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To: Chair Kelly King, Planning Committee
Maui County Council

From: Albert Perez, Executive Director
Maui Tomorrow Foundation, Inc.

Re: PC-2, Molokai Community Plan Update

Date: September 20, 2018

Aloha Chair King and Members of the Planning Committee,

On Wednesday, the Planning Dept. showed us their proposal for revised community plan designations on Maui island. As a professional planner, I found them to be quite complicated and unclear. They lack certainty, which is needed by all members of the community, including developers. Unfortunately, this is the direction that the planning department wants to go in. These new designations won't affect Molokai – yet. However, we need to view the current Molokai community plan designations in view of the similar types of changes that the planning department is likely to recommend when it comes to revisions to our zoning code.

This type of planning is a big change for Maui County, and the planning dept. staff agreed that it would be a big change from existing planning practice, requiring a lot more training. Importantly, this type of planning would provide far less clarity to the public. It would also put the planners in charge of interpreting what is allowed in each zone. What can we do on a particular parcel? It should be clear to the general public when reading the community plan and the zoning code. It should not require interpretation by a "priesthood" of planners who are the only ones who understand the designations. In the hands of a well-qualified planner who is not being pressured by a political appointed planning director, we could have a good outcome, but that is not the reality. Although I think the planning department's changes are well intended, it is wishful thinking that these changes would work in the real world without causing the county to incur huge costs. The new, more complicated community plan and zoning designations would create a climate of uncertainty for developers and the public. They would require many more staff, much more training for staff, and much more education for the public; all of these will come at an increased cost. If the required staffing, training and education are not paid for, we will end up with a very arbitrary system that is even more politically influenced than our current one.

I would much prefer that we go back to the definitions in the old community plans, finish changing interim zoning to comprehensive zoning, and strengthen the language of the community plans instead of weakening them with loose definitions that include the words "typical" and "envision". Yes, specify which community plan land use designations and zoning designations go together, but it is not necessary to change all the definitions into something less clear.

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If you decide to go with the current default version of the Molokai community plan instead of the planning department's version, I would recommend that you separate Heavy Industrial from Light Industrial in Appendix 6.1. Otherwise, it will appear that Heavy Industrial zoning is appropriate under the Light Industrial community plan designation.

Finally, the purpose of having separate community plans is to ensure that each community has a say in the future of their home. Requiring that all community plans have the same land use designations undermines this goal. Each community is different, and that is part of what makes Maui County special.

Mahalo nui loa.

Additional analysis is needed to implement this concept such as a further definition of the purpose and intent of such a designation, list of permissible uses and activities, how the traditional land use concept would interface with existing planning and zoning tools, as well as the establishment of appropriate regulatory mechanisms.

PART V

LAND USE MAP

A. Land Use Categories and Definitions

Conservation (C)

This category primarily recognizes the designation of lands in the State Conservation District and is used to protect and preserve wilderness areas, beach reserves, scenic areas and historic sites, open ranges, and watersheds; to conserve fish and wildlife; and to promote forestry and grazing.

Agriculture (AC)

This use indicates areas for agricultural activity which would be in keeping with the economic base of the County and the requirements and procedures of Chapter 205 HRS, as amended.

Rural (R)

This use is to protect and preserve areas consisting of small farms intermixed with low density single-family residential lots. It is intended that, at minimum, the requirements of Chapter 205 HRS, as amended, shall govern this area.

Single-Family (SF)

This includes single-family and duplex dwellings.

Multi-Family (MF)

This includes apartment and condominium buildings having more than two dwellings.

Hotel (H)

This applies to transient accommodations which do not contain kitchens within individual units. Such hotel facilities may include permissible accessory uses primarily intended to serve hotel guests.

Business/Multi-Family (BR)

This includes a mixture of retail, office, and commercial services which are oriented to neighborhood service and single family and multi-family residential uses.

Business/Commercial (B)

This includes retail stores, offices, entertainment enterprises and related accessory uses.

Business/Industrial (BI)

This includes a mixture of warehousing, distribution, service operations, retail and offices uses.

Light Industrial (LI)

This is for warehousing, light assembly, service and craft-type industrial operations.

Heavy Industrial (HI)

This is for major industrial operations whose effects are potentially noxious due to noise, airborne emissions or liquid discharges.

Airport (AP)

This includes all commercial and general aviation airports, and their accessory uses.

Public/Quasi-Public (P)

This includes schools, libraries, fire/police stations, government buildings, public utilities, hospitals, churches, cemeteries, and community centers.

Project District (PD)

This category provides for a flexible and creative planning approach rather than specific land use designations for quality developments. The planning approach would establish a continuity in land uses and designs while providing for a comprehensive network of infrastructural facilities and systems. A variety of uses as well as open space, parks and other project uses are intended in accord with each individual project district objective.

Park (PK)

This designation applies to lands developed or to be developed for recreational use. This includes all public and private active and passive parks. Golf courses are further identified as "PK (GC)" on the land use map in order to differentiate golf courses and related accessory uses from other kinds of park uses.

Open Space (OS)

This use is intended to limit development on certain urban and non-urban designated lands which may be inappropriate for intensive development due to environmental, physical, or scenic constraints; this category would include but not be limited to shoreline buffer areas, landscape buffers, drainageways, viewplanes, flood plains, anti-tsunami areas. Other appropriate urban and non-urban uses may be allowed on a permit basis.

Future Growth Reserve (FGR)

This designation recognizes possible areas of urban growth that would occur beyond the 10-year time frame of the current plan. The Future Growth Reserve designation would encourage planning for infrastructure development and use allocations.