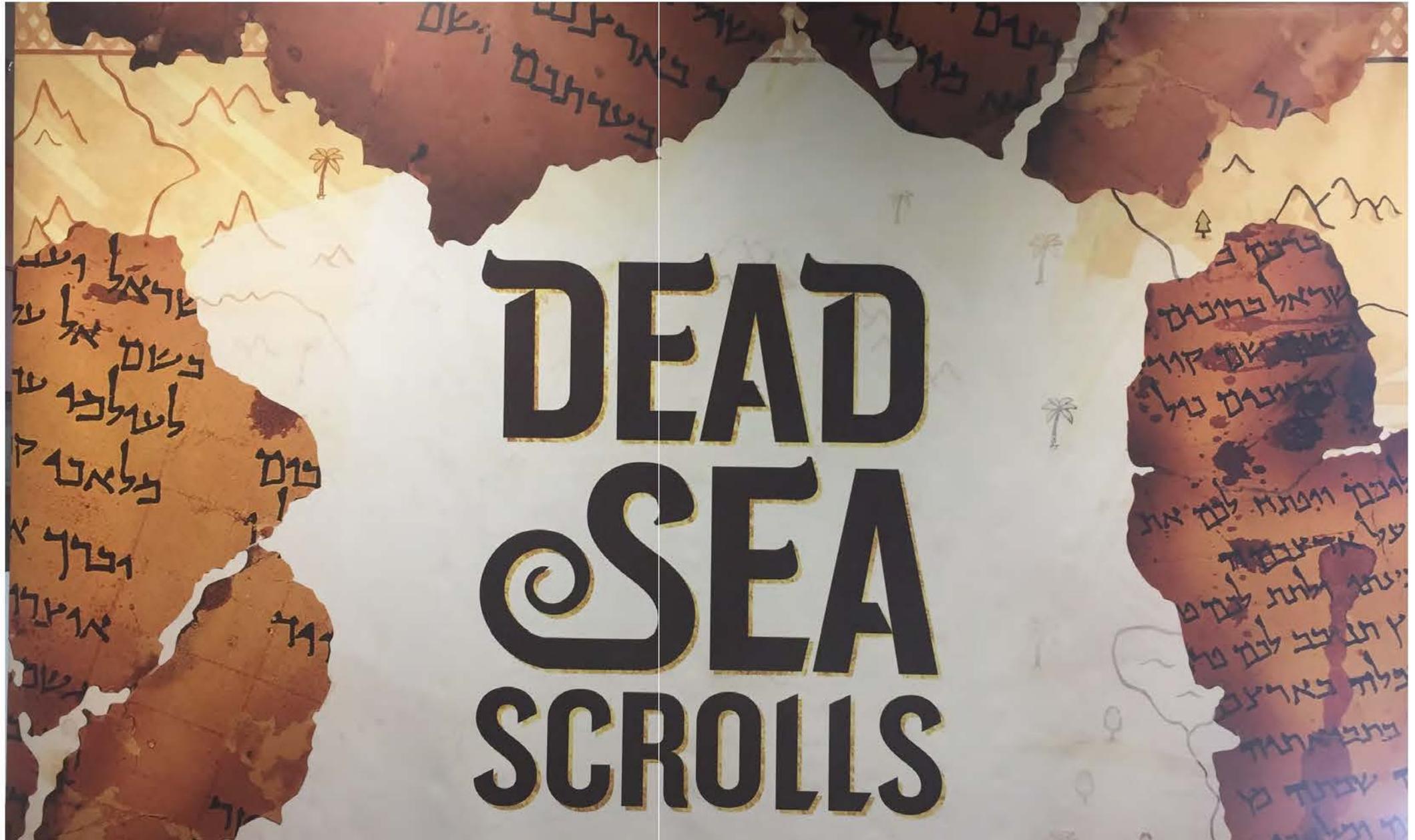
aloha
Joe



Digital Zoning Project

(Dead Sea Scrolls
Replacement Team)

Council of the County of Maui
Planning Committee
August 23, 2018



History of “DSSRT”

- **The Digital Mapping Project initially began during Mayor Apana’s administration (January 2001) within the County’s GIS Division with staff temporarily ‘loaned’ from the Planning Department to assist GIS staff with the project.**
- **Project was transferred to the Planning Department in 2005.**
- **Staff from each division within Planning were pooled together to create a team (Dead Sea Scroll Replacement Team) with historical and present knowledge of the county’s land use (land use changes, zoning, permit processing, etc.) and GIS skill sets to verify zoning and create the digital zoning layer.**

Present Day

- **13 years later, zoning for parcels on Maui Island have been verified.**
- **Corrections addressing mapping alignments; updating parcel zoning with zoning districts that have standards; eliminating non-existent zoning districts; correcting oversights; etc. has been completed.**

**(note: only where consistent with the community plan)*

- **On September 12, 2017, the County issued a press release advising the public of the project, a link to the project's website (<https://www.mauicounty.gov/2159/Digital-Zoning-Map-Update-Project>), and an invitation to 4 public meetings which were held in Kihei, Wailuku, Lahaina and Pukalani in March and April, 2018.**
- **At that same time, over 900 postcards were mailed to landowners who are impacted by adjustments made on their parcels.**

Present Day

- **The digital map and accompanying ordinances were presented to the Lanai, Molokai and Maui Planning Commissions on October 4, 11th and 24th, 2017 respectively.**
- **All 3 commissions supported the project and recommended approval.**
- **Maui Island is the first digital zoning map being presented for adoption. Lanai and Molokai will follow thereafter.**
- **All proposed zoning recommendations for this digital zoning map are consistent with underlying Community Plan designations. Future phases of DSSRT will include recommendations to address similar type mapping issues for parcels containing *inconsistent* zoning and community plan designations.**

What are the goals of the project

- Replace the County's very old (up to 50 years) and worn paper zoning maps with a comprehensive digital map.
- Make digital zoning maps available online for public use.
- Confirm existing zoning for all parcels in the County of Maui.
- Due to the scale of the work involved, we realized we needed to focus on one island at a time.
- Create a *single* (digital) zoning map that encompasses each island.

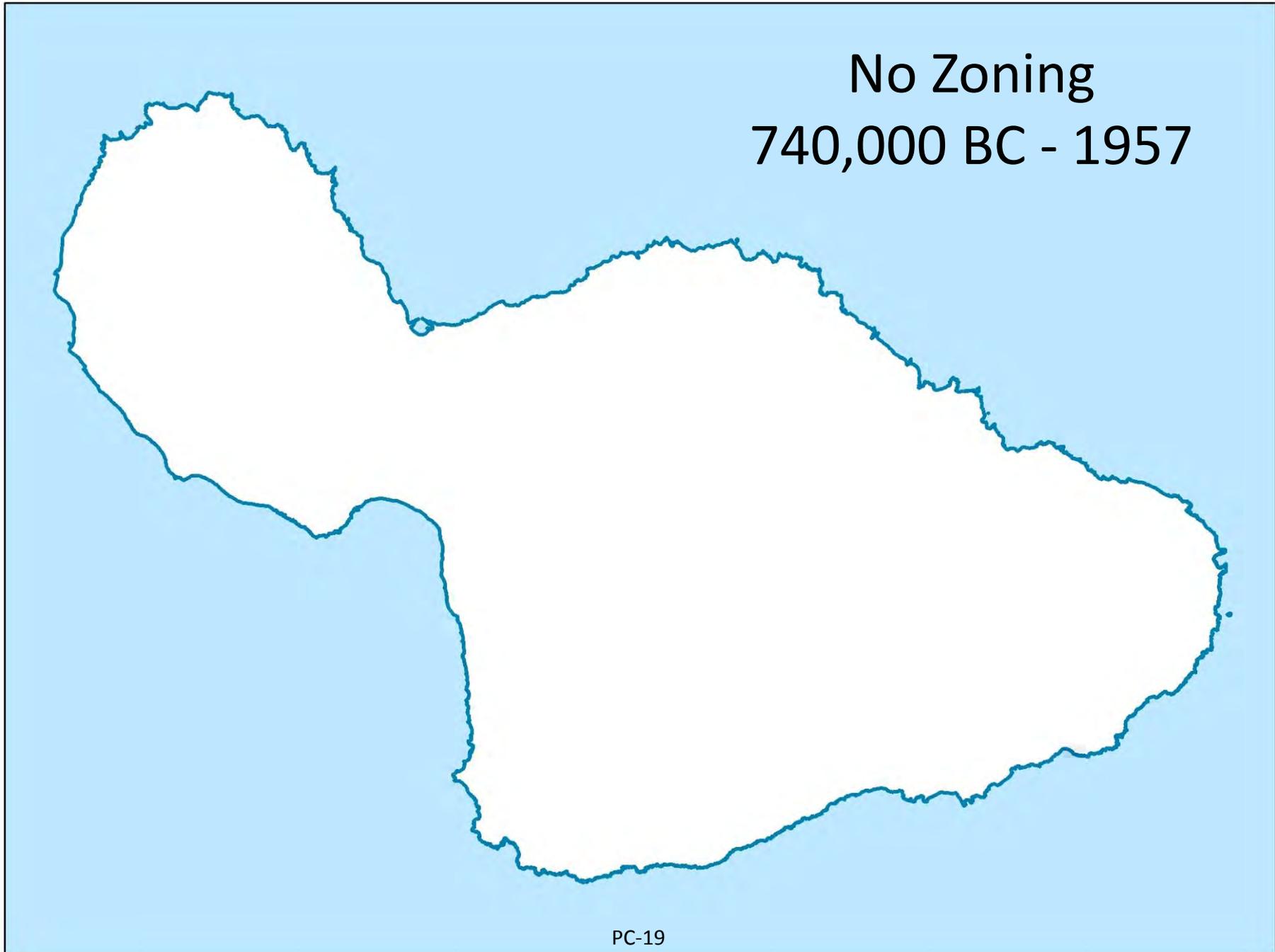
What is Zoning?

- **Determines how property may be used and where structures may be placed.**
- **Promotes orderly pattern of development.**
- **Separates incompatible land uses.**
- **Zoning is the first thing land owners must be aware of before developing their property.**

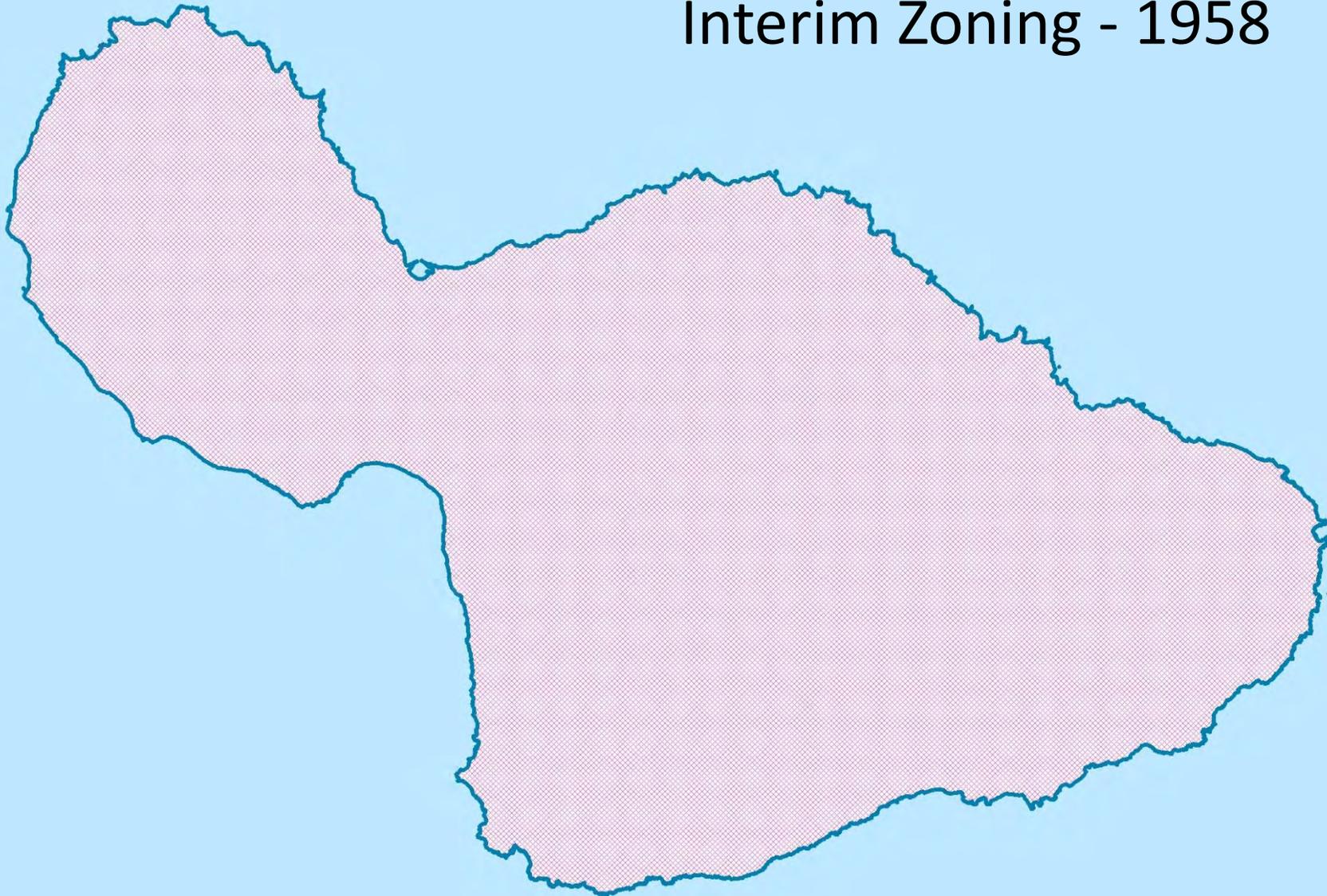
How is property in Maui County zoned?

- **Comprehensive Zoning Maps**
- **Individual Changes in Zoning**
- **Comprehensive Land Use Ordinances**

No Zoning
740,000 BC - 1957

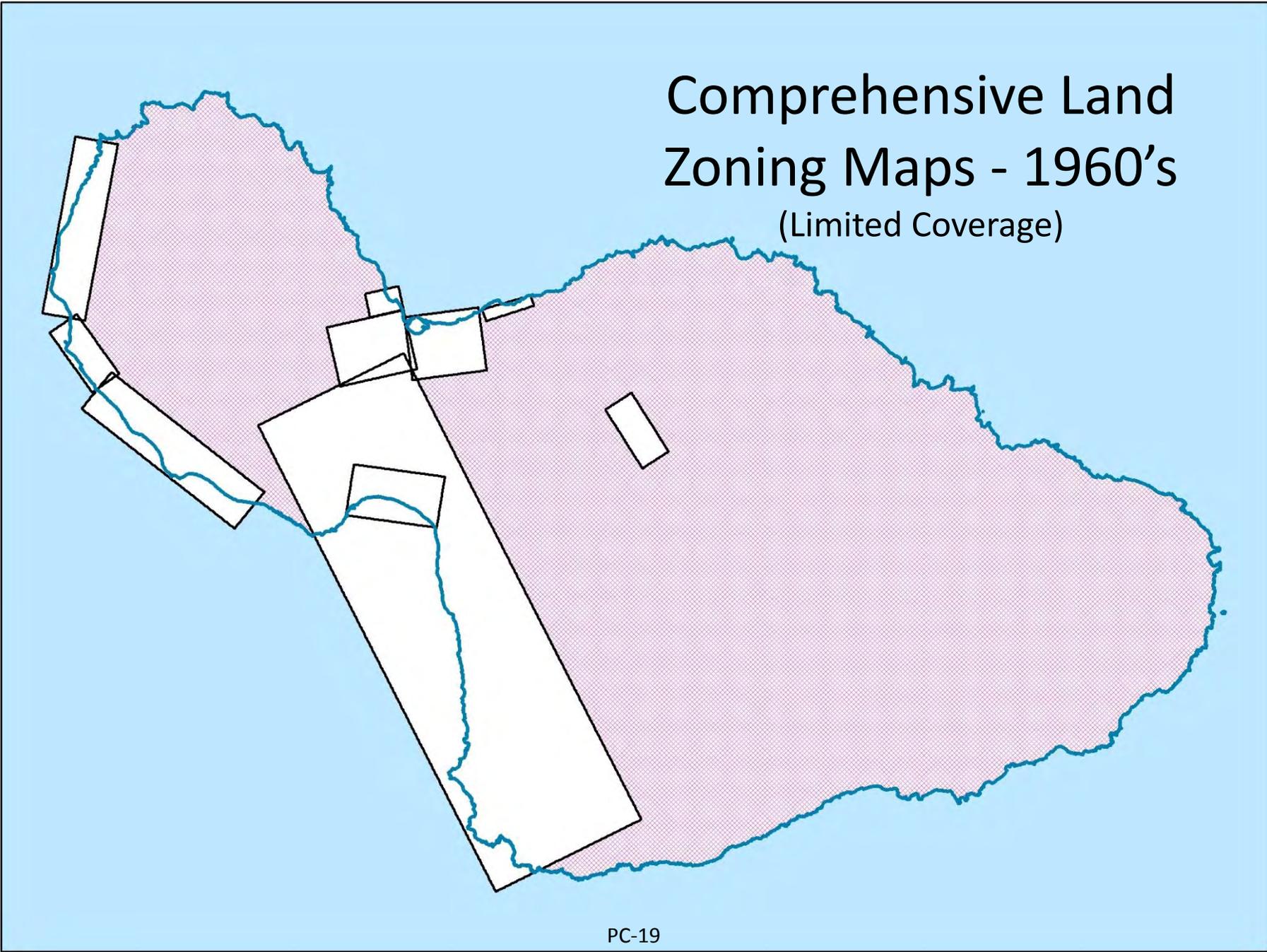


Interim Zoning - 1958

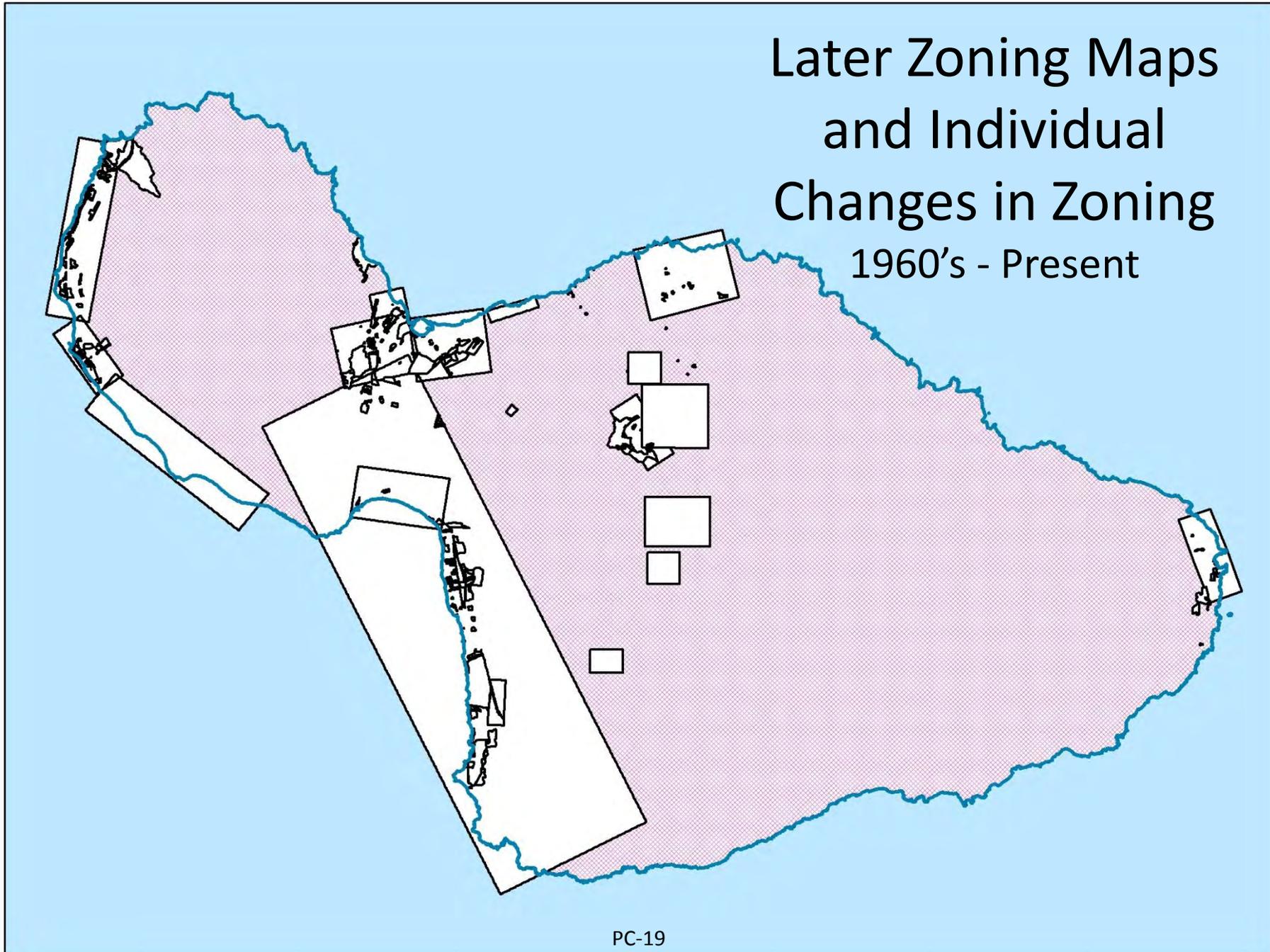


Comprehensive Land Zoning Maps - 1960's

(Limited Coverage)

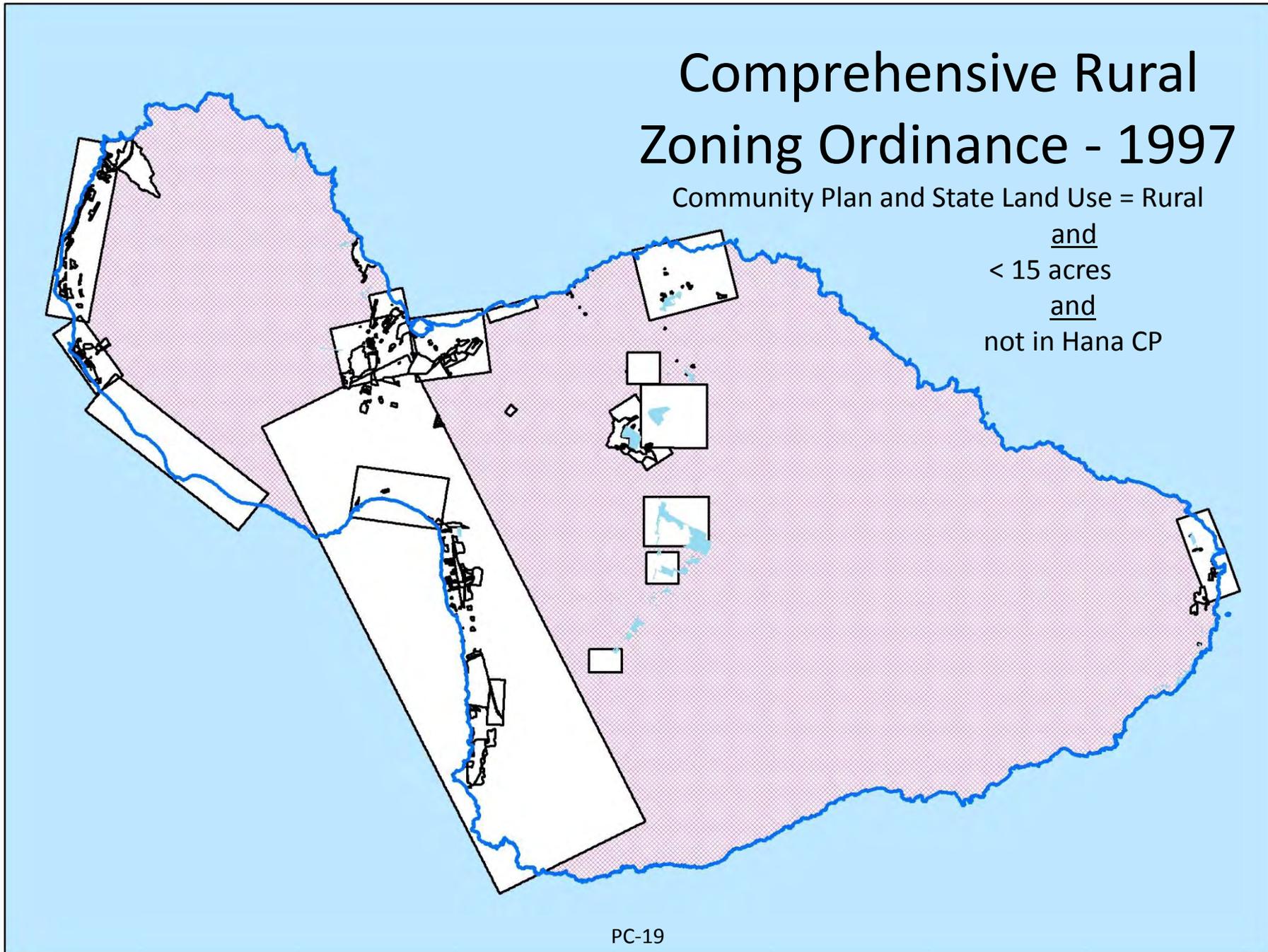


Later Zoning Maps and Individual Changes in Zoning 1960's - Present



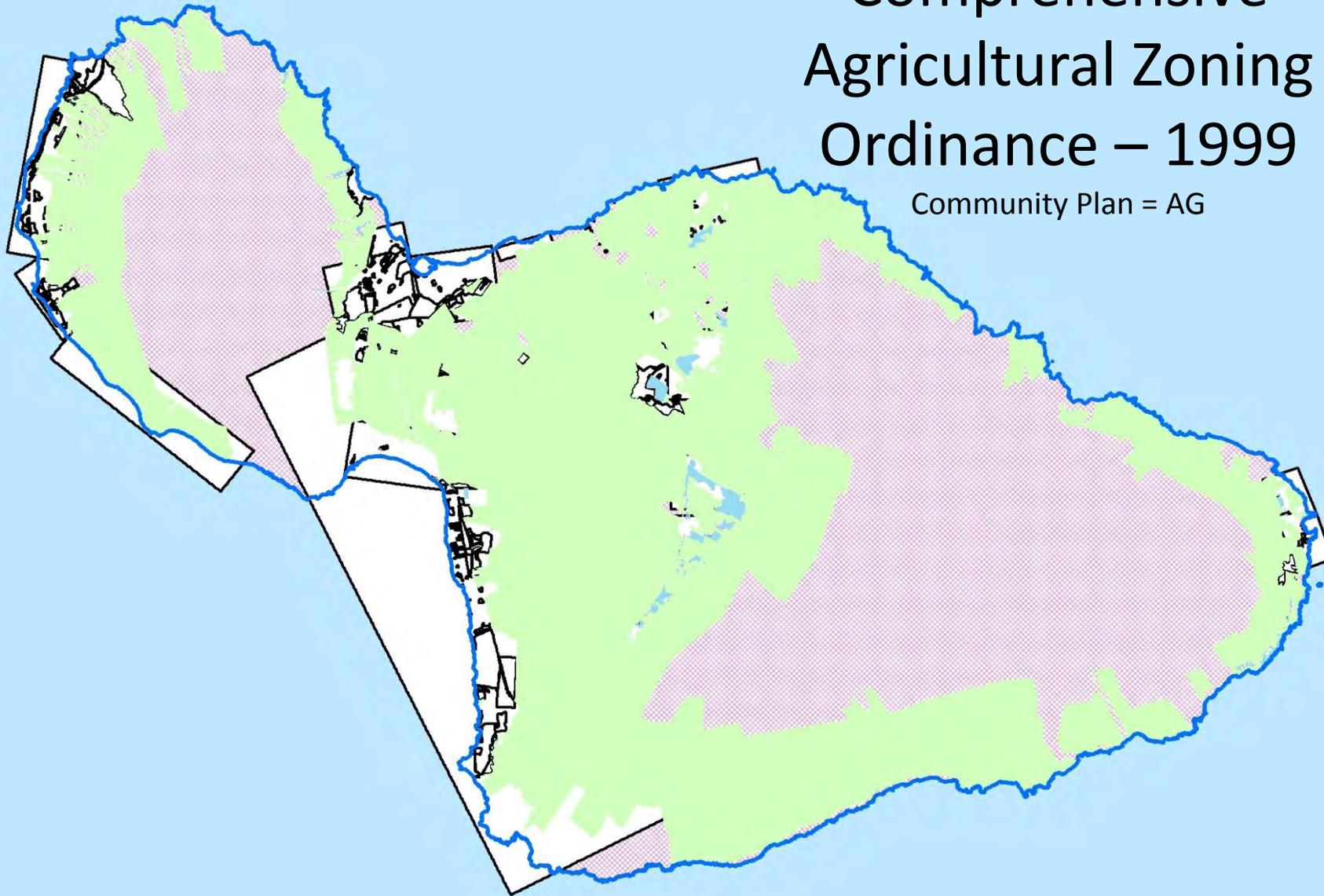
Comprehensive Rural Zoning Ordinance - 1997

Community Plan and State Land Use = Rural
and
< 15 acres
and
not in Hana CP

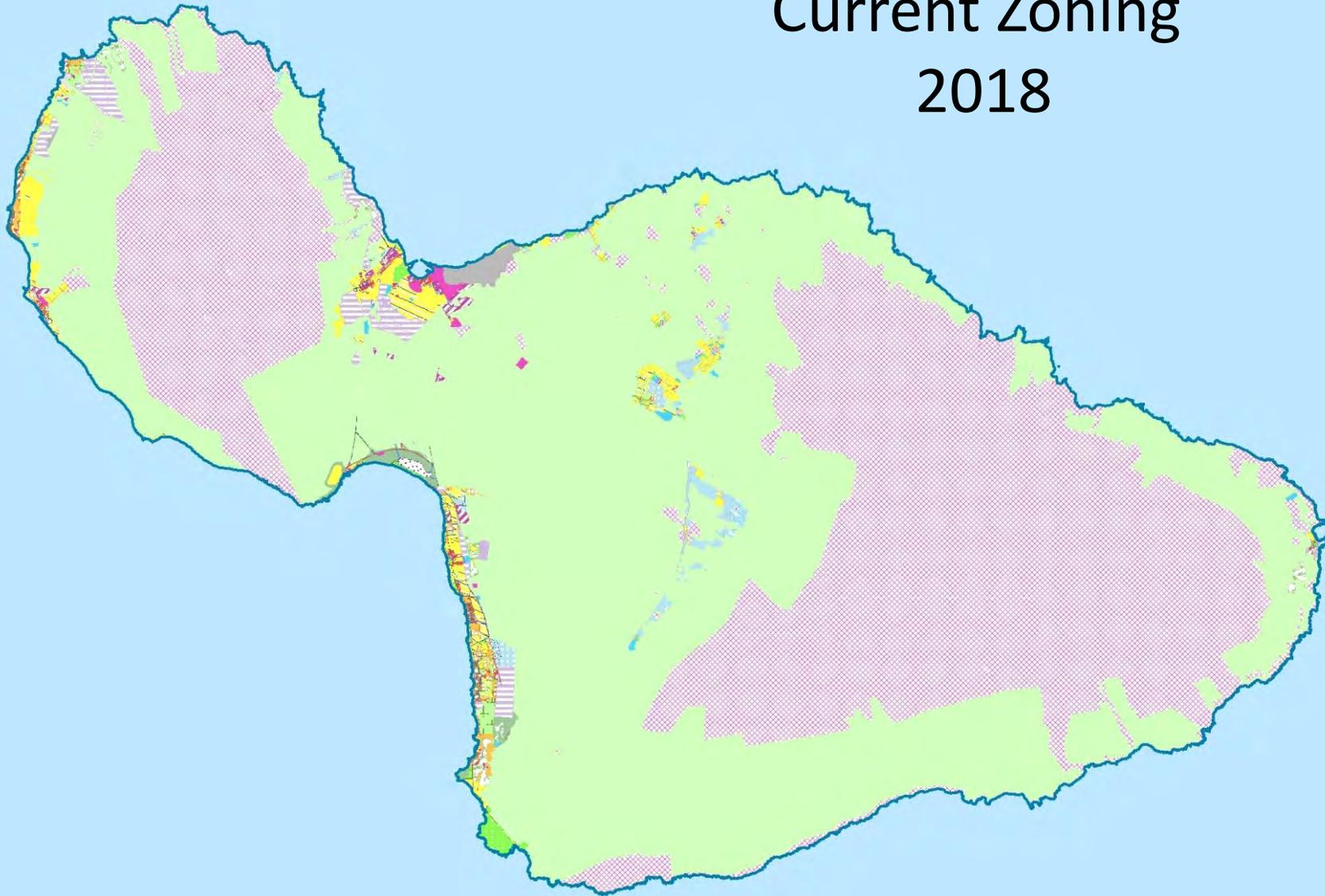


Comprehensive Agricultural Zoning Ordinance – 1999

Community Plan = AG



Current Zoning 2018



What were the challenges to accomplish the goals of the project?

- **Age and lack of detail of original maps.**
- **Poor quality of maps (worn out, falling apart, tears, tape, handwritten notes).**
- **No single complete set of maps for the island. Zoning is a patchwork of State Interim ordinance, original 1960's Land Zoning Maps for urban areas, County Agricultural and Rural zoning ordinances and individual zoning changes.**

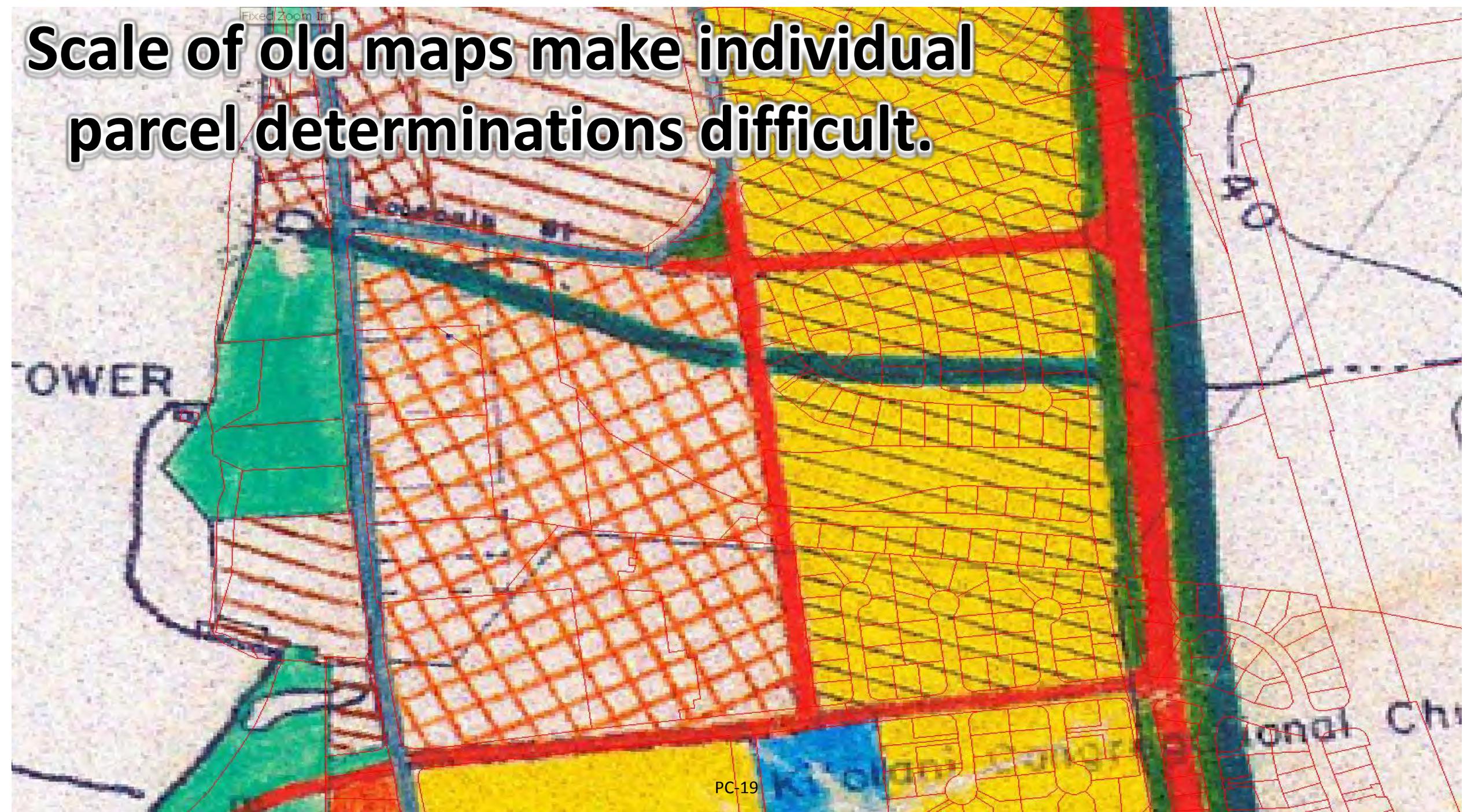
Project Benefits

- **Confirm zoning accurately and efficiently.**
- **Greater public access to accurate zoning information.**
- **Anticipated reduction in zoning determinations by department staff**
(Between FY 2014 and FY 2018 staff processed 20,177 Zoning Verification forms)
- **Improved coordination between government agencies.**
- **Digital zoning will play a key role in the upcoming County online permitting process (aka “MAPPS” – Maui Automated Planning and Permitting System).**

And now we present examples of the reality of our existing (paper) zoning maps and the proposals to fix the various issues and address misalignments in a GIS digital format



Scale of old maps make individual parcel determinations difficult.



Legacy zonings still on maps and do not match actual development.

Existing single family homes located in "Proposed Road" Zoning

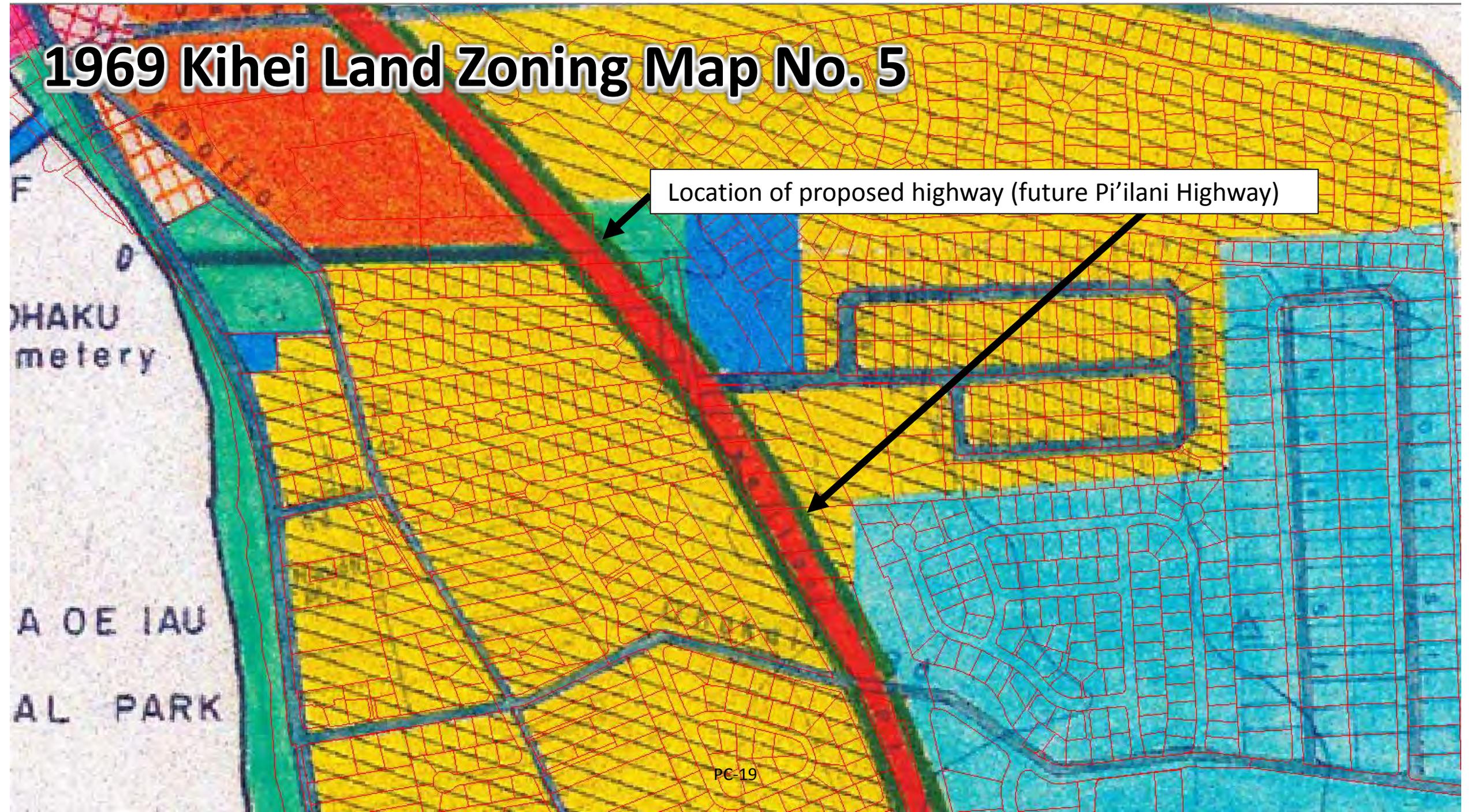
Existing single family homes located in "Drainage" Zoning

Aerial of North Kihei



1969 Kihei Land Zoning Map No. 5

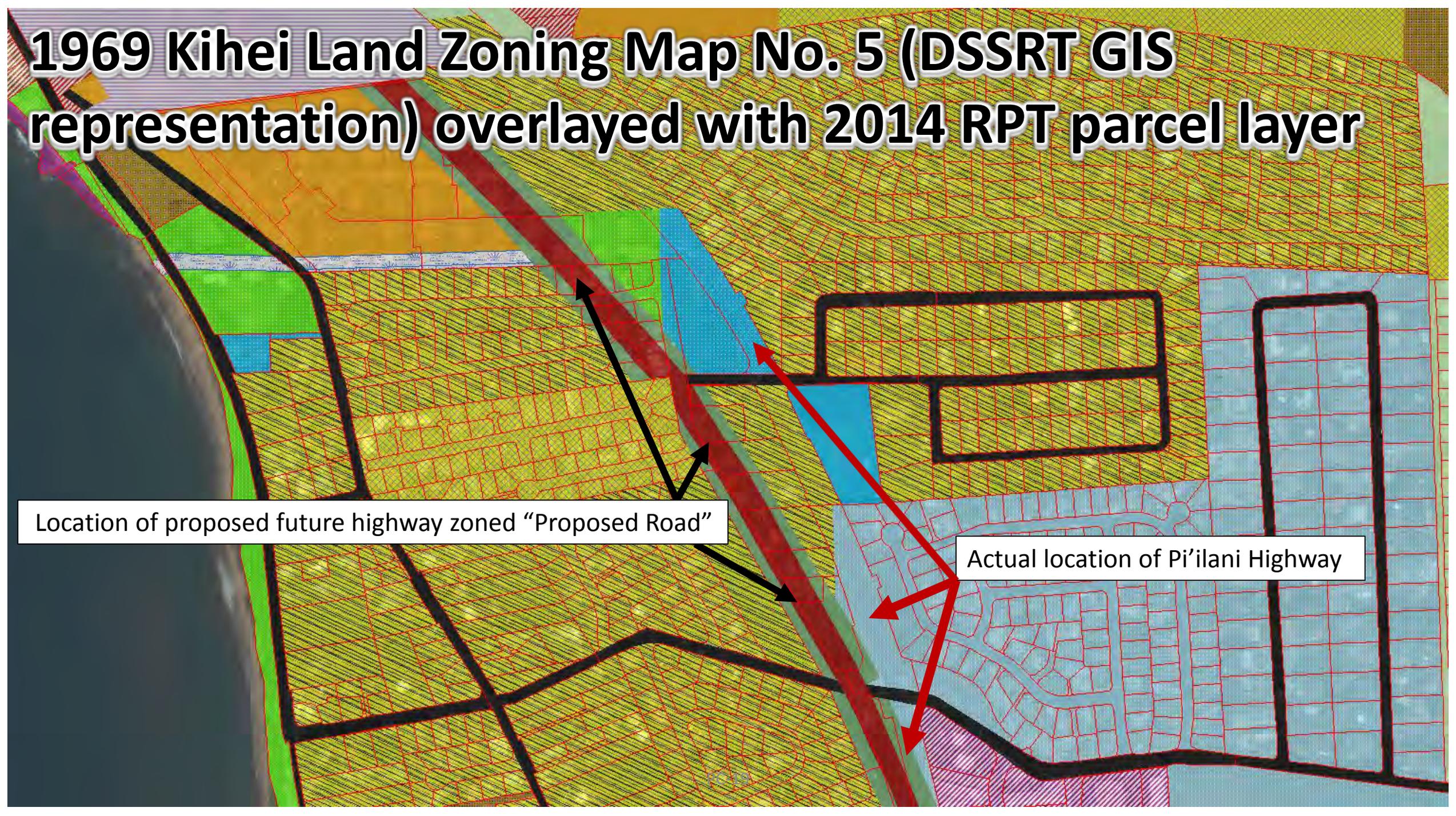
Location of proposed highway (future Pi'ilani Highway)



1969 Kihei Land Zoning Map No. 5 (DSSRT GIS representation) overlaid with 2014 RPT parcel layer

Location of proposed future highway zoned "Proposed Road"

Actual location of Pi'ilani Highway

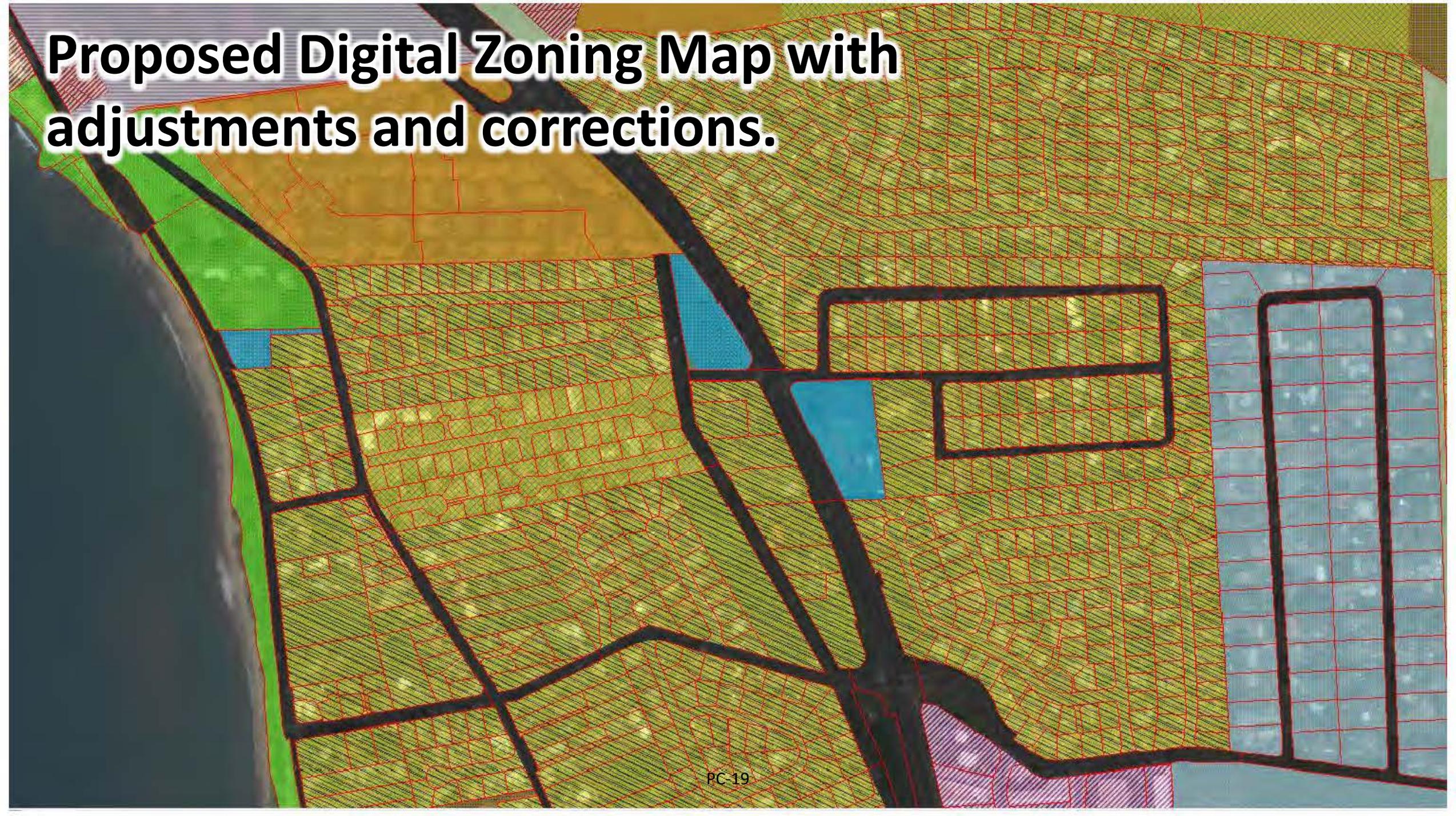


**Close up of 1969
Kihei Land Zoning
Map No. 5 (DSSRT
GIS representation)
overlayed with 2014
RPT parcel layer**

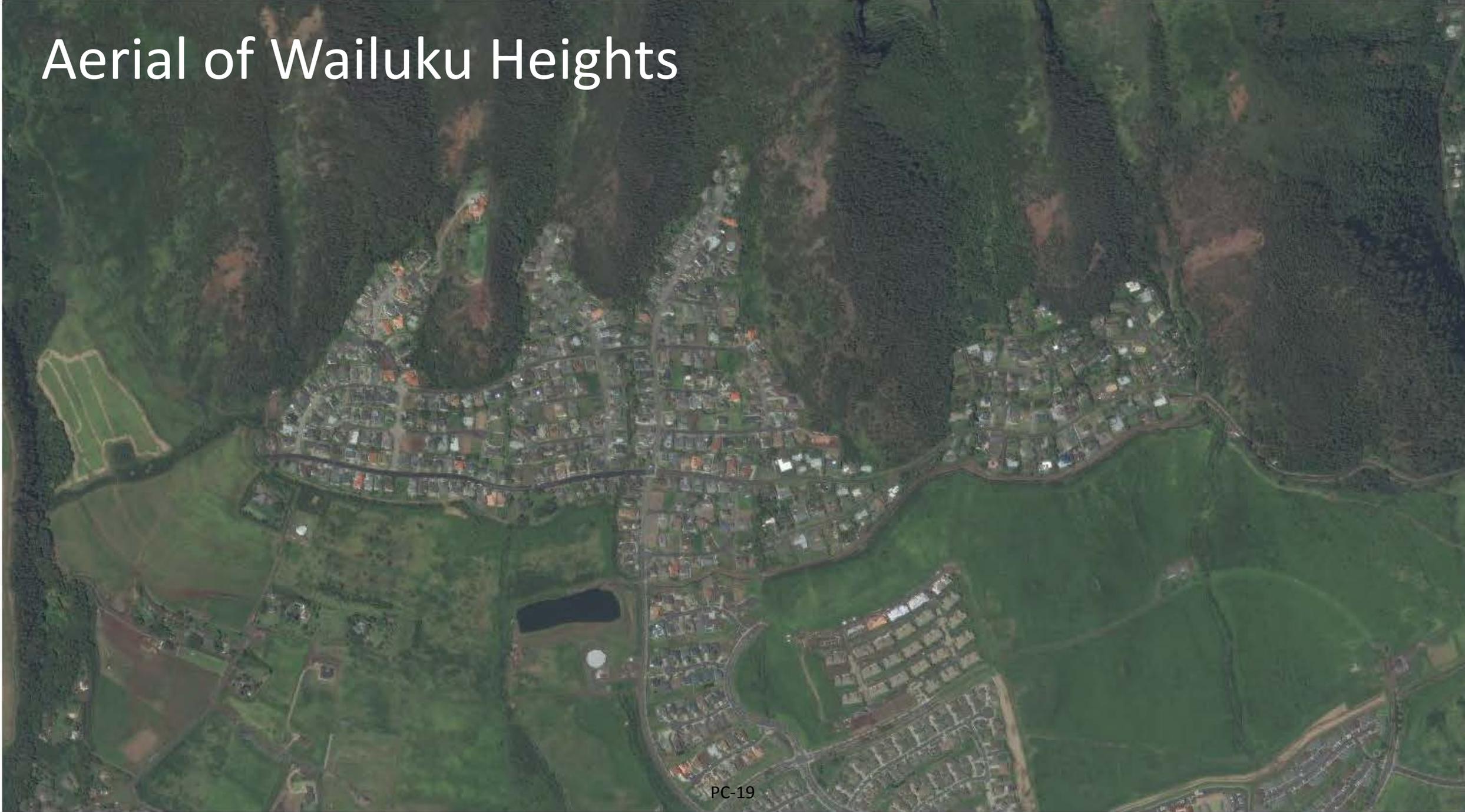
Actual location of Pi'ilani Highway

Proposed location of future highway with "PROPOSED ROAD" zoning

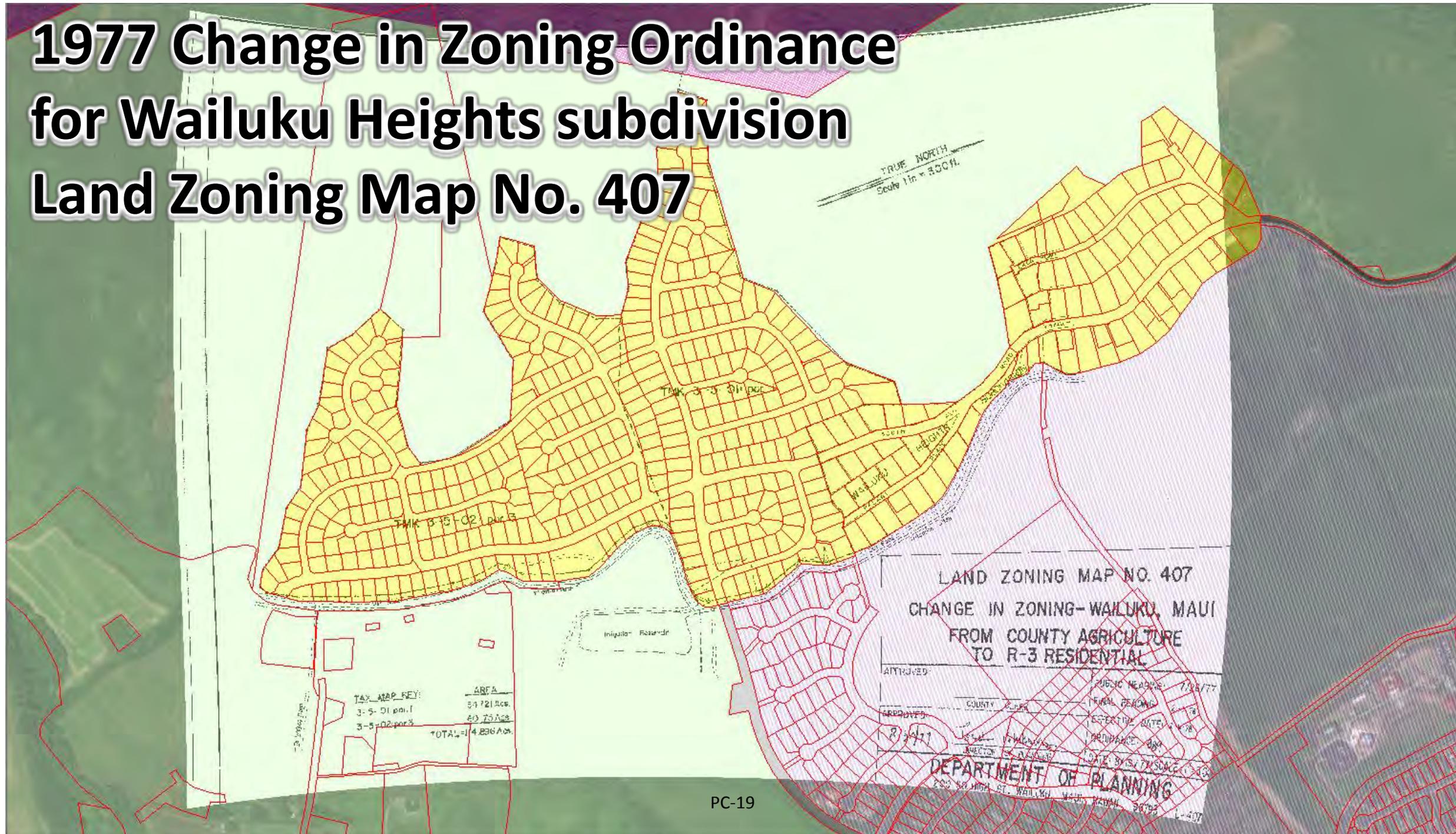
Proposed Digital Zoning Map with adjustments and corrections.



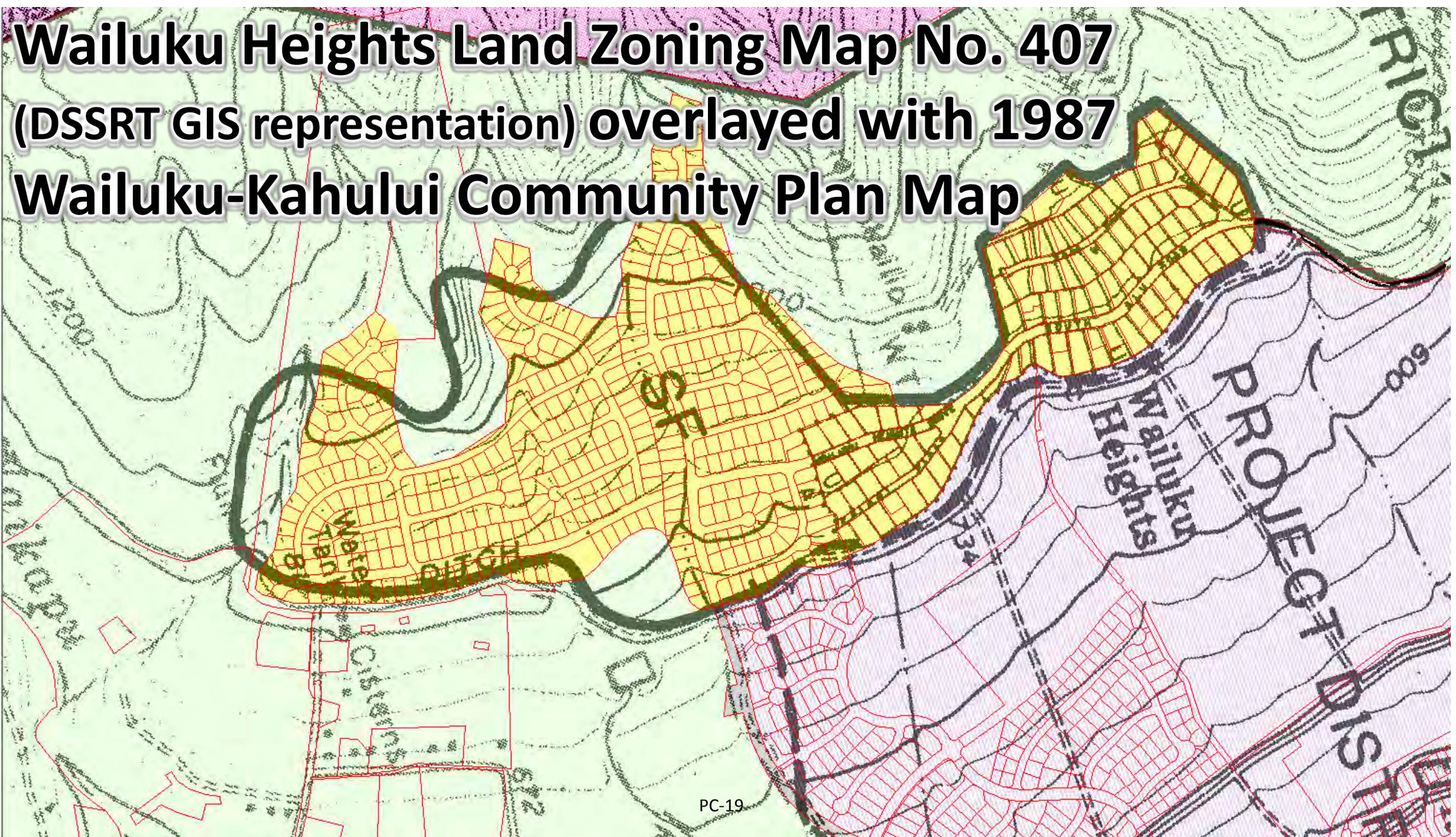
Aerial of Wailuku Heights



1977 Change in Zoning Ordinance for Wailuku Heights subdivision Land Zoning Map No. 407

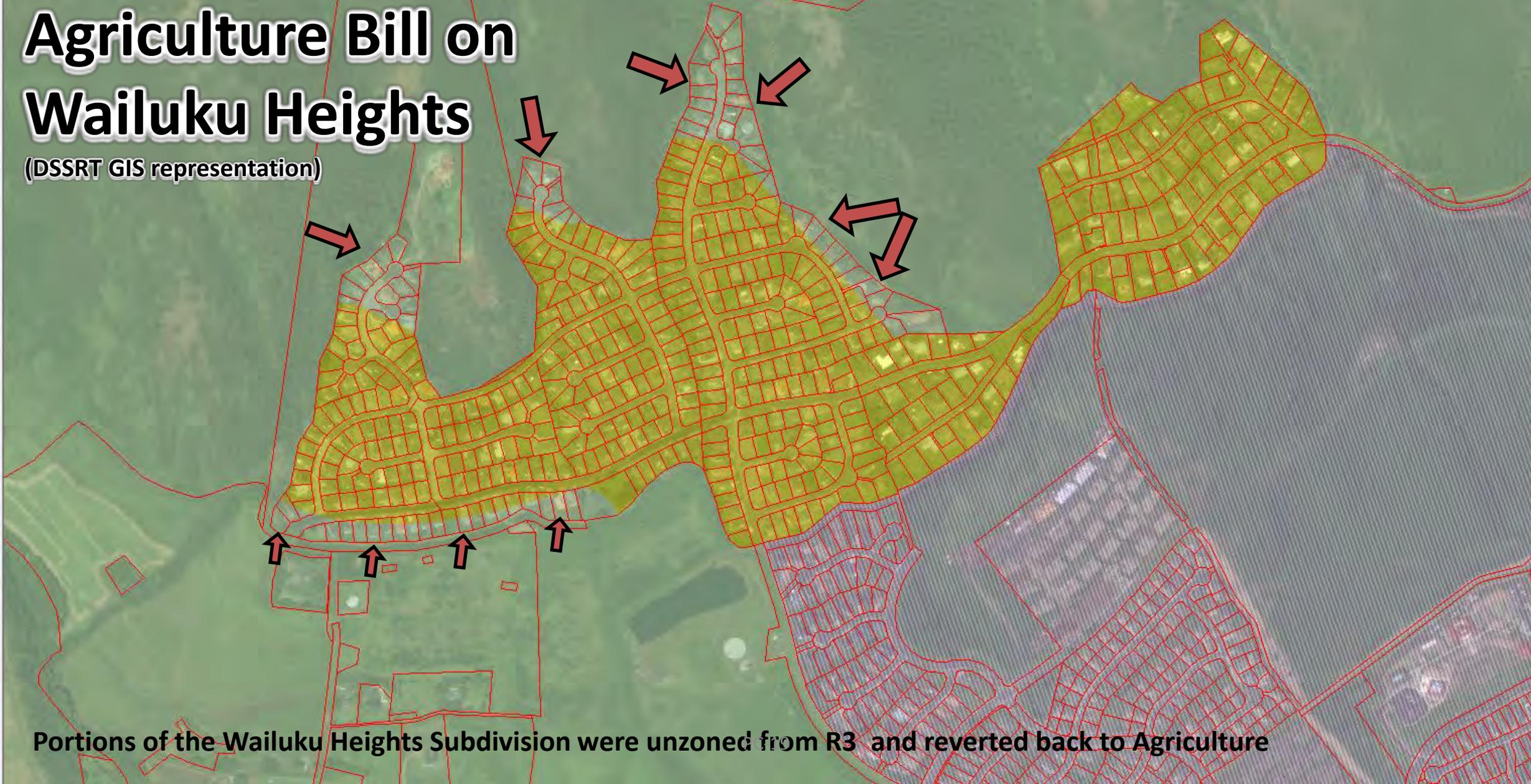


Wailuku Heights Land Zoning Map No. 407 (DSSRT GIS representation) overlaid with 1987 Wailuku-Kahului Community Plan Map



Effect of 1998 Comprehensive Agriculture Bill on Wailuku Heights

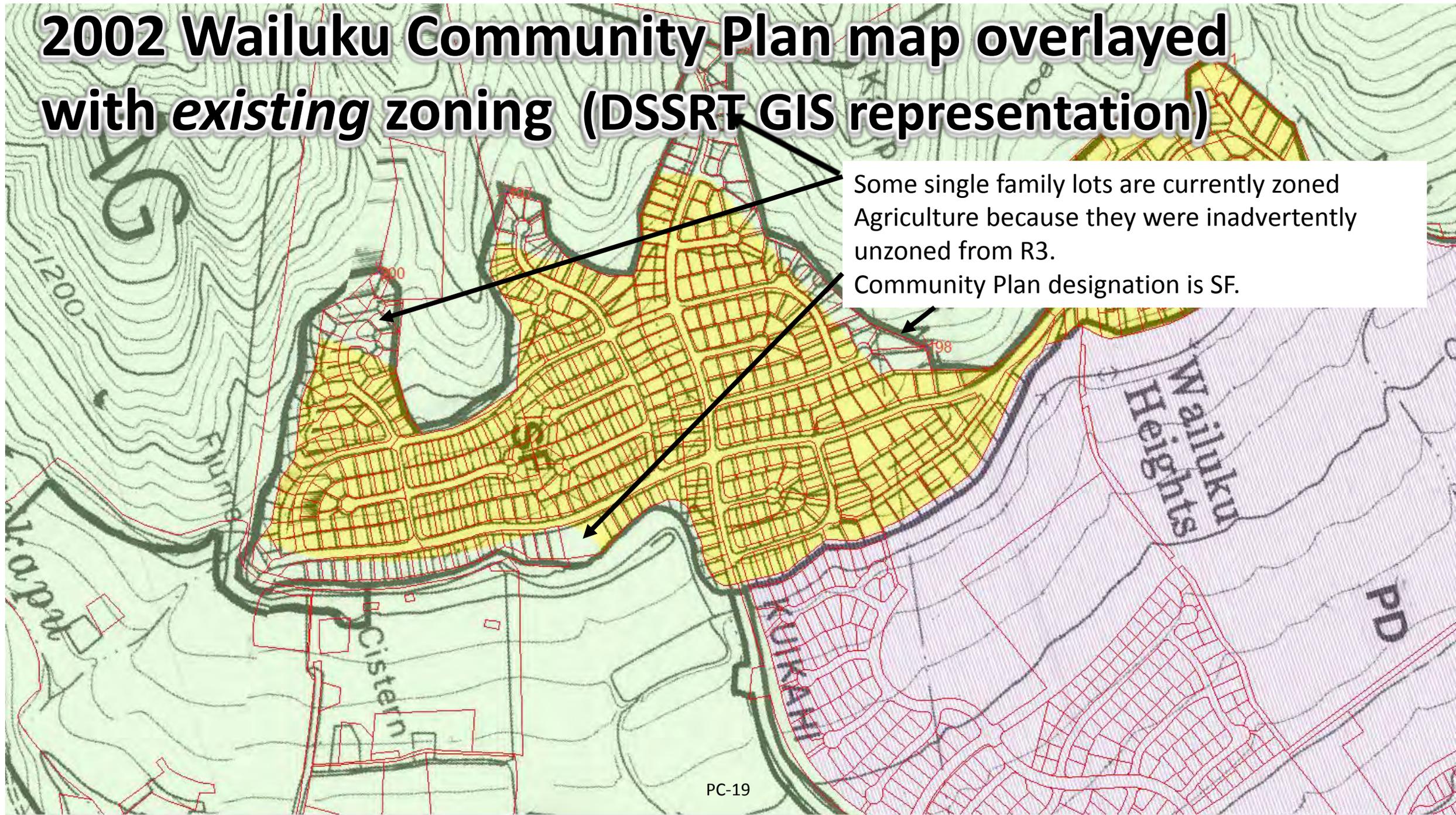
(DSSRT GIS representation)



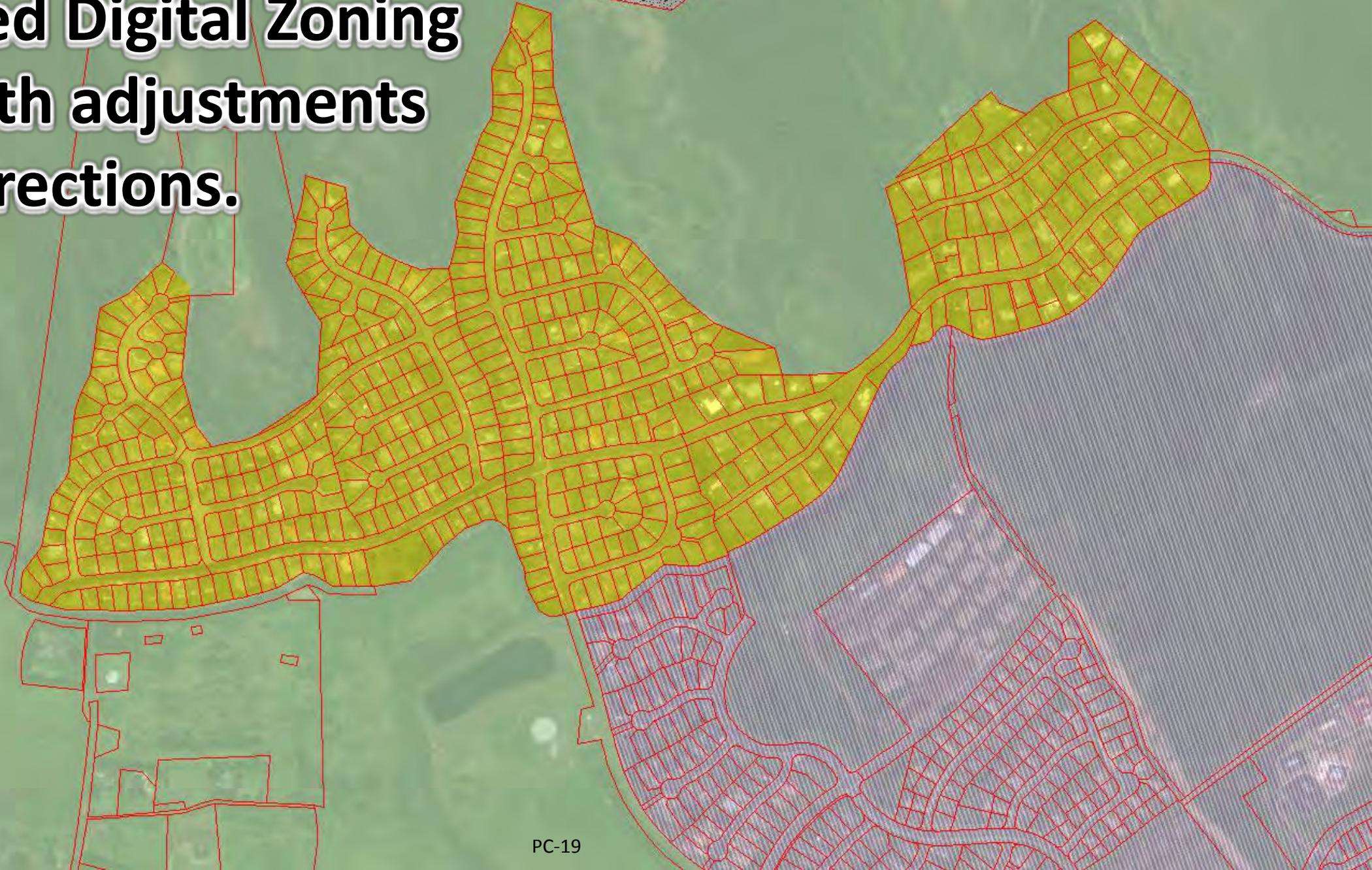
Portions of the Wailuku Heights Subdivision were unzoned from R3 and reverted back to Agriculture

2002 Wailuku Community Plan map overlaid with existing zoning (DSSRT GIS representation)

Some single family lots are currently zoned Agriculture because they were inadvertently unzoned from R3.
Community Plan designation is SF.



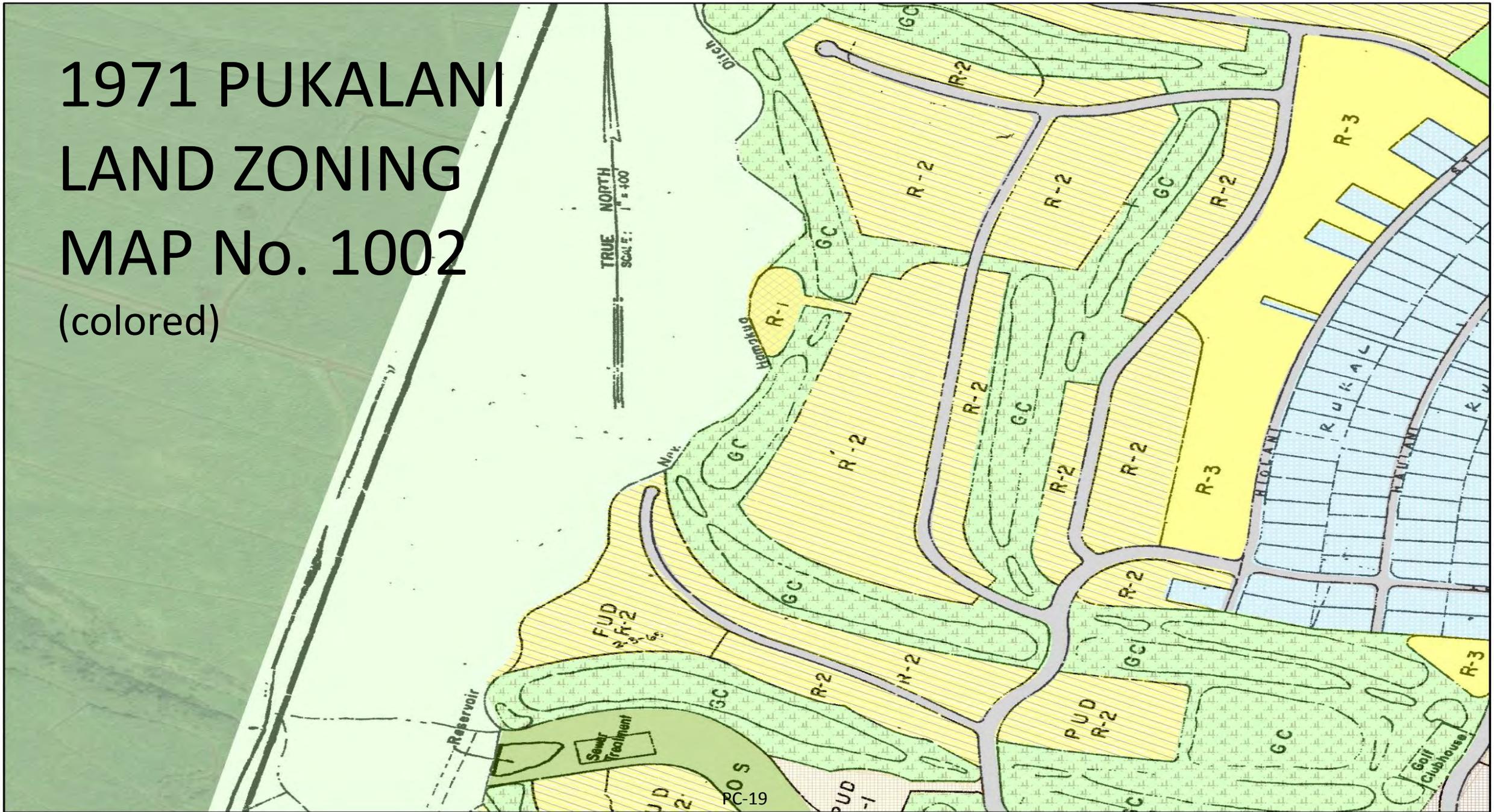
Proposed Digital Zoning Map with adjustments and corrections.



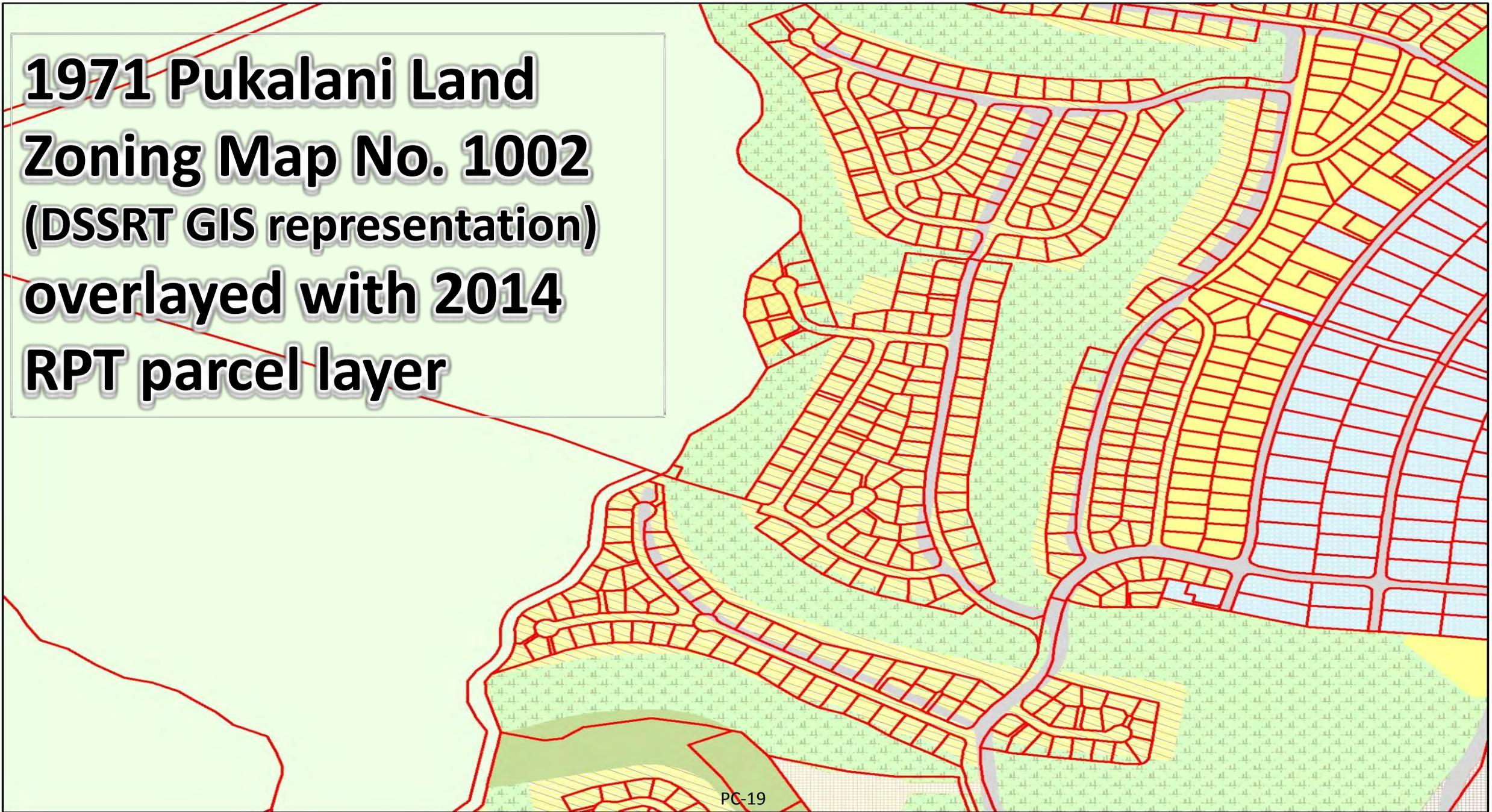
Aerial of Pukalani Golf Course



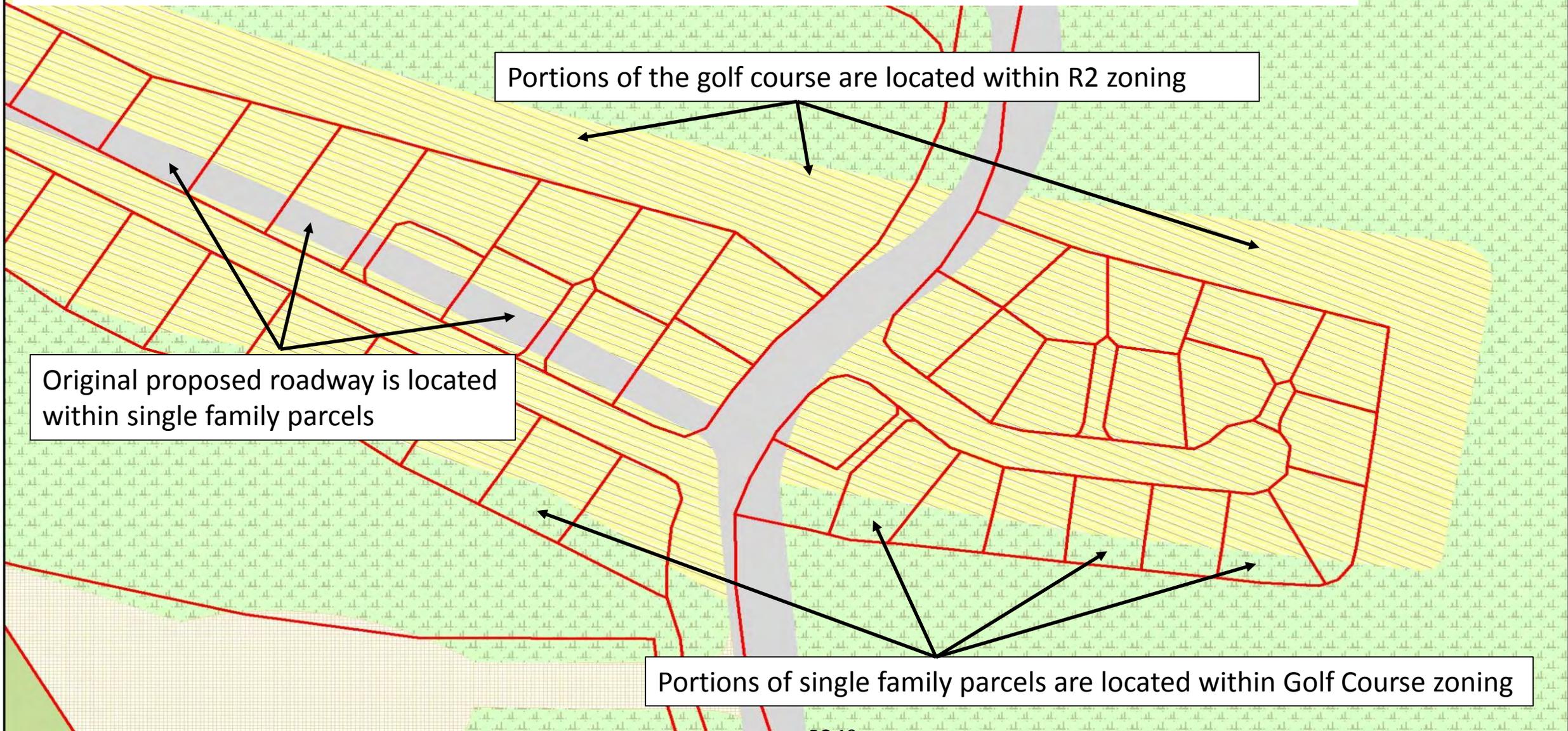
1971 PUKALANI LAND ZONING MAP No. 1002 (colored)



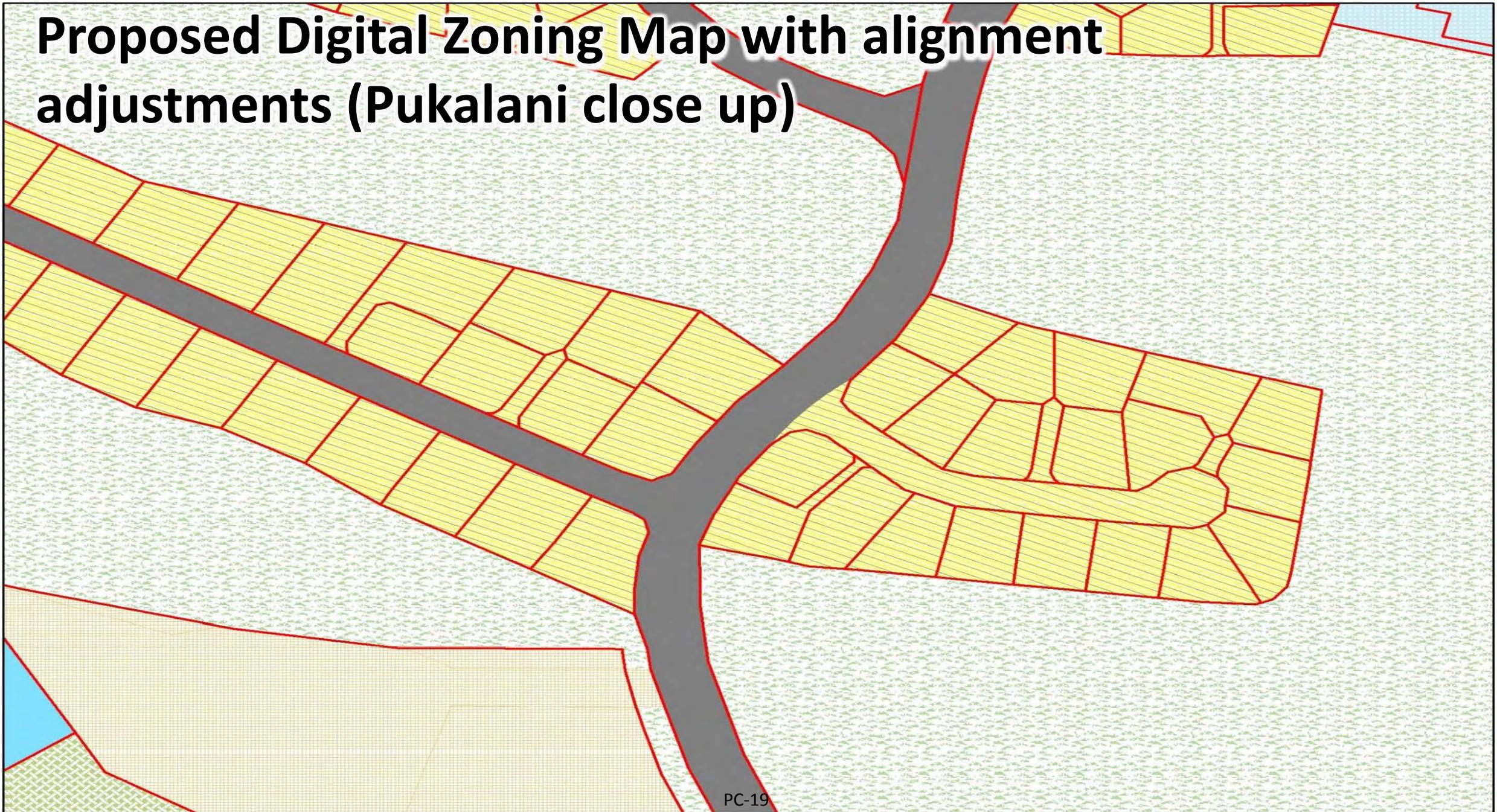
**1971 Pukalani Land
Zoning Map No. 1002
(DSSRT GIS representation)
overlayed with 2014
RPT parcel layer**



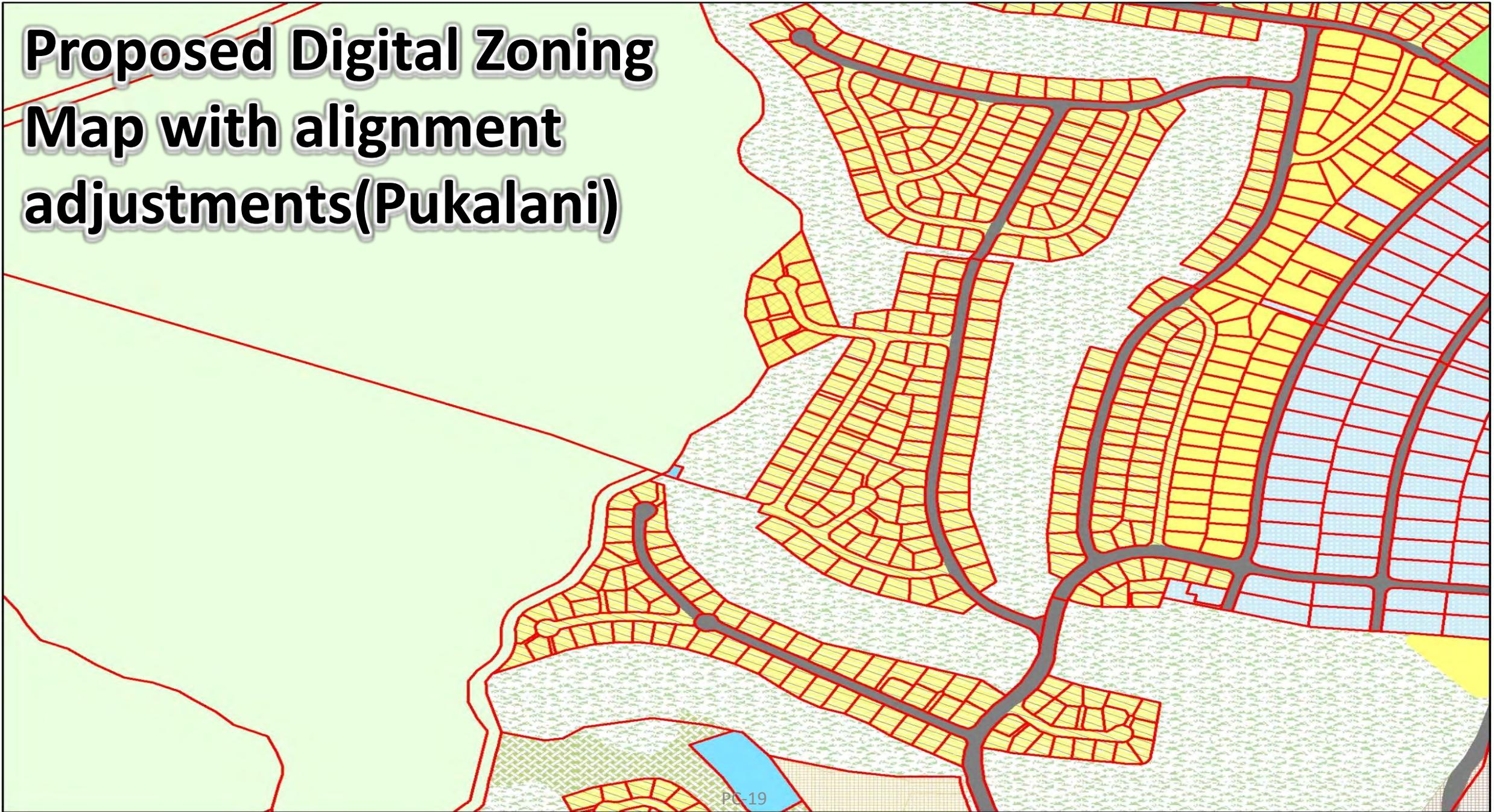
Close up of 1971 Pukalani Land Zoning Map No. 1002 (GIS DSSRT representation) overlaid with 2014 RPT parcel layer



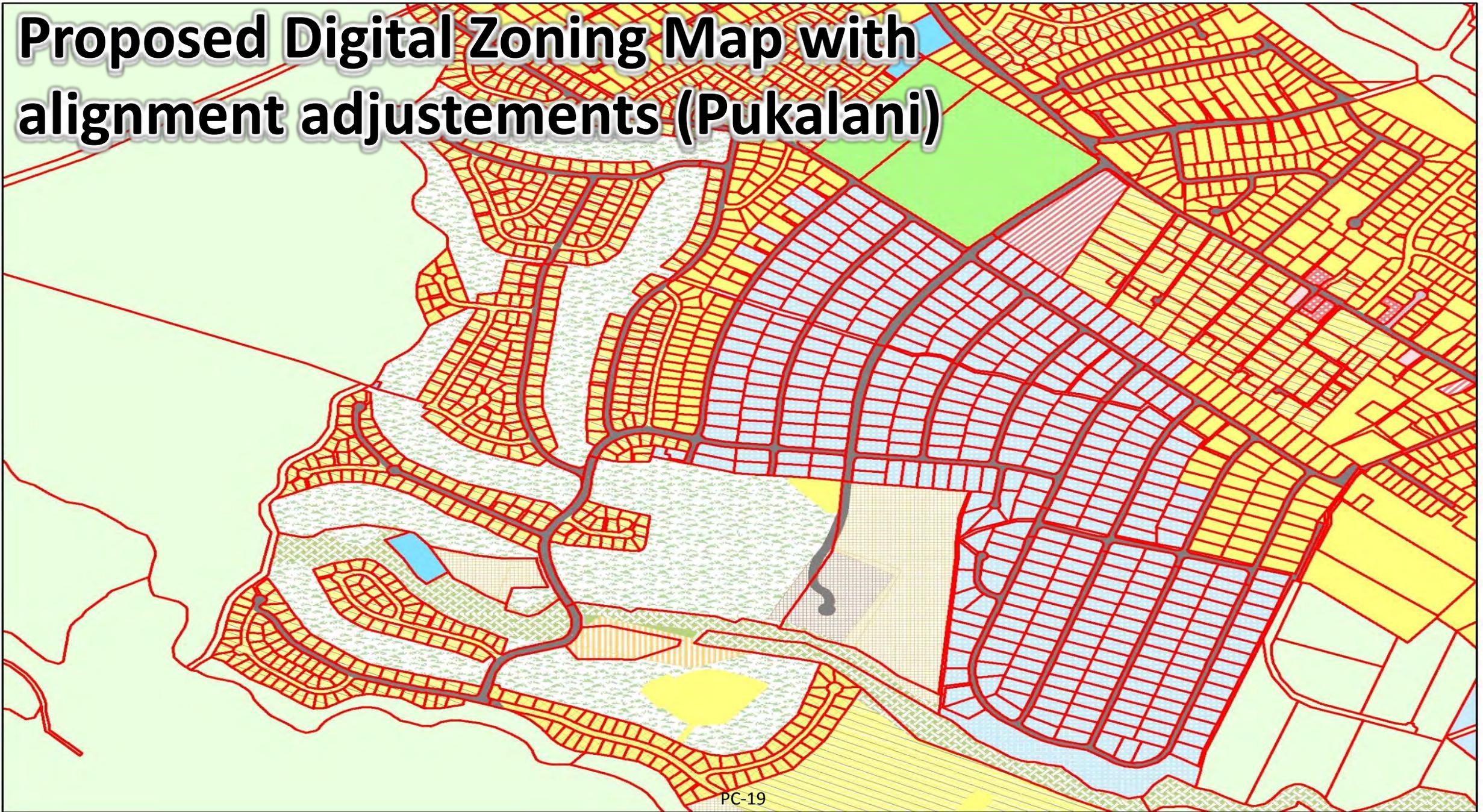
Proposed Digital Zoning Map with alignment adjustments (Pukalani close up)



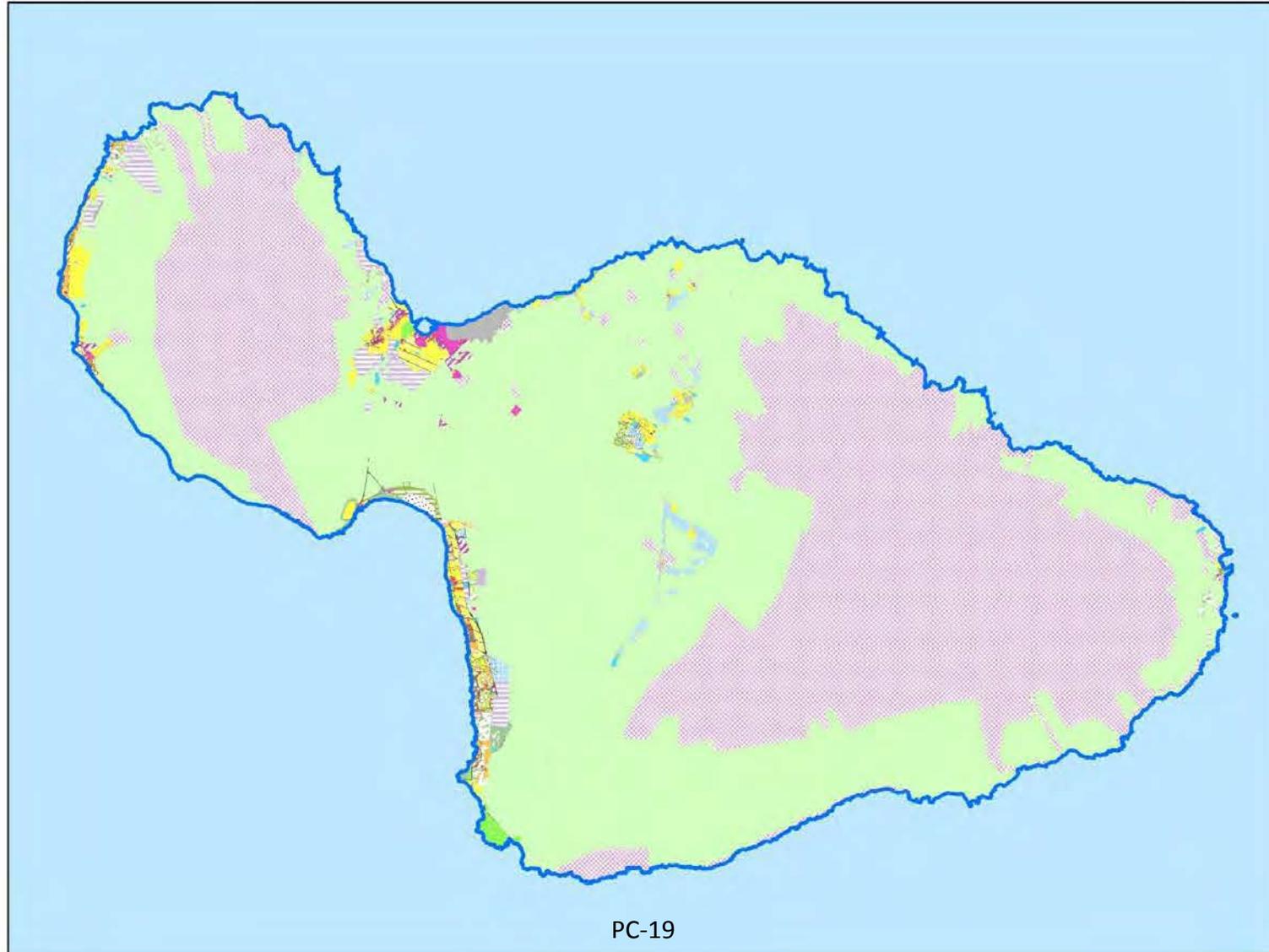
Proposed Digital Zoning Map with alignment adjustments(Pukalani)

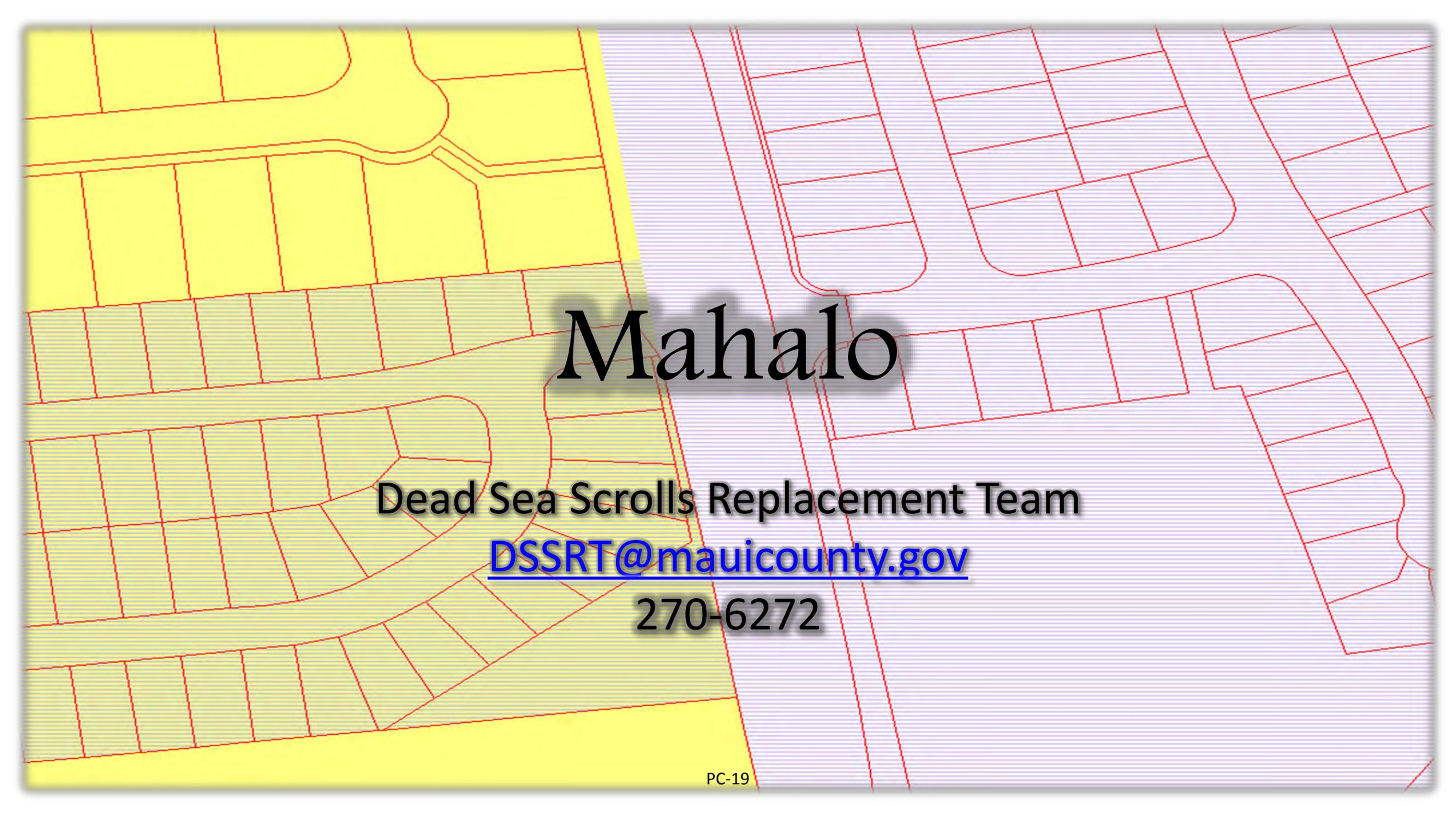


Proposed Digital Zoning Map with alignment adjustments (Pukalani)



Corrected Digital Zoning map





Mahalo

Dead Sea Scrolls Replacement Team

DSSRT@mauicounty.gov

270-6272

DIGITAL ZONING MAP AMENDMENTS TO MCC TITLE 19

Prepared by:
Planning Department
County of Maui

Prepared for:
Maui County Council's
Planning Committee

Background on Zoning Maps

- ▶ The primary purpose of the bills is to recognize up-to-date Geographical Information System (GIS)-based maps to be the official zoning maps for the County.
- ▶ This will increase zoning maps' accuracy, clarity, and ease of use.
- ▶ The legislation also provides a roster of zoning districts in the County and updates standards for determining boundaries.
- ▶ In the initial phases of the project, a digital zoning map will be made available only for the Island of Maui.

Current Policies on Zoning Maps

- ▶ **Section 8-8.3, Maui County Charter:**
 - ▶ “The planning director shall: . . .
(6) Prepare, administer, and enforce zoning ordinances, zoning maps and regulations and any amendments or modifications thereto.”
- ▶ **Chapter 19.06, Maui County Code:**
 - ▶ Says paper zoning maps shall be kept on file as official maps.
 - ▶ Establishes policies for determining boundaries of zoning districts.

Department's Position

- ▶ Consistent with the Charter's grant of authority to the Planning Director to publish and maintain zoning maps, Chapter 19.06 of the Maui County Code should be amended to:
 - recognize a digital map as the official zoning map,
 - update the standards for determining the boundaries of zoning districts &
 - list zoning districts.
- ▶ Enactment of these ordinances furthers General Plan policies:
 - “Government services will be transparent, effective, efficient, and responsive to the needs of residents” (Countywide Policy Plan, p. 78).
 - “Facilitate the community's ability to obtain relevant documentation” (Countywide Policy Plan, p. 79).
 - “Use advanced technology to improve efficiency” (Countywide Policy Plan, p. 79).
 - “Expand government online services” (Countywide Policy Plan, p. 80).

ALAN M. ARAKAWA
Mayor
WILLIAM R. SPENCE
Director
MICHELE CHOLTEAU McLEAN
Deputy Director



COUNTY OF MAUI

DEPARTMENT OF PLANNING

May 15, 2018

RECEIVED
2018 MAY 15 PM 2:44
OFFICE OF THE MAYOR

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Mike White, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL
William R. Spence 5/15/18
Mayor Date

Dear Chair White and Councilmembers:

SUBJECT: DIGITAL ZONING MAPS

Pursuant to Section 8-8.3(6) and 8-8.4 of the Revised Charter of the County of Maui (1983), as amended, I propose the Council's consideration and passage of the attached proposed bills, respectively titled as follows:

- "A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI." The bill's purpose is to adopt a digital zoning map, consistent with previously enacted zoning ordinances, for the Island of Maui.
- "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO ZONING DISTRICTS AND MAPS." The bill's purposes are to establish updated County policy on determining boundaries for zoning districts and to comprehensively update the digital zoning map for the Island of Maui.

These bills are complementary to each other, and I respectfully request they be consecutively enacted on the same day.

Here is a summary of the planning commissions' recommendations.

<u>Planning Commission</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote</u>
Lanai	October 4, 2017	Pass both bills.	5-0
Maui	October 24, 2017	Pass both bills.	5-0
Molokai	October 11, 2017	Pass both bills.	5-0

Please find attached relevant meeting minutes.

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Mike White
Page 2

As explained in my attached correspondence to the planning commissions, dated September 12, 2017, this legislation will allow for precise, up-to-date Geographical Information System-based maps to be the official zoning maps for the County. This will increase the maps' accuracy, clarity, and ease of use, in furtherance of several General Plan policies.

The initial phases of this project will result in a digital zoning map for the Island of Maui, with future legislation authorizing digital zoning maps for Kahoolawe, Lanai, and Molokai anticipated for the near future. We further anticipate legislation authorizing digital zoning maps for future community plan updates.

Thank you for your attention to this matter. Should further clarification be necessary, please feel free to contact Administrative Planning Office: David Raatz at david.raatz@mauicounty.gov or extension 7743.

Sincerely,

WILLIAM SPENCE
Planning Director

Attachments

cc: Kathleen Acki, Planning Program Administrator (PDF)
David Raatz, Administrative Planning Officer (PDF)
WRS:DMR:ckk
S:\AI\WPO\19.00\transmits\council.docx

ORDINANCE NO. _____

BILL NO. _____ (2018)

A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS THE
OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. The purpose of this ordinance is to adopt a digital zoning map as the official zoning map for the Island of Maui. The map shall provide a graphical portrayal of zoning designations established by ordinance.

SECTION 2. Section 19.06.020, Maui County Code, is amended to read as follows:

“19.06.020 Maps. A. Pursuant to section 8-8.3(6) of the revised charter of the County of Maui (1983), as amended, the planning director shall prepare and administer the County’s zoning maps.

B. For the island of Maui, one zoning map shall be prepared and administered in a digital format, such as within a geographic information system and made available for public use on the County website. The digital zoning map is incorporated herein by reference and is located online at the department of planning, implementation division’s website at <https://www.mauicounty.gov/2159/Digital-Zoning-Map-Update-Project>. The digital map shall be in addition to the original “land zoning maps” on file in the office of the county clerk; however, the digital zoning map shall be used to determine zoning boundaries and designations in the event of a conflict. Whenever an amended zoning map is adopted and the ordinance is filed with the county clerk, the digital zoning map shall be amended to reflect the amended zoning map.

C. The areas of the [County] islands of Kaho`olawe, Lana`i, and Moloka`i shown on original maps [identified and] entitled “Land Zoning Maps,” on file in the office of the county clerk with certified copies being placed on file in the planning department, and the digital zoning map for the island of Maui,

together with all explanatory materials thereon, [shall be deemed to accompany, and are made a part of, the ordinance codified in this title, and may be amended in the same manner as any] are part of this title.

[B. Notwithstanding any provision contained in this article as to those areas of the County not shown on the maps, the provisions of article I of this title shall govern and have precedence over this article.]”

SECTION 3. Notwithstanding enactment of this ordinance, zoning conditions previously enacted by ordinance shall remain in effect, unless repealed by ordinance or operation of law.

SECTION 4. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND
LEGALITY:



MICHAEL J. HOPPER
Department of the Corporation Counsel
County of Maui

LF 2017-1320
2018-03-20 Ordinance Digital Zoning Map

ORDINANCE NO. _____

BILL NO. _____ (2018)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE,
RELATING TO ZONING DISTRICTS AND MAPS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 19.06.010, Maui County Code, is amended to read
as follows:

“19.06.010 Districts designated. The County shall be
divided into the following use zone districts:

- A. Residential districts:
 - 1. R-1, six thousand square feet,
 - 2. R-2, seven thousand five hundred square feet,
 - 3. R-3, ten thousand square feet;
- B. Multiple-family districts:
 - 1. Two-family district (duplex district),
 - 2. Apartment districts;
- C. Hotel districts;
- D. Business districts:
 - 1. B-1 neighborhood business district,
 - 2. B-2 community business district,
 - 3. B-3 central business district,
 - 4. B-R resort commercial district,
 - 5. B-CT business country town district,
 - 6. SBR service business residential district;
- E. Industrial districts:
 - 1. M-1 light industrial district,
 - 2. M-2 heavy industrial district;
- F. Airport district;
- G. Agricultural district;
- H. Off street parking and loading;
- I. Planned development;
- J. Civic improvement district;
- K. Park districts:
 - 1. PK-1 neighborhood park district,
 - 2. PK-2 community park district,
 - 3. PK-3 regional park district,

- 4. PK-4 golf course park district;
- L. Rural districts:
 - 1. RU-0.5 rural district,
 - 2. RU-1 rural district;
- M. Open space districts:
 - 1. OS-1 passive open space district,
 - 2. OS-2 active open space district.]
- A. Open space districts:
 - 1. OS-1.
 - 2. OS-2.
- B. Residential districts:
 - 1. R-1.
 - 2. R-2.
 - 3. R-3.
- C. R-0 zero lot line residential district.
- D. Two-family districts:
 - 1. D-1.
 - 2. D-2.
- E. Apartment districts:
 - 1. A-1.
 - 2. A-2.
- F. Hotel districts:
 - 1. H-1.
 - 2. H-M.
 - 3. H-2 and hotel.
- G. Business districts:
 - 1. SBR service.
 - 2. B-CT country town.
 - 3. B-1 neighborhood.
 - 4. B-2 community.
 - 5. B-3 central.
 - 6. B-R resort commercial district.
- H. Industrial districts:
 - 1. M-1 light.
 - 2. M-2 heavy.
 - 3. U-3 restricted.
- I. Park districts:
 - 1. PK.
 - 2. GC.
- J. Airport district.
- K. Agricultural district.
- L. Rural districts:
 - 1. RU-0.5.
 - 2. RU-1.
 - 3. RU-2.
 - 4. RU-5.

- 5. RU-10.
- 6. County rural.
- M. Public/quasi-public districts:
 - 1. P-1.
 - 2. P-2.
- N. Kihei research and technology park district.
- O. Maui research & technology park district.
- P. Napili bay civic improvement district.
- Q. Urban reserve district.
- R. Interim.
- S. Maui County historic districts.
- T. Project districts."

SECTION 2. Section 19.06.030, Maui County Code, is amended to read as follows:

"19.06.030 Interpretation of district boundaries. [Where uncertainty exists with] With respect to the boundaries of [any] zoning districts [as shown on the zoning map,] in areas subject to the County's zoning authority, the following [rules] standards shall apply[;], unless otherwise specified by ordinance:

A. [Where Boundaries Approximately Follow Streets, Alleys or Highways. Where district boundaries are indicated as approximately following the centerline or street line of streets, the centerline or alley line of alleys, or the centerline or right-of-way line of highways, such lines shall be construed to be such district boundaries.] The County's electronic zoning maps, if available, shall be used to represent lot lines and boundaries of zoning districts.

B. [Where Boundaries Parallel Street Lines, Alley Lines or Highway Right-of-Way Lines. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, the centerlines or alley lines of alleys, or the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on the zoning maps.] The zoning designation for public and private streets shall be the same as for adjacent lots. If a street adjoins two or more zoning districts, the boundaries of each zoning district shall extend to the street's centerline.

C. [Where Boundaries Approximately Follow Lot Lines.] Where [district] boundaries of a zoning district are indicated as approximately following [lot lines, such lot lines shall be construed to be the boundaries.] a lot line, the boundary line shall be the same as the lot line.

D. [Where the Boundary Follows a Railroad Line.] Where the boundary of a zoning district follows a railroad line, [such] the boundary shall be [deemed to be] located midway between the main tracks of the railroad line.

E. [Where the Boundary Follows a Body of Water.] Where the boundary of a zoning district follows a stream, watercourse, or other body of water, excluding the Pacific Ocean, the boundary line shall be [construed to be] the centerline of [such stream, watercourse, or] the body of water. [If] Where the boundary of a zoning district follows the Pacific Ocean, [it] the boundary line shall be [construed to be] along the high water mark.

F. [Submerged Areas Not Included in District. All areas within the corporate limits of the County which are under water and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water areas. If the water area] The zoning designation for any area under water shall be the same as the immediately adjoining zoning designation. If an area under water adjoins two or more zoning districts, the boundaries of each district shall [be construed to] extend [into the water area] in a straight line until they meet the [other] boundary of another district.

[G. District Regulations Apply to Schools, Parks, etc. Any area shown on the zoning maps as park, playground, school, cemetery, water, street or right-of-way shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulations of the most restricted adjoining district shall govern.

H. Vacation of Public Ways. Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all regulations of the extended districts.]”

SECTION 3. Title 19, Maui County Code, is amended by amending the title of chapter 19.10 to read as follows:

“TWO-FAMILY (DUPLEX) [DISTRICT] DISTRICTS”

SECTION 4. Title 19, Maui County Code, is amended by amending the title of chapter 19.15 to read as follows:

“B-CT COUNTRY TOWN BUSINESS [DISTRICTS] DISTRICT”

SECTION 5. Material to be repealed is bracketed. New material is underscored. In printing the bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 6. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



MICHAEL J. HOPPER
Department of the Corporation Counsel
County of Maui
2017-1320
2018-03-20 Ordinance Zoning Districts and Maps

▶ Mahalo