POLANUI / MAKILA PROPOSED EXEMPTIONS

RECEIVED AT AH MEETING ON 7/3/19
Committee Chair

(applicable to both projects unless otherwise noted*)

EXEMPTION / CONDITION	PROPOSED	STANDARD
Maui Island Plan and Community Plans (2.80B)	Exempt from seeking plan amendments to Maui Island Plan (MIP) and West Maui Community Plan (WMCP)	Amendments are needed for projects to deviate from MIP and WMCP land use designations, descriptions or other requirements
Zoning (18.04.030, 18.16.020, 19.30A)	Exempt from change in zoning and amendment process	18.04.030: The Subdivision is not consistent with MIP, WMCP or Zoning. 18.16.020: Project does not conform to the General Plan or the in-process WMCP Update
District boundary (various)	Exempt from amendment process	Per code
Permit and inspection fees: driveway (12.08), fire (16.04A), electrical (16.20A), plumbing (12.26A), grubbing, grading and excavation (20.08.090), building code permit, plan review and inspections	Polanui = $220K ($3,654 per unit) Makila = $299K ($5,985 per unit)	Per code
Traffic impact fees (14.62)	Exempt	"reasonably anticipated costs of improving or expanding roadway and traffic facilities necessitated by new land development activity" State Land Use Commission generally imposes a condition on DBAs for applicant's pro-rate share of improvements to state highways

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Roadway improvements (14.62)	Exempt	"new land development activities should not be allowed to proceed without providing for necessary traffic improvements"
Streetlights (18.20.060)	Exempt *Polanui plan – 2 lights* *Makila plan – 3 lights*	"street lights shall conform to the standard specifications on file with the department"
Sidewalks / pedestrian ways (18.20.100)	Exempt *Polanui *Plan provides for trails*	"Pedestrian ways shall be graded to their full width and planted with grass or other suitable finish ... may require a four-foot concrete sidewalk ... constructed to the standard specifications on file in the department"
Existing streets improvements (18.20.040)	Exempt *Polanui	"The length of the required improvements shall be minimum of one hundred lineal feet multiplied by the number of lots in the subdivision minus one" OR "along the entire length of the existing street"
Curbs and gutters (18.20.080)	Exempt	"Concrete curbs and gutters shall be constructed on all streets within the urban areas to the standard specifications on file in the department"

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Parks and playgrounds (18.16.320)	Exempt *Polanui plan – two private parks totaling 5.5 acres* *Makila plan – one park totaling 2 acres*	Requirements include: - 500 square feet per lot/unit - dedication in perpetuity - irrigation, parking, comfort stations, maintenance and other requirements OR money paid to Parks Dept.
Cul-de-sacs (18.16.130) (also involves 18.16.050)	Exempt *Makila *Plan provides emergency truck turnaround*	Requirements include: - no longer than 800 feet in ag areas, 400 feet in rural areas, 300 feet in urban areas - serves 20 lots or less - 43 foot circular or other approved turnaround
Lot sizes and shapes (18.16.220)	Exempt	"lot size, width, shape, and orientation, and the minimum building setback lines shall be appropriate for the location ... in conformance with the provisions of title 19"
Minimum pavement width (18.16.050)	20 feet	28 feet 35 feet (cul-de-sac radius)
Minimum right of way (18.16.050)	40 feet	44 feet 43 feet (cul-de-sac radius)

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Widening existing rights of way (18.16.060)	Exempt	Widen Punakea Street
Design development standards (19.30A.030 and specific sections A, B, C, D, G and F ("wall height restrictions"))	Exempt: A – minimum lot area B – minimum lot width C – minimum setbacks (for workforce unit) D – maximum developable area for workforce lots) G – maximum # of lots F – wall height	See specific standard measures in below sections
Minimum lot size (18.16.230, 19.30A, 19.30A.030A)	Ag area – 1 acre Urban area – 10,000 sq. ft.	2 acre
Minimum lot width for market-rate units (19.30A.030B)	100 feet	200 feet (ag district)
Minimum lot width for workforce units (19.08)	50 feet	75 feet (R-3 residential district)
Minimum setbacks for workforce units (19.30A.030C)	Exempt	Ag district – 25 feet (front), 15 feet (side and rear) R-3 residential district – 15 feet front, 6 feet (side and rear)

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Maximum developable area for workforce lots (19.30A.030D)	Exempt	10% is standard for ag areas and applies only to the "farm dwelling" (in this case would mean a 4356 sq. ft. home for the 1-acre ag lots) R-3 residential has no maximum (developable area is controlled by setbacks + parking requirements)
Maximum wall height (19.30A.030F)	Exempt (although did not specify section (F))	4 feet max 7x7 feet (max utility wall)
Live/work units design development standards (19.15.040)	Exempt *Makila from design review *Plan calls for 4 units above commercial space*	Min. lot size – 6,000 square feet Min. lot width – 60 feet Max. height – 35 feet

PLAN PROVISIONS	PROPOSED	STANDARD / ALLOWED
Accessory or additional dwellings for market-rate lots	Plans do not allow for more than 1 farm dwelling per market-rate lot	2 farm dwellings per lot, one of which not to exceed 1,000 square feet (19.30A.050B)
Accessory dwellings for workforce lots	Plans for not allow for accessory dwellings (ohanas)	500-600+ square feet accessory dwelling for lots over 7,500 -10,000 square feet (19.35.020)
Workforce unit allocations	30% for 80-100 AMI 50% for 101-120 AMI 20% for 121-140 AMI	Council's discretion
Workforce units to be developed	Polanui – 50 of 66 (75%)) Makila – 50 of 95 (52%)	51% affordable minimum Council's discretion above that
Affordability period	10 years	10 years minimum Council's discretion above that