

ORDINANCE NO. \_\_\_\_\_

BILL NO. 44 (2019)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE,  
RELATING TO WAIKAPU COUNTRY TOWN DISTRICT SITUATED IN WAILUKU,  
MAUI, HAWAII

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

SECTION 1. Title 19, Maui County Code, is amended by adding a new chapter to be designated and to read as follows:

**"Chapter 19.96**

**WAIKAPU COUNTRY TOWN DISTRICT**

Sections:

- |           |   |
|-----------|---|
| 19.96.010 | Purpose and intent.   |
| 19.96.020 | Form-based code.  |
| 19.96.030 | Controlling plan.   |
| 19.96.040 | Gross acreage allocations   |
| 19.96.050 | Minimum and maximum number of residential units and commercial space. |
| 19.96.060 | Zoning districts.   |
| 19.96.070 | Definitions, general and administrative.                              |
| 19.96.080 | Definitions, uses.  |
| 19.96.090 | Types of uses and interpretation of terms and uses.                   |
| 19.96.100 | Principal, accessory, and special uses.                               |
| 19.96.110 | Permitted lot types.  |
| 19.96.120 | Lot types.  |
| 19.96.130 | Lot types in zoning districts.  |
| 19.96.140 | Lot type development standards.                                       |
| 19.96.150 | Parking standards.  |
| 19.96.160 | Additional standards for all districts.                               |
| 19.96.170 | Subdivision review.   |
| 19.96.180 | Administrative rules.   |

**19.96.010 Purpose and intent.** The council has established this zoning district to implement the Maui island plan's directed growth strategy and the Wailuku-Kahului community plan by creating a mixed-use residential community that addresses Maui's future housing demand and provides for the diverse needs of the community's residents. Key objectives of the Waikapu country town include:

1. Provide for a range of housing options to address projected housing demand.
2. Develop a "complete community" with a mix of housing, retail, and civic uses to support the community's residents.
3. Create employment within the Waikapu country town to reduce vehicle commutes.
4. Create the opportunity for more active and healthy lifestyles through the creation of pedestrian-oriented streets, greenways, separated pedestrian paths and bikeways, a diversity of park spaces, and community supported agricultural development.

**19.96.020 Form-based code.** The Waikapu country town zoning code establishes new types of zoning districts, including mixed use districts, and the approximate acreages in each district. It also regulates and provides flexibility in the form and configuration of development, by establishing lot types. In Waikapu country town, each lot type has its own development standards, and each zoning district allows multiple lot types. Development on each lot type is regulated by traditional standards, including setbacks, building heights, and lot sizes and widths, and by new standards, including building orientation, driveway ingress and egress, street frontage, and floor area ratios. In addition, the Waikapu country town zoning code lists all uses alphabetically in tables that identify all zoning districts in which a use is allowed and all lot types on which it may occur.

**19.96.030 Controlling plan.** The controlling plan establishes eight zoning districts that together establish a mix of land uses that achieve the purpose and intent of this ordinance. Figure 1 is the controlling plan.

Figure 1: Controlling plan



**19.96.040 Gross acreage allocations.** A. Table 1 identifies the approximate gross acreage allocations to each zoning district.

B. Minor adjustments to acreage allocations may occur as the result of plotting of the final roadway alignments and for acquisition of right-of-way and other land for public purposes such as for parks, schools, and open space.

C. In order to facilitate site planning flexibility, the gross acreage of the following districts: town center, main street, commercial/employment, residential, rural, and education may be further adjusted, exclusive of adjustments made pursuant to

section 19.96.040(B), by up to 5 percent of the gross acreage allocation so long as the total gross acreage from all districts does not exceed the total acres in the Waikapu country town.

Table 1: Approximate gross acreage allocations

<b>District</b>	<b>≈Gross acreage allocation</b>
<b>A. Town center</b>	24.80
<b>B. Main street</b>	14.75
<b>C. Commercial/employment</b>	9.56
<b>D. Residential</b>	222.60
<b>E. Rural</b>	114.70
<b>F. Education</b>	12.00
<b>G. Parks</b>	32.50
<b>H. Open space</b>	65.00
<b>Total acres</b>	<b>495.905</b>

**19.96.050 Minimum and maximum number of residential units and commercial space.** A. At buildout, the minimum number of dwelling units within the Waikapu country town shall be 1,326, unless the owner demonstrates that it is not feasible to build the minimum number of units. The maximum number of dwelling units is 1,433, plus up to an additional 146 accessory dwellings.

B. The maximum number of accessory dwellings is 146.

C. The maximum number of rural lots is 80.

D. Multi-family residential units. The minimum number of multi-family residential units within the Waikapu country town shall not be less than 25 percent or more than 50 percent of the total number of permitted non-accessory dwellings.

E. The maximum amount of commercial, retail, and employment space within the Waikapu country town shall not exceed 200,000 square feet of floor area.

**19.96.060 Zoning districts.** A. Town center. The purpose of the town center district is to create a commercial and social core for Waikapu within a portion of the original grounds of the Maui Tropical Plantation. The unique character and ambiance of the Maui Tropical Plantation grounds will create a village green, which will be the defining feature of the town center. The village green will give the community a distinct sense of place that invites residents to gather and relax and enjoy the tropical grounds and scenic views of the West Maui mountains. Here it is intended for

residents to have convenient access to goods and services such as restaurants, cafes, or a farmer's market. Designed around the village green may be live-work residences, multi-family residences, and a mix of retail, business, entertainment, and personal service uses.

B. Main street. The purpose of the main street district is to create a second walkable town core to service Waikapu country town residents living east (makai) of Honoapiilani Highway. The district comprises a mix of retail, business, and personal service uses organized around a main street design typology that invites walking and bicycling. Development within the district may also include multi-family residences and live-work residences. The adopted main street design typology intends that buildings will front onto wide sidewalks with parking placed within the street right-of-way, within public parking lots, and on-site at the rear of buildings. It is intended that pedestrian-oriented street design and landscape planting provide natural cooling and shading of the streets and sidewalks within the district.

C. Commercial/employment. The purpose of the commercial/employment district is to establish an area for uses that deliver goods and services or create employment in the professional services, light manufacturing, warehousing, repair services, sales, and distribution sectors. The district may also accommodate neighborhood grocery stores or general merchandise stores that serve the Waikapu country town and the developing Waikapu trade area. The district is characterized by small blocks, buildings built on front property lines, and ample pedestrian amenities.

D. Residential. The purpose of the residential district is to provide a mix of dwelling units in a variety of urban design formats to accommodate a diversity of household sizes, income ranges, and market demands. Building types include single-family residential, duplex, triplex, fourplex, sixplex, or larger buildings. Lots within the district may be sized to accommodate a single structure or multiple structures on a single lot. Dwelling unit types within the district include single-family small lot units, single-family large lot units, single-family cottage complexes, duplex units, multi-plex units, multi-family complexes, townhouses, and live-work units. The district is intended to accommodate residences that front onto aesthetically pleasing and pedestrian-oriented streets. The district may accommodate a variety of block types to accommodate a range of lot sizes. The district includes areas of common open space to provide for passive recreation and visual relief. The urban design of public spaces emphasizes a landscape planting program and streetscapes.

E. Rural. The purpose of the rural district is to provide large residential lots at the boundary of the urban development to serve as a rural transition to the agricultural lands. It is intended that the rural lots include areas for personal or commercial flower and vegetable gardening, orchards, and the raising of chickens, horses, goats, and other types of livestock. It is intended that the clustering, arrangement, and layout of the rural lots is to preserve areas of common open space.

F. Education. The purpose of the education district is to provide a site for private or public education facilities to service the Waikapu country town population and neighboring communities.

G. Parks. The purpose of the parks district is to provide a variety of active and passive park spaces for use by Waikapu country town residents and the broader Waikapu community. It is intended that the design of Waikapu country town's parks will address community needs at the neighborhood and community-wide scale and will include mini-parks, neighborhood parks, and community parks that offer a variety of facilities to support active and passive recreation uses. The parks district also allows for civic spaces, which may include uses such as a community green, square, plaza, passive park area, community garden, farm plot, natural area, or historic area worthy of preservation.

H. Open space. The purpose of the open space district is to preserve lands from development for the protection of environmental resources, cultural resources, public health and safety, and community livability and wellbeing. Lands within the open space district may include limited passive and active recreational activities, such as bikeways, trails, community gardens, areas for viewing natural and scenic resources, and areas set aside for picnicking and other passive recreation. The open space district also allows for civic spaces, which may include uses such as a community green, square, plaza, passive park area, community garden, farm plot, natural area, or historic area worthy of preservation.

**19.96.070 Definitions, general and administrative.**

<b>Term</b>	<b>Definition</b>
Complete community	A community that provides a diversity of housing types to serve a broad spectrum of income and age demographics and that provides a mix of residential, commercial, and civic uses in an environmentally sustainable manner to address resident needs.
Controlling plan	The land use plan that establishes the Waikapu country town's zoning districts.

<b>Term</b>	<b>Definition</b>
Gross acres	The total acres of an area including land dedicated to the use, roadways, parks and open space, and undevelopable areas.
Net residential acres	The gross acres of a site intended for residential development minus the area of wetlands and waterbodies, parks and open space, roads and right-of-way, and other undevelopable land within the site.
Net residential density	The total number of dwelling units to be developed at a specific site divided by the net residential acres.

**19.96.080 Definitions, uses.**

<b>Term</b>	<b>Definition</b>
Agricultural tourism	Commercial tours and activities that are based upon existing and historic Hawaii agricultural uses and themes and that may include such activities as farm tours, agricultural based learning and instruction, petting zoos, and farmers markets.
Civic space	Public uses that serve a unique community purpose such as a community green, square, plaza, park area, recreation facility, open space, playground, pedestrian path, bikeway, trail, roadway, community garden, farm plot, or natural or historic area worthy of preservation.
Common open space	Facilities and yard areas identified for the use and enjoyment of residents and maintained and operated by an organization of property holders. This does not include surface parking areas.
Cottage house	A single-family dwelling unit that is not less than 250 square feet in floor area but not greater than 950 square feet in floor area and that serves as the principal dwelling unit permitted on a Single-Family Cottage Complex Lot. Unenclosed decks and porches are not counted towards the floor area of the house. A cottage house is not an accessory dwelling.
Cultural tourism	Commercial tours and activities that are based upon Hawaiian and other local Hawaii cultures and that may include activities centered around traditional music, arts, crafts, foods, architecture, language, history, and recreation.
Food, beverage, and merchandise kiosk	A small structure no larger than 6 feet wide by 10 feet long that is open at one or more sides, and used for the sale of merchandise such as arts and crafts, snack food items, clothing, newspapers, magazines, and jewelry, which is a self-contained portable structure located on

<b>Term</b>	<b>Definition</b>
	private property, and does not constrain or block safe pedestrian or automobile traffic.
Food processing	Facilities for the preparation of food products for regional distribution to retail, wholesale, and eating establishments. Examples include bakeries, refrigerated storage, canning, bottling, packaging plants, and large-scale food manufacturing and processing for off-site distribution and sales.
Funeral home	A building used for the preparation of the deceased for burial, and the display of the deceased, and rituals connected therewith before burial or cremation.
Outside open-air dining	A restaurant or food service establishment with tables, dining facilities, and activities that are open on at least three sides on a private property or on a private property sidewalk when the open-air dining is used in conjunction with a business located within the building, structure, or vehicle located along and adjacent to the open-air dining facility.
Outside open-air sidewalk sales	An outdoor area set aside for the display and sale of products and located on the private property provided the open-air sidewalk sales is used in conjunction with a business located within the building or structure located along and adjacent to the sidewalk sales.
Radio and television broadcasting station	An establishment engaged in transmitting oral and visual programs to the public, and that consists of facilities such as a studio, transmitter, and antennas.
Repair, minor	Repair activities that have relatively little impact on surrounding land uses, and that can be compatibly located with other businesses. Examples include upholstery repair and repainting of automobiles and motorized bicycles within enclosed buildings; non-motorized bicycle repair; production and repair of eye glasses, hearing aids, and prosthetic devices; garment repair; household appliance repair, except those with gasoline and diesel engines; shoe repair; and watch, clock, and jewelry repair; and other similar activities as may be approved.
Telecommunication and broadcasting tower or antenna	A self-supporting lattice, guyed, or monopole structure that is designed or intended to support wireless telecommunication antenna and related facilities, including wireless antenna towers constructed for the location of transmission or related equipment to be used in the provision of commercial mobile radio services.



**19.96.090 Types of uses and interpretation of terms and uses.** A. Types of uses. For the purposes of this chapter, there are three types of uses: principal use, accessory use, and special use as set forth in this Title. Except as provided in the subsection below, no use shall be permitted in a zoning district unless it is included within the definition of the terms listed, and is identified as a principal use or accessory use; meets all criteria identified for the use; and if it is identified as a use that requires a special use permit, said permit is obtained, and all conditions are complied with.

B. Interpretation of terms. If a definition or term exists in this zoning ordinance, but is defined in a different way in section 19.04.040 of this title, the definition or term found in this zoning ordinance shall have precedence. If a term or word is not defined or described in this zoning ordinance, then the definition set forth in section 19.04.040 of this title, shall apply.

C. Interpretation of uses. If a proposed use does not appear in the list of terms, or within the definitions of those terms, or is not defined elsewhere in this title, the director will conduct an administrative review of the proposed use, and based upon the characteristics of the use, determine if a listed or defined use is similar to that proposed; provided further that such use shall be consistent with the purpose and intent of the applicable zoning district, land use designation, and objectives and policies of the general plan.

D. Other similar uses not specifically enumerated in tables 2A, 2B, or 2C may be permitted as a principal use, accessory use, or special use by the director. In making a determination, the director must determine that the proposed use meets all of the following:

1. It is substantially similar in character and use to one or more of the uses enumerated within the relevant zoning district.
2. It is compatible with the purpose and intent of that zoning district.
3. It is compatible with the purpose and intent of this ordinance.
4. It creates no unusual impacts to neighboring land users that cannot potentially be mitigated through the issuance of a special use permit.

**19.96.100 Principal, accessory, and special uses.** A. Within the town center, main street, and commercial/employment districts, the land uses identified in table 2A shall either be principal uses (P), accessory to a principal use (AU), or a special

use (SU). A special use requires a special use permit.

Table 2A: Commercial mixed-use table

Land use type	Zoning Districts		
	Town center	Main street	Commercial/ employment
<b>Commercial / retail / services</b>			
Agricultural products processing <u>1/</u>	P	P	P
Agricultural tourism	P	P	P
Animal boarding facility <sup>1/</sup>	P	P	P
Animal hospital <u>1/</u>	P	P	P
Automobile services <u>1/</u>	P		P
Cultural tourism	P	P	
Day care facility	P	P	P
Eating and drinking establishments	P	P	P
Education, specialized	P	P	P
Entertainment establishment	P	P	P
Food and beverage retail <u>2/; 3/</u>	P	P	P
Food and beverage truck	P	P	P
Food, beverage and merchandise kiosk	P	P	P
Funeral home			P
General merchandising <u>2/; 3/</u>	P	P	P
General office	P	P	P
Nursery school	P	P	P
Outside open-air dining	P	P	P
Outside open-air markets	P	P	P
Outside open-air sidewalk sales	P	P	P
Parking, public	P	P	P
Personal and business services	P	P	P
Personal services establishment	P	P	P
Recreation, indoor	P	P	P
SBR service establishment	P	P	
Self-storage			P
Shopping center <u>3/</u>			P
Swap meet or open-air market	P	P	P
<b>Employment</b>			
Food processing	P	P	P
Light manufacturing and processing <u>1/</u>	P	P	P
Medical center, minor		P	P
Production facility, multimedia		P	P
Repair, minor		P	P
Storage, wholesale and distribution			P
<b>Residential</b>			
Boardinghouse <u>1/</u>	P	P	
Live/work mixed use	P	P	
Dwelling unit, duplex	P	P	
Dwelling unit, fourplex	P	P	

Land use type	Zoning Districts		
	Town center	Main street	Commercial/employment
Dwelling unit, multi-family (includes townhouses)	P	P	
Dwelling unit, townhouse	P	P	
Dwelling unit, triplex	P	P	
<b>Cultural and entertainment</b>			
Assembly area	P	P	P
Entertainment	P	P	P
<b>Civic</b>			
Open space	P	P	P
Park	P	P	P
Civic space	P	P	P
<b>Public facilities and public quasi-public</b>			
Fire station			SU
Library	P	P	P
Police		P	P
Post office 1/	P	P	P
Radio and television broadcasting station		P	P
Recycling collection center			P
Redemption center			P
Telecommunication and broadcasting tower or antenna		P	P
Utility facilities, major	SU	SU	SU
Utility facilities, minor	P	P	P
<b>Accessory</b>			
Drainage facilities	AU	AU	AU
Energy systems, small scale	AU	AU	AU
Home business 4/	AU	AU	AU
Accessory building or structure	AU	AU	AU
1/ Shall not be permitted within or adjacent to the town center's village green			
2/ Within the town center and main street districts gross floor area shall be limited to a maximum of 5,000 square feet on the subject lot.			
3/ Within the commercial/employment district gross floor area shall be limited to a maximum of 12,000 square feet on the subject lot. Shopping centers featuring multiple uses within multiple buildings on a single lot shall be limited to 24,000 square feet of combined floor area. Exceeding these standards shall require a special use permit.			
4/ Shall be subject to chapter 19.67.			

B. Within the residential and rural districts, the land uses identified in table 2B shall either be principal uses (P), accessory to a permitted use (AU), or a special use (SU). A special use shall require the issuance of a special use permit.

Table 2B: Residential use table

Land use type	Zoning Districts	
	Residential	Rural
Assembly area <u>1/</u>	P	
Agriculture		P
Animal and livestock raising		P
Apartment	P	
Boardinghouse <u>2/</u>	P	P
Civic space	P	P
Day care facility <u>3/</u>	SU	SU
Cottage house	P	
Dwelling unit, duplex	P	
Dwelling unit, fourplex	P	
Dwelling unit, multi-family (includes townhouse)	P	
Dwelling unit, single-family	P	P
Dwelling unit, townhouse	P	
Dwelling unit, triplex	P	
Lodging house	P	
Riding academy		SU
Recreation, open land <u>4/</u>		P
Park	P	P
Parking area, public	P	
<b>Accessory</b>		
Drainage facilities	AU	AU
Energy systems, small scale	AU	AU
Gardens	AU	AU
Garage sales	AU	AU
Home business <u>5/</u>	AU	AU
Accessory dwelling <u>6/</u>	AU	AU
Open space	AU	AU
Accessory building or structure	AU	AU
<b>Public facilities and public quasi-public</b>		
Utility facilities, major	SU	SU
Utility facilities, minor	P	P
<u>1/</u> Uses shall be limited to community centers, neighborhood associations, and other similar neighborhood type uses. <u>2/</u> Shall not have more than 5 bedrooms and not more than 5 boarders. <u>3/</u> For facilities serving more than 6 persons. <u>4/</u> As defined in section 19.04.040. <u>5/</u> Shall be subject to chapter 19.67. <u>6/</u> Shall comply with the provisions of Maui County code chapter 19.35. The total number of accessory dwellings permitted within the Waikapu country town shall not exceed 146.		

C. Within the education, parks, and open space districts the land uses identified in table 2C shall either be principal uses (P), accessory to a permitted use (AU), or a special use (SU). A

special use shall require the issuance of a special use permit.

Table 2C: Civic use table

Land use type	Zoning Districts		
	Education	Parks	Open space
<b>Civic</b>			
Civic space	P	P	P
Education, general	P		
Education, specialized	P		
Park	P	P	
Recreation, passive	P	P	P
<b>Public facilities and public quasi-public</b>			
Utility facilities, major	SU	SU	SU
Utility facilities, minor	P	P	P
<b>Accessory</b>			
Drainage facilities	AU	AU	AU
Accessory building or structure	AU	AU	AU

D. Commercial water bottling is not allowed in Waikapu country town.

**19.96.110 Permitted lot types.** A. Land uses permitted within each zoning district shall be located on lots that are compatible with the purpose and intent of the zoning district as well as the desired urban design standards for each lot type.

B. An owner proposing development of an area within Waikapu country town shall submit for director approval a proposed neighborhood plan that is consistent with the controlling plan, delineates the lots to be subdivided, and designates the lot type for each lot. The proposed plan shall be submitted to the director prior to or concurrent with an application for subdivision.

**19.96.120 Lot types.**

Lot Type	Description
Civic building	A lot located and designed to accommodate public or quasi-public uses such as educational, religious, recreational, charitable, governmental, and philanthropic institutions.
Civic space	A lot located and designed to accommodate a civic space, which may include uses such as a community green, square, plaza, park area, recreation facility, open space, playground, pedestrian path, bikeway, trail, roadway, community garden, farm plot, or natural or historic area worthy of preservation.
Commercial/retail/	A lot located and designed for a building that

<b>Lot Type</b>	<b>Description</b>
employment	accommodates a single or a mix of commercial, retail, and employment uses.
Commercial and residential	A lot designed to accommodate an attached or detached building with both residential and commercial uses, which may occupy any story of the building.
Duplex	A lot designed to accommodate a detached building that accommodates two dwelling units.
Light industrial	A lot located and designed for light manufacturing and processing uses.
Multi-plex	A lot located and designed to accommodate a detached building that contains from three to six dwelling units.
Multi-family complex lot	A lot located and designed to accommodate multiple multi-family buildings arranged in a manner that creates a garden-like setting with common open space elements and buildings significantly set back from the street to create ample space for canopy shade trees and a visually attractive streetscape.
Multi-family courtyard lot	A lot located and designed to accommodate multi-family buildings and multi-plexes arranged around and fronting on a central garden or courtyard that may be partially or wholly open to the street.
Parking	A lot designed to provide off-street parking.
Rural	A rural residential lot that is intended to provide opportunities for a rural lifestyle that may also entail small-scale agriculture and animal husbandry, gardening, or passive open space qualities.
Single-family cottage complex lot	A lot located and designed to accommodate multiple cottage houses with the houses arranged in a manner that creates a garden-like setting with shared parking areas, common open space elements, pedestrian paths, and other community facilities.
Single-family green court	A lot located and designed to accommodate multiple cottage houses, single-family, and duplex houses arranged around and fronting onto a central garden or courtyard that may be partially or wholly open to the street.
Single-family large lot	A single-family lot designed to accommodate a single-family dwelling with larger front, side, and rear yard setbacks and additional land area for yards, pools, and other permitted accessory uses.
Single-family small lot	A single-family lot designed to accommodate a single-family dwelling, but not providing additional land area for larger front and rear yards, pools, and other accessory uses.

<b>Lot Type</b>	<b>Description</b>
Townhouse	A lot designed to accommodate a row of dwelling units that share a common sidewall with another single-family dwelling unit on an adjacent lot.

**19.96.130. Lot types in zoning districts.** A. Table 3 identifies the lot types permitted within each of the established zoning districts.

B. For land uses permitted through special or conditional permit processes, the director may choose the most suitable lot type to accommodate the permitted use.

Table 3: Lot Types Permitted in Zoning Districts

LOT TYPE	ZONING DISTRICTS							
	TOWN CENTER	MAIN STREET	COMMERCIAL / EMPLOYMENT	RESIDENTIAL	RURAL	EDUCATION	PARKS	OPEN SPACE
Civic building	•	•	•			•	•	
Civic space	•	•	•	•	•	•	•	•
Commercial/retail/employment	•	•	•					
Commercial and residential	•	•						
Duplex	•	•		•				
Light industrial	•	•	•					
Multi-plex	•	•		•				
Multi-family complex	•	•		•				
Multi-family courtyard	•	•		•				
Parking	•	•	•	•				
Rural					•			
Single-family cottage complex				•				
Single-family green court				•				
Single-family large lot				•				
Single-family small lot				•				
Townhouse	•	•		•				



**19.96.140 Lot type development standards.** Development standards that regulate lot sizes and lot widths; building setbacks; building height; building orientation; and driveway ingress and egress for each of the permitted lot types are hereby established in table 4. Figure 2, A through P<sup>1</sup> illustrates the lot type development standards.

Table 4: Lot type development standards

	Lot Area (Min/Max In SF)	Lot Width (Min/Max In ft.)	FAR (Net Min / Max in %)	Building Height (Max in ft.)	Parking Access	Setbacks In ft.			Street Frontage (Min in %) <sup>2</sup>
						Front (Min/Max)	Rear (Min)	Side (Min)	
Civic space	no min / no max	no min / no max	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Civic building	6,000 / no max	60 / no max	N/A	45	N/A	15/ no max	15	10	N/A
Commercial/ retail/ employment	3000 / no max	30 / no max	200	45	Alley, Side Drive or Secondary Street	0 / 10	5	0	70
Commercial and residential	2,000 / no max	20 / 80	N/A	48	Alley, Side Drive or Secondary Street	0 / 10	5	0	60
Duplex	4,800 / 10,800	35 / 90	N/A	35	Alley, Side Drive or Secondary Street	5 / 15	5	6	70
Light industrial	6,000 / no max	60 / no max	NA	35	N/A	10/ no max	6	6	60
Multi-plex	4,800 / 18,000	45/ no max	N/A	40	Alley, Side Drive or Secondary Street	5 / 15	5	6	70
Multi-family complex	10,000 / no max	60 / no max	90	40	N/A	15 / no max	10	10	N/A
Multi-family courtyard	20,000 / no max	150 / 300	70	40	Alley, Side Drive or Secondary Street	5 / 15	5	10	50
Parking	no min. / no max.	45 / 150	N/A	N/A	N/A	12 / no max	4	4	N/A
Rural	21,780 / no max	100 / no max	N/A	30	N/A	25 / no max	15	15	N/A
Single-family cottage complex	10,000 / no max	60 / no max	N/A	30	Alley, Side Drive or Secondary Street	10 / no max	10	10	N/A
Single-family green court	1,650 / no max	N/A	N/A	30	Alley	5 / 15 <sup>3</sup>	5	6	60
Single-family large lot	6,500 / no max	45 / no max	N/A	30	Alley, Side Drive, Front Entry Drive or Secondary Street	5 / 20	6	6	40

<sup>1</sup> Architectural imagery is intended for illustrative purposes only.

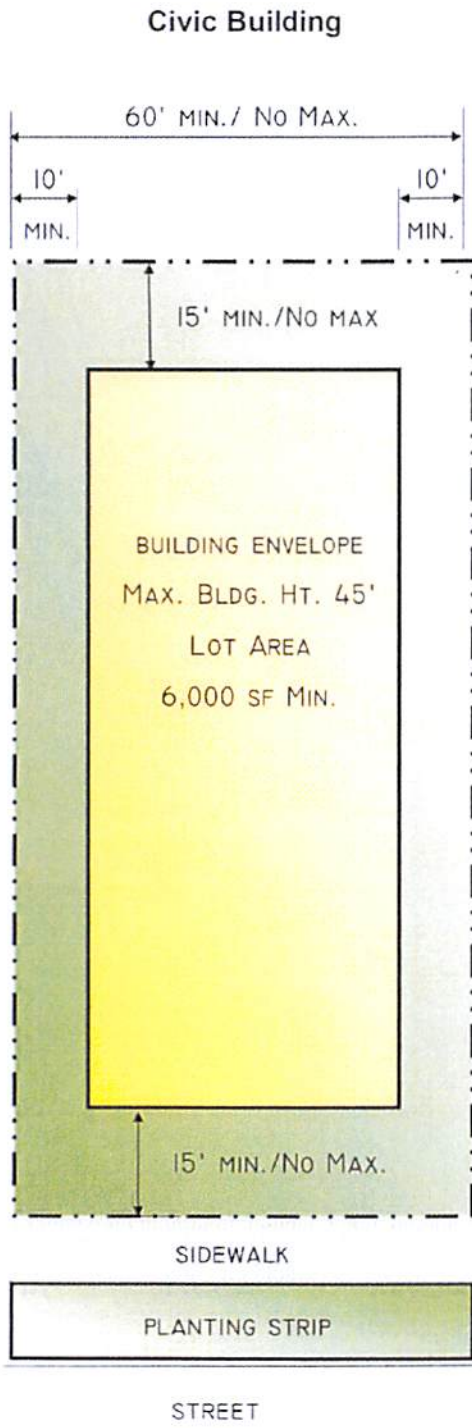
<sup>2</sup> Calculated as building length at front setback divided by length of front lot line.

<sup>3</sup> Setback applicable to portion of the building fronting upon the street.

	Lot Area (Min/Max In SF)	Lot Width (Min/Max In ft.)	FAR (Net Min / Max in %)	Building Height (Max in ft.)	Parking Access	Setbacks In ft.			Street Frontage (Min in %) <sup>2</sup>
						Front (Min/Max)	Rear (Min)	Side (Min)	
Single-family small lot	2,800 – 6,499	24 / no max	N/A	30	Alley <sup>4</sup> , Side Drive, Front Entry Drive or Secondary Street	5 / 15	5	0	60
Townhouse lot	1,100 / no max	16 / 40	N/A	40	Alley, or Secondary Street	5 / 15	5	0	70

<sup>4</sup> Parking access is required by alley for blocks where the lot sizes are less than 4,500 square feet.

**Figure 2, A: Civic Building**



**Neighborhood Block & Lot Example**



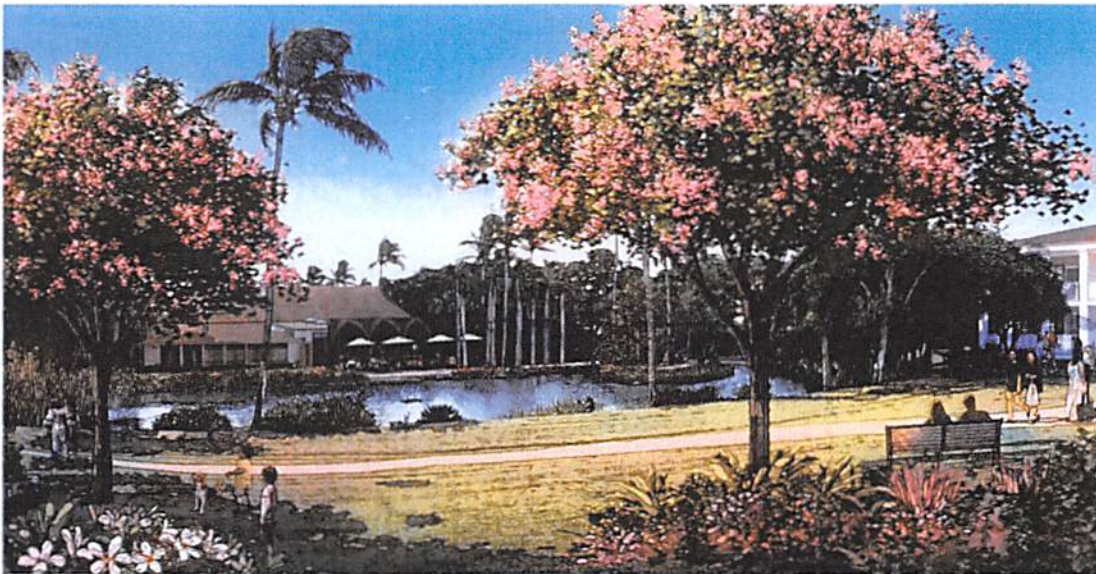
## Figure 2, B: Civic Space

### Civic Space Lot

A Civic Space lot is located and designed to accommodate a civic space, which may include uses such as a community green, square, plaza, passive park area, playground, community garden, farm plot, or natural or historic area worthy of preservation.

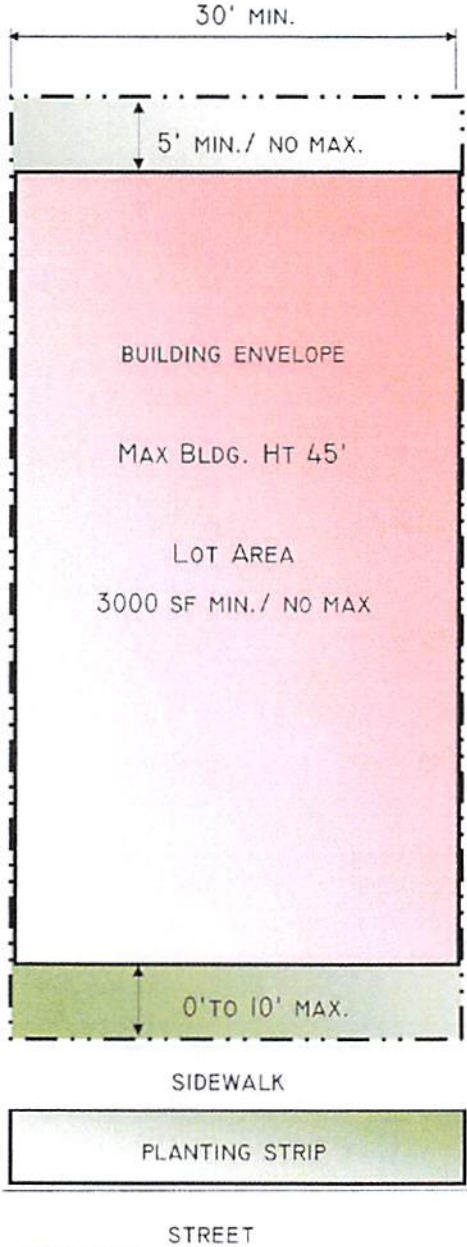
There are no minimum lot size requirements, setbacks, lot width, building height or other development standards required of Civic Space lots.

### Neighborhood Block & Lot Example



**Figure 2, C: Commercial / Retail / Employment**

**Commercial / Retail / Employment**

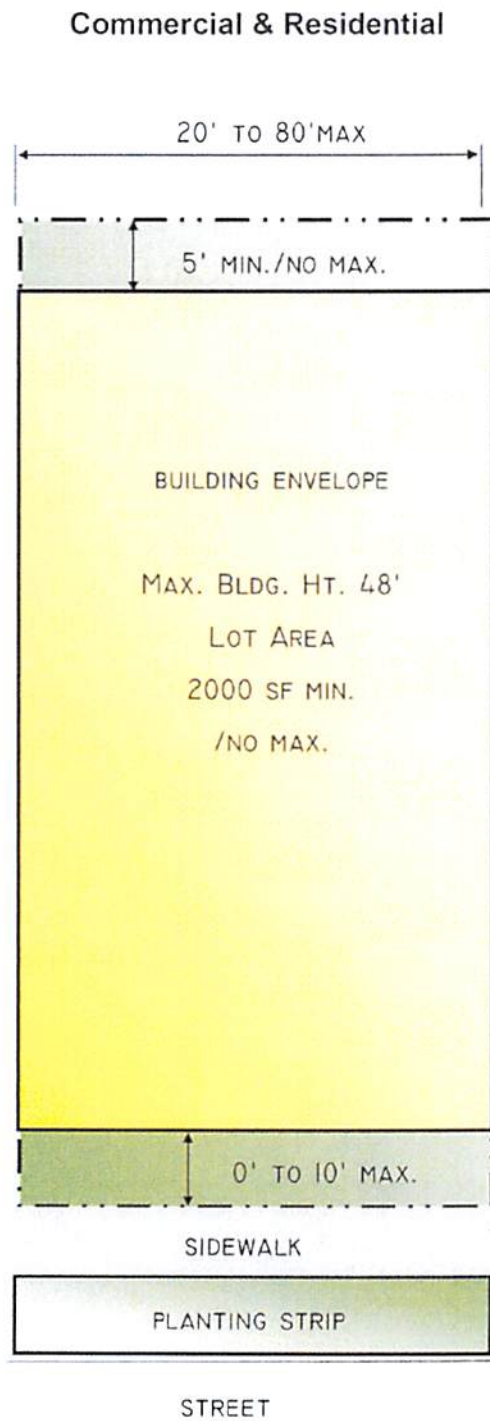


**Neighborhood Block & Lot Example**



- 1. Maximum FAR is 200%
- 2. Parking access is by alley, side drive or secondary street
- 3. Minimum street frontage is 70%

**Figure 2, D: Commercial & Residential**

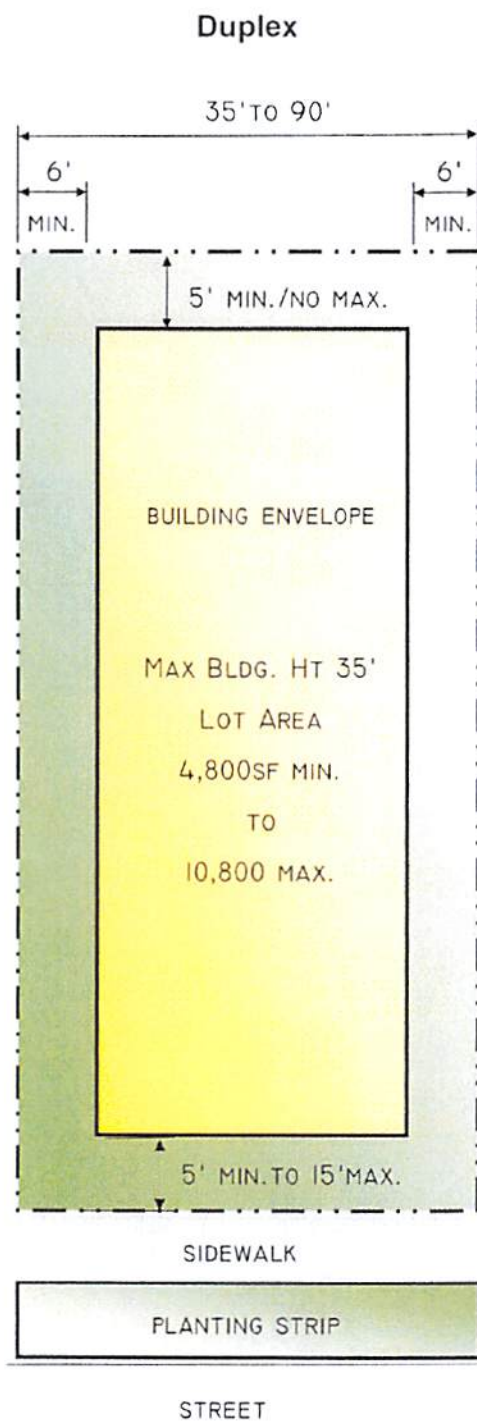


1. Parking access is by alley, side drive or secondary street
2. Minimum street frontage is 60%

**Neighborhood Block & Lot Example**



**Figure 2, E: Duplex**



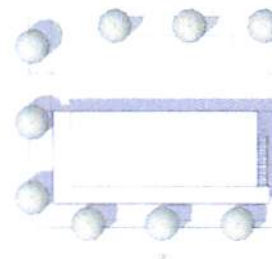
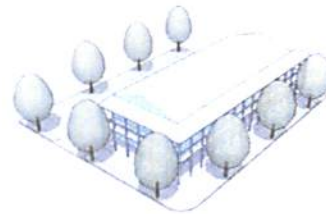
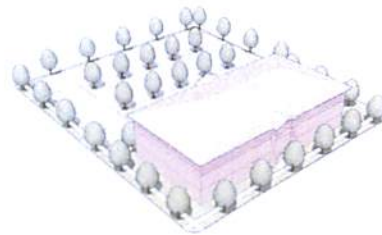
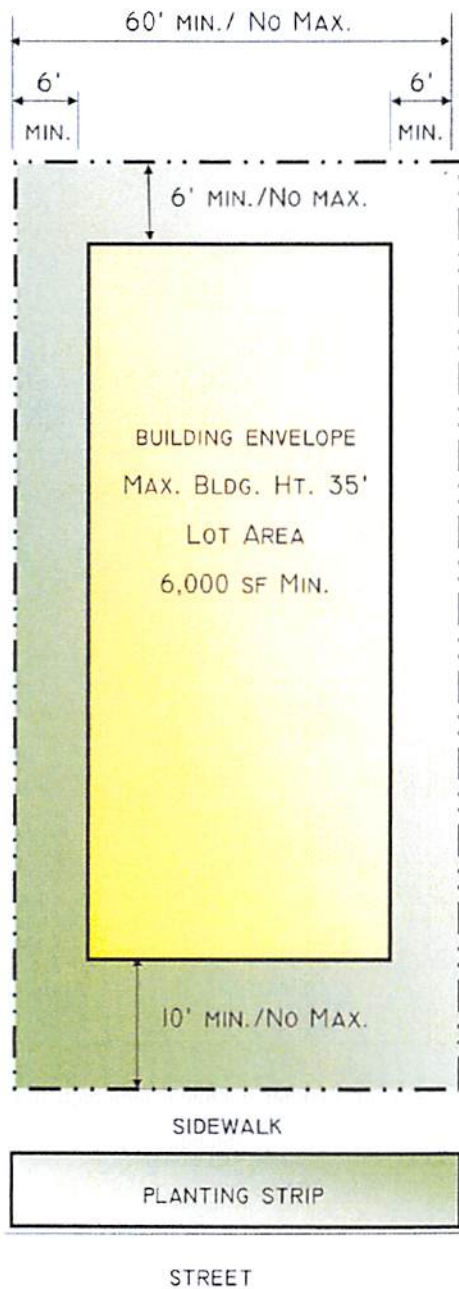
1. Parking access is permitted by alley, side drive or secondary street
2. Minimum street frontage is 70%

**Neighborhood Block & Lot Example**



**Figure 2, F: Light Industrial**

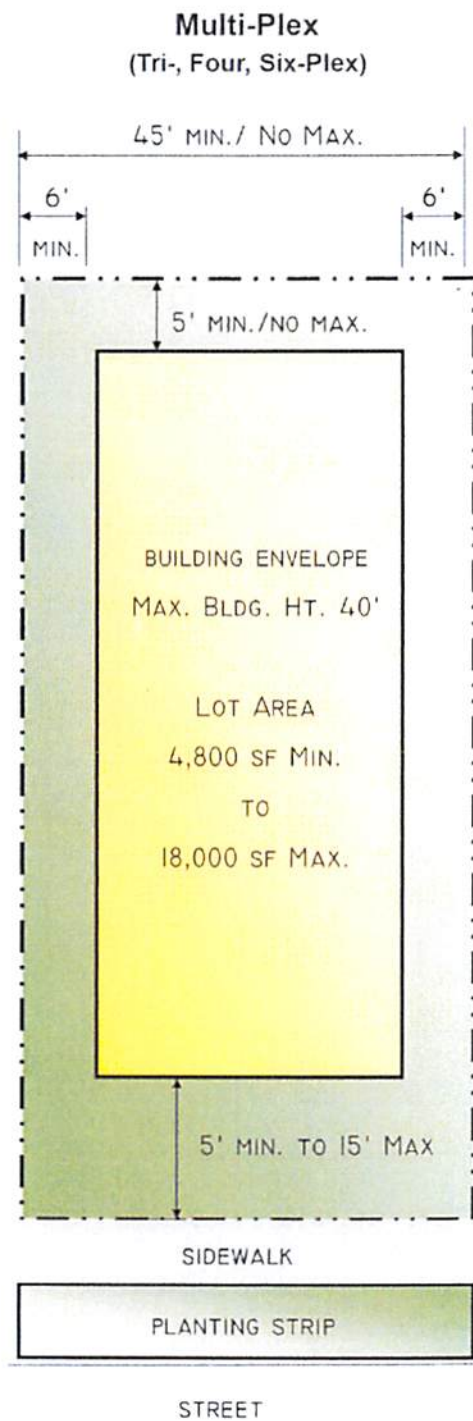
**Light Industrial**



1. Minimum street frontage is 60%



**Figure 2, G: Multi-Plex**

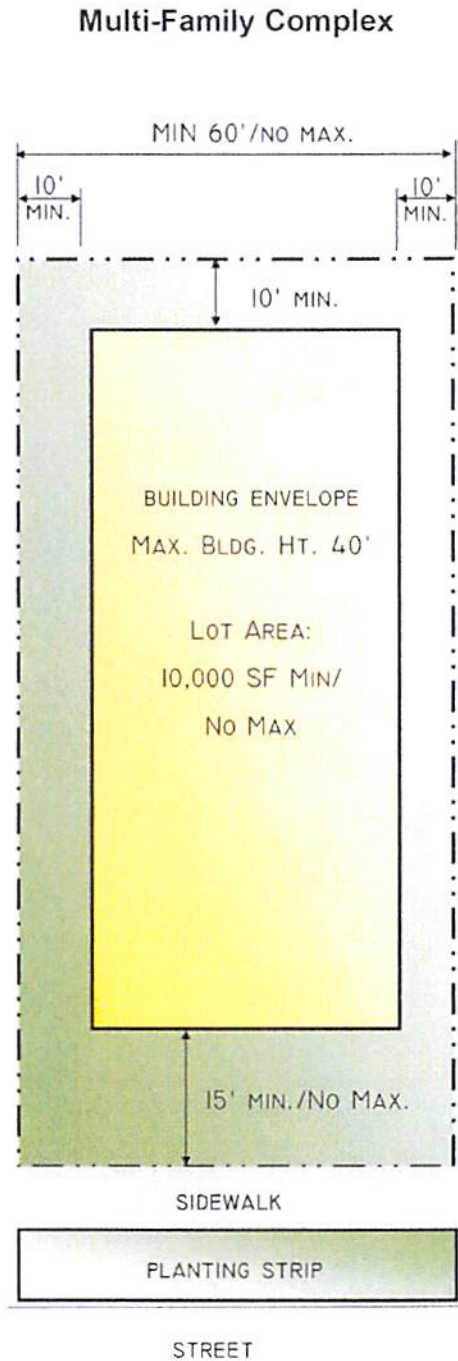


1. Parking access is by alley, side drive or secondary street
2. Minimum street frontage is 70%

**Neighborhood Block & Lot Example**



**Figure 2, H, a: Multi-Family Complex**



1. Maximum FAR is 90%

**Neighborhood Block & Lot Examples**



**Figure 2 H, b: Multi-Family Complex**

**Multi-Family Complex**



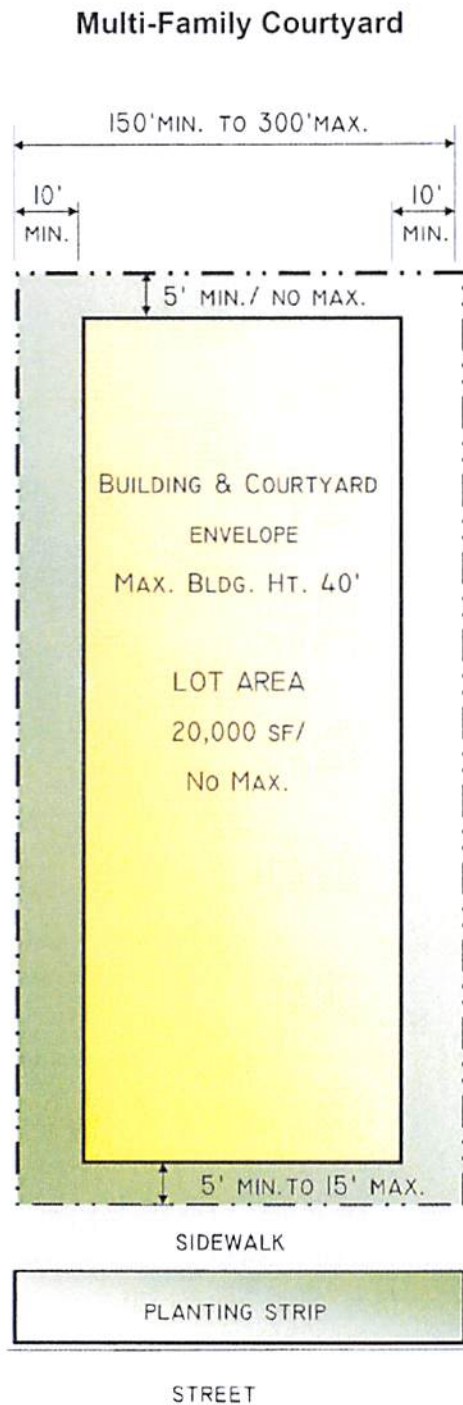
**Neighborhood Block & Lot Examples**



The purpose of the multi-family complex lot is to allow for design flexibility for multi-family developments. Multi-family complex lots may be developed like townhomes with buildings oriented towards the street and the parking interior to the lot (1) and (2) or with the parking located within the interior of the lot and the buildings oriented towards a common open space and the primary street (3) and (4). All multi-family complex lots are required to locate surface parking within the interior of the lot and it is to be screened from the adjoining roadways by landscape planting. Setback areas along primary and secondary streets are to provide professionally designed and maintained landscape planting to create a garden like setting.



**Figure 2, I: Multi-Family Courtyard**



1. Parking access is by alley, side drive, or secondary street
2. Maximum FAR is 70%
3. Minimum street frontage is 50%

**Neighborhood Block & Lot Examples**

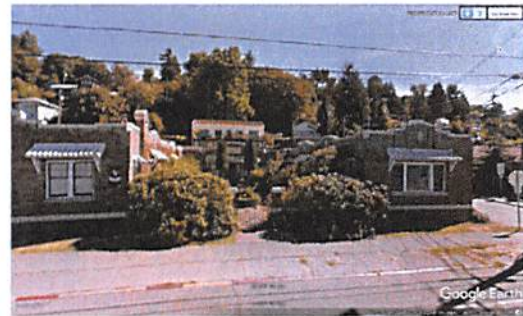
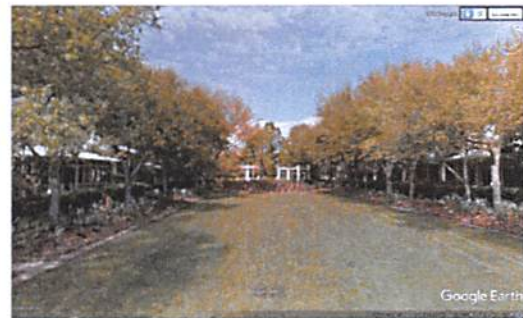


Figure 2, J: Parking

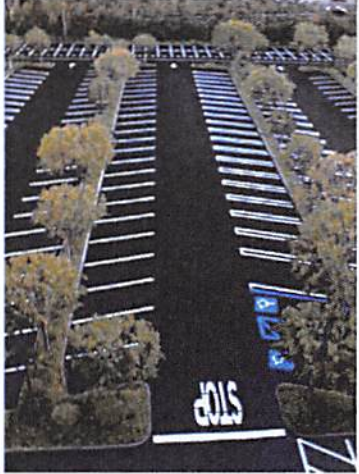
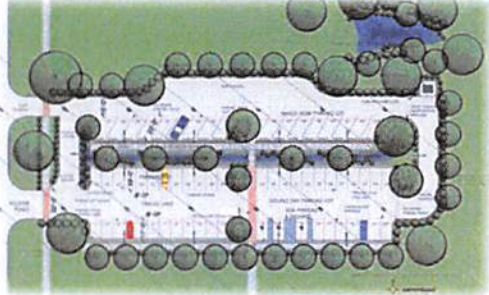
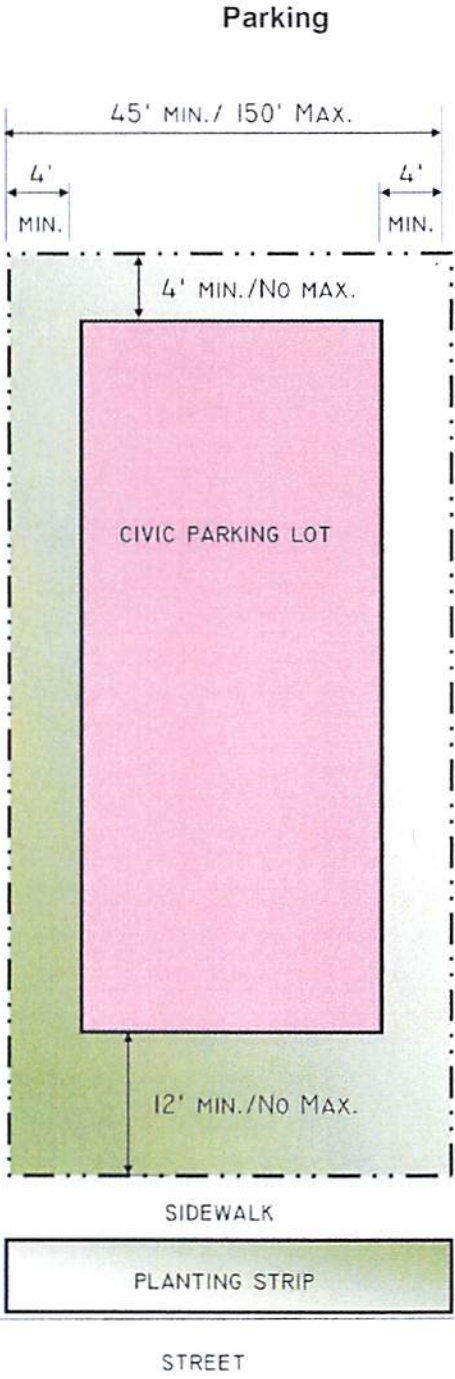
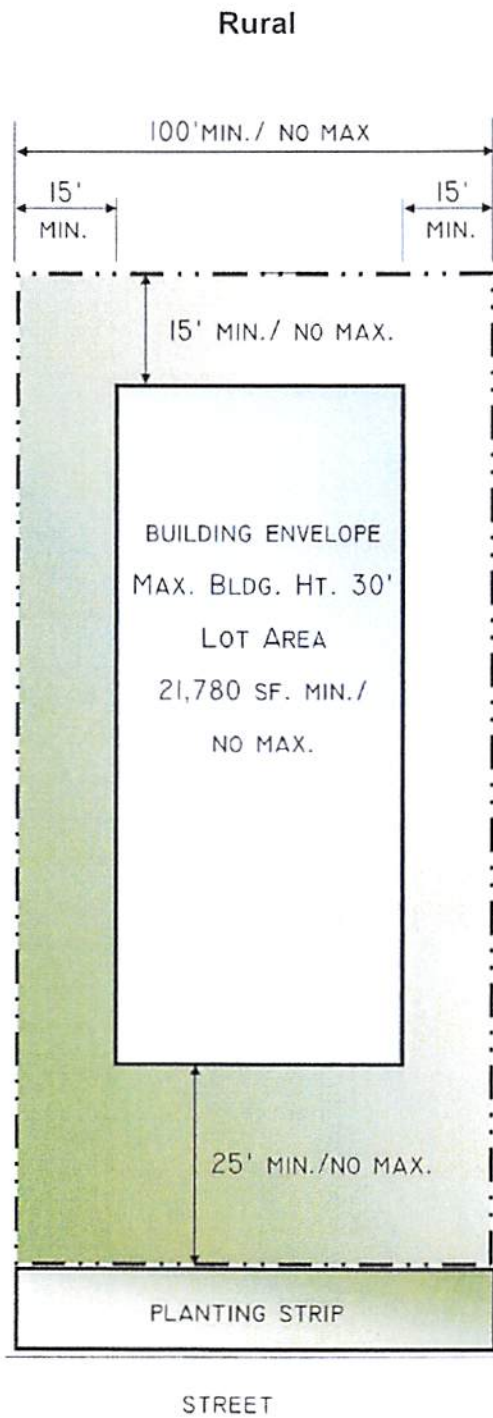


Figure 2, K: Rural

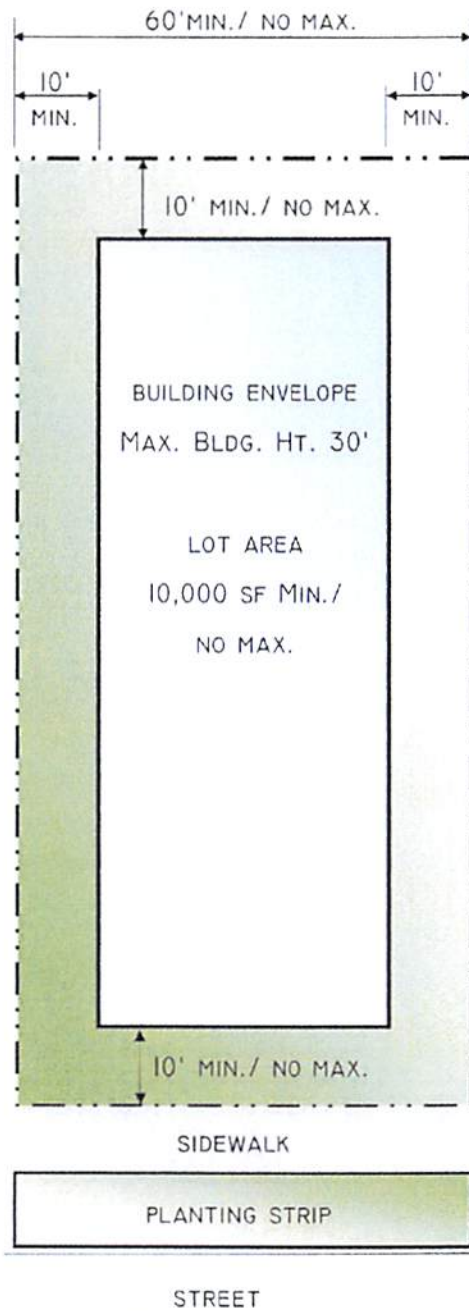


Neighborhood Block & Lot Example



**Figure 2, L: Single-Family Cottage Complex**

**Single-Family Cottage Complex**

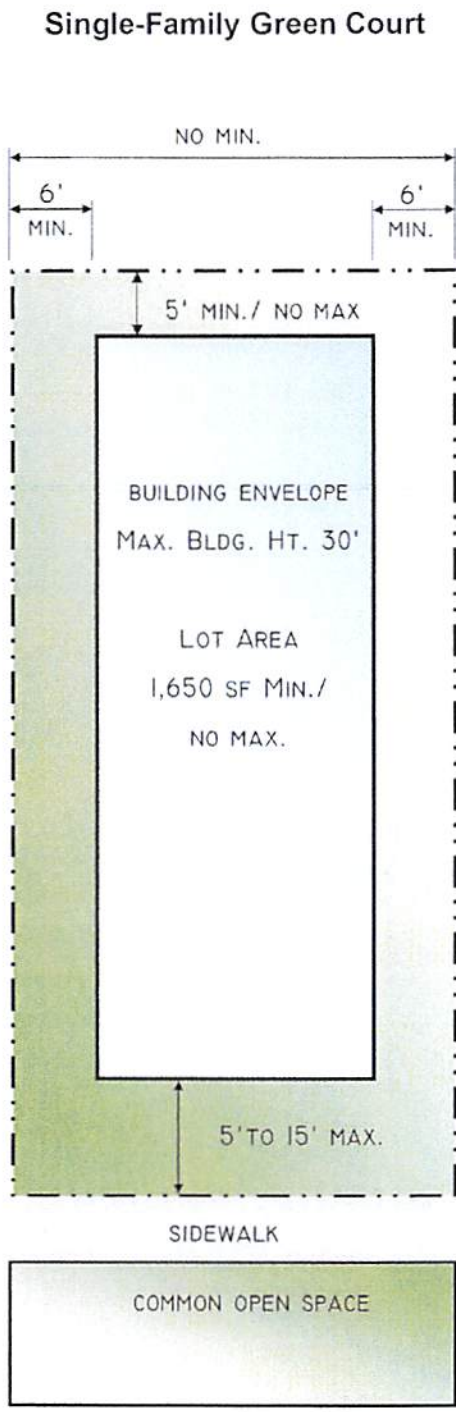


**Neighborhood Block & Lot Example**



1. Parking access is by alley, side drive or secondary street

**Figure 2, M: Single-Family Green Court**



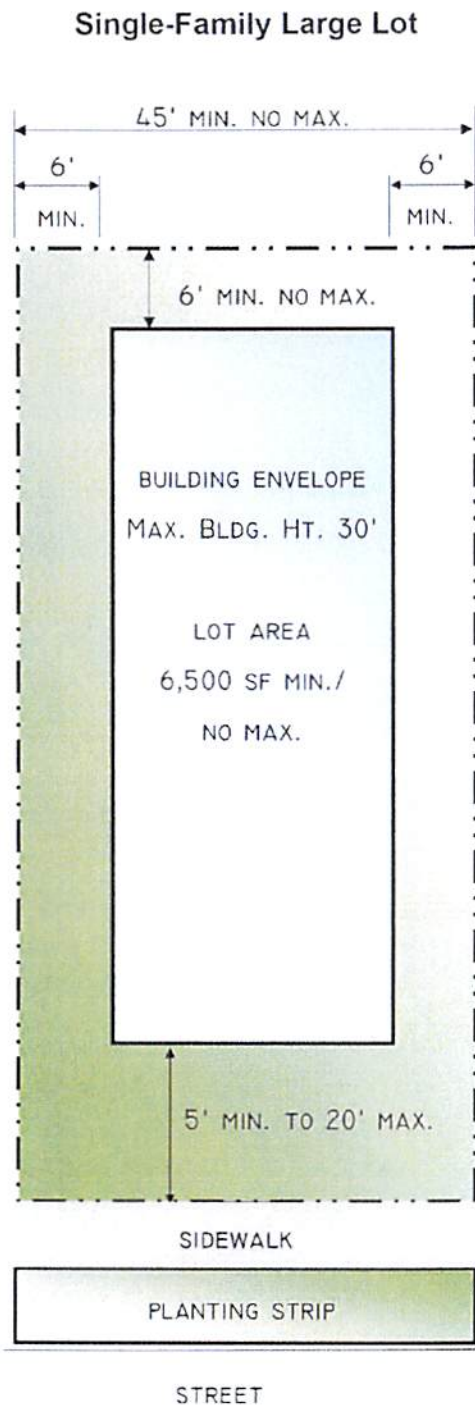
1. Parking access is by alley
2. Front setback applicable to portion of building fronting upon the street
3. Minimum street frontage is 60%

**Neighborhood Block & Lot Example**





**Figure 2, N: Single-Family Large Lot**

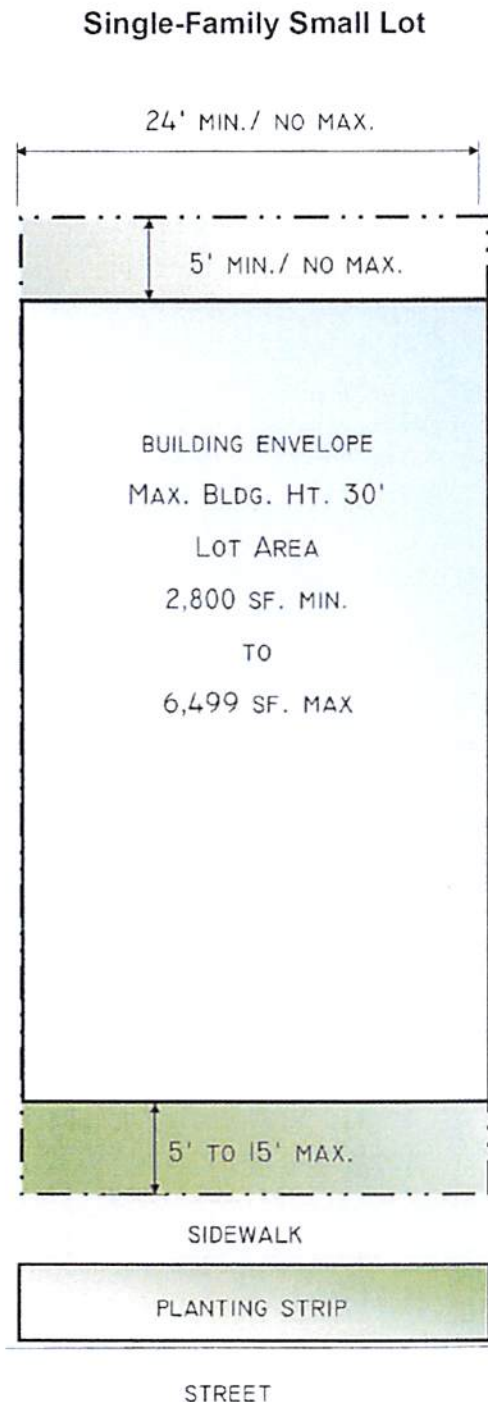


**Neighborhood Block & Lot Example**



1. Parking access is permitted by alley, side drive, front entry drive, or secondary street
2. Minimum street frontage is 40%

**Figure 2, O: Single-Family Small Lot**

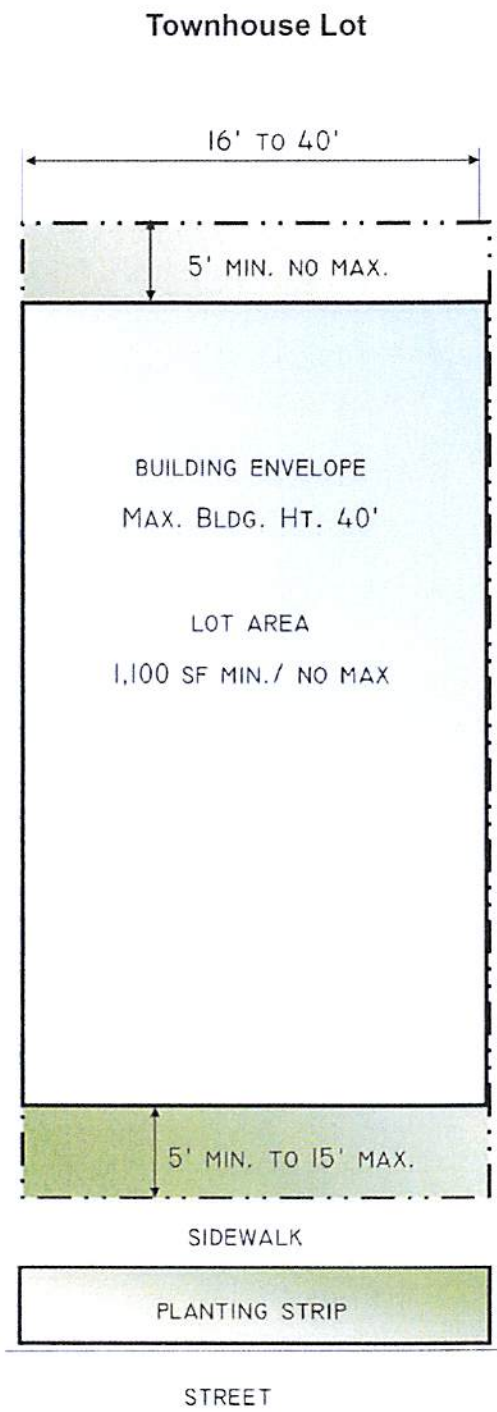


**Neighborhood Block & Lot Example**



1. Parking access is permitted by alley, side drive, front entry drive, or secondary street
2. Parking access is required by alley for blocks where the lot sizes are less than 4,500 square feet
3. Minimum street frontage is 60%

**Figure 2, P: Townhouse Lot**



**Neighborhood Block & Lot Examples**



1. Parking access is permitted by alley or secondary street
2. Minimum street frontage is 70%

**19.96.150 Parking standards.** Chapter 19.36B does not apply to the Waikapu country town.

**19.96.160 Additional standards for all districts.** A. Any tract of land or project site within the Waikapu country town for which development is sought shall be subject to any applicable statute, ordinance, rule, or regulation.

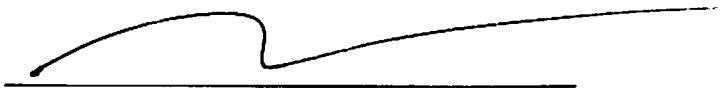
B. A dwelling or dwelling unit shall not be used for fractional ownership or as a transient vacation rental, time-share unit, short-term rental home, or bed and breakfast home.

**19.96.170 Subdivision review.** Before issuance of a final subdivision approval, the director shall review the subdivision to ensure the cohesive implementation of the following elements of the Waikapu country town: illustrative parks and open space plan; non-motorized pedestrian and bicycle network; and traffic calming elements within the Waikapu country town's roadways. These elements shall be generally consistent with the Waikapu country town design guidelines on file with the department at the time this ordinance is adopted.

**19.96.180 Administrative rules.** The director may adopt rules to implement the provisions of this chapter.”

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a solid horizontal line.

Department of the Corporation Counsel  
County of Maui

pslu:misc:030abill02d:jgk/jsr

DIGEST

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 44 (2019)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE,  
RELATING TO WAIKAPU COUNTRY TOWN DISTRICT SITUATED IN WAILUKU,  
MAUI, HAWAII

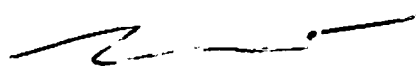
This bill proposes to amend Title 19, Maui County Code, by adding a new Chapter 19.96 for the Waikapu Country Town District and related definitions and development standards for the proposed Waikapu Country Town project.

I, JOSIAH K. NISHITA, County Clerk of the County of Maui, State of Hawaii, DO HEREBY CERTIFY that the foregoing BILL NO. 44 (2019) was passed on First Reading by the Council of the County of Maui, State of Hawaii, on the 9th day of August, 2019, by the following vote:

AYES: Councilmembers G. Riki Hokama, Natalie A. Kama, Alice L. Lee, Michael J. Molina, Tamara A. M. Paltin, Shane M. Sinenci, Yuki Lei K. Sugimura, Vice-Chair Keani N. W. Rawlins-Fernandez, and Chair Kelly T. King.

NOES: None.

DATED at Wailuku, Maui, Hawaii, this 30th of August, 2019.



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JOSIAH K. NISHITA, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk, County of Maui, for use and examination by the public.