

## APPENDIX MAUI-29

### Community Plan Amendment County of Maui Department of Planning Current Planning Division

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**Permit Packet Includes:**

1. Process Overview
2. Community Plan Amendment Application Packet & instructions

**Resources:**

- Maui County Code, Chapter 2.80B, General Plan and Community Plans
- Maui County Code, Sections 19.510.010 and 19.510.020, Application and Procedures
- Maui County Charter, Section 8-8.4 and 8-8.5
- Hawaii Revised Statutes, Chapter 343
- State Department of Health Administrative Rules, Chapter 200, Title 11

**Approval or Permit Required:** To revise or amend an existing Community Plan for the following areas: Hana, Kahoolawe, Kihei-Makena, Lanai, Makawao-Pukalani-Kula, Molokai, Paia-Haiku, Wailuku-Kahului, and West Maui.

**Contact Information:** Department of Planning  
Current Planning Division  
2200 Main Street, Suite 619  
Wailuku, HI 96793  
Phone: 808-270-8205

**Website:** <http://www.co.maui.hi.us/index.aspx?NID=1251>

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## APPENDIX MAUI-29

### Community Plan Amendment County of Maui Department of Planning Current Planning Division

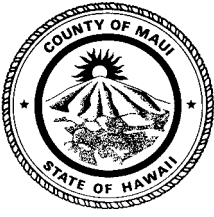
**NOTE:**

- A Community Plan Amendment is processed through the appropriate Planning Commission and adopted through ordinance by the Maui County Council and Mayor.
- Applicant must complete all H.R.S Chapter 343, and State Department of Health Admin. Rules Chapter 200, Title 11, requirements before the application can be processed.

Steps	Time
1. Obtain a “ <b>Community Plan Amendment Application Packet</b> ”, available from the Maui Department of Planning or the website listed above. Review the APPLICANT duties on the front page and the “Required Submittals”. It is the responsibility of the applicant to fully complete the application. Incomplete applications will cause delay.	
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2. Complete the application packet and submit it to the Department of Planning. A public hearing will be scheduled after the planning director has deemed the application complete. Applicant will be notified 45 days before the hearing.	45 days prior to hearing
↓	
3. Mail notice of date, time and place of the public hearing (form provided in packet), along with a location map by certified or registered mail, return receipt requested, to each of the recorded landowners and lessees in the subject community as defined in the Community Plan for that area. Submit each of the return receipts from the certified or registered mail to the director.	30 days prior to hearing 10 days prior to hearing
↓	
4. Utilizing the same mailing notice form, publish a notice of application along with the location map as set forth in the application packet.	21 days prior to hearing
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5. Department submits a recommendation report to Commission before hearing.	6 days
↓	
6. Public hearing on the application.	
↓	
7. Recommendations of the Commission are submitted by the director to the County Council. Based upon the Commission’s recommendations, the County Council and the Mayor of Maui adopt the ordinance or deny application.	60 days from hearing

**Total Time Period: > 180 days**

Fees dependent on project cost. (Fee Schedule, Table A)	\$550	
Public Hearing is required. *Applicant pays all notice, publication, and mailing fees.	~	
<b>Total Fees:</b>	<b>\$550 (minimum)</b>	<b>No maximum</b>



COUNTY OF MAUI  
DEPARTMENT OF PLANNING  
250 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 270-7735 FAX: (808) 270-7634

APPLICATION TYPE: COMMUNITY PLAN AMENDMENT APPLICATION

DATE: \_\_\_\_\_ VALUATION: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

PROPOSED DEVELOPMENT: \_\_\_\_\_

TAX MAP KEY NO.: \_\_\_\_\_ CPR/HPR NO.: \_\_\_\_\_ LOT SIZE: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

OWNER: \_\_\_\_\_ PHONE:(B) \_\_\_\_\_ (H) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

OWNER SIGNATURE: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE (B): \_\_\_\_\_ (H): \_\_\_\_\_ FAX: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_

AGENT NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE (B): \_\_\_\_\_ (H): \_\_\_\_\_ FAX: \_\_\_\_\_

EXISTING USE OF PROPERTY: \_\_\_\_\_

CURRENT STATE LAND USE DISTRICT BOUNDARY DESIGNATION: \_\_\_\_\_

COMMUNITY PLAN DESIGNATION: \_\_\_\_\_ ZONING DESIGNATION: \_\_\_\_\_

OTHER SPECIAL DESIGNATIONS: \_\_\_\_\_

**COUNTY OF MAUI  
DEPARTMENT OF PLANNING**

**ZONING AND FLOOD CONFIRMATION REQUEST FORM**

APPLICANT: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

ADDRESS AND/OR LOCATION: \_\_\_\_\_

TMK NUMBER(S): \_\_\_\_\_

**ZONING INFORMATION**

STATE LAND USE \_\_\_\_\_ COMMUNITY PLAN \_\_\_\_\_

COUNTY ZONING \_\_\_\_\_ SPECIAL DISTRICT \_\_\_\_\_

OTHER \_\_\_\_\_

**FLOOD INFORMATION**

FLOOD HAZARD AREA\* ZONE \_\_\_\_\_

BASE FLOOD ELEVATION \_\_\_\_\_ mean sea level, 1929 National Geodetic Vertical Datum or for Flood Zone A0, FLOOD DEPTH \_\_\_\_\_ feet.

FLOODWAY [ ] Yes or [ ] No

FLOOD DEVELOPMENT PERMIT IS REQUIRED [ ] Yes or [ ] No

\* For flood hazard area zones B or C; a flood development permit would be required if any work is done in any drainage facility or stream area that would reduce the capacity of the drainage facility, river, or stream, or adversely affect downstream property.

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**FOR COUNTY USE ONLY**

REMARKS/COMMENTS: \_\_\_\_\_

- Additional information required.
- Information submitted is correct.
- Correction has been made and initialed.

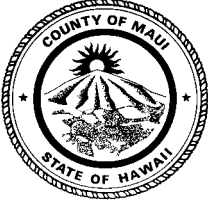
Reviewed and Confirmed by:

\_\_\_\_\_

Signature

\_\_\_\_\_

Date



COUNTY OF MAUI  
PLANNING DEPARTMENT  
250 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE: (808) 270-7735 FAX: (808) 270-7634

### COMMUNITY PLAN AMENDMENT APPLICATION

SOURCE OF LEGAL AUTHORITY: Maui County Code, Chapter 2.80A, General Plan and Community Plans  
Maui County Charter, Section 8-8.4 and 8-8.5

A Community Plan Amendment may be obtained to revise or amend any of the following nine (9) regional community plans:

1. Molokai;
2. Lanai;
3. Lahaina;
4. Wailuku-Kahului;
5. Kihei-Makena;
6. Makawao-Pukalani-Kula;
7. Paia-Haiku;
8. Hana; and
9. Kahoolawe

The applicant shall submit an application along with appropriate submittals to the planning director who shall review the application for completeness. After certifying that the application is complete, the planning director shall transmit the application to the various reviewing agencies for comment and recommendation.

Upon completion of the requirements of Chapter 343, Hawaii Revised Statutes, and Chapter 200, Title 11, State Department of Health Administrative rules, the planning director shall refer the completed application to the appropriate planning commission for public hearing.

The planning director shall transmit the planning commission's findings, conclusions, and recommendations on the proposed amendment to the council within sixty days after the planning commission's public hearing. Any amendment must be adopted by county ordinance by the county council and mayor.

Between the date of completion of the requirements of Chapter 343, Hawaii Revised Statutes, and Chapter 200, Title 11, State Department of Health Administrative rules and the public hearing, the following must be completed:

#### APPLICANT:

1. Mail a notice of the date, time and place of the public hearing on the application by certified or registered mail, return receipt requested, to each of the owners and lessees of the record not less than thirty calendar days prior to the date of the hearing.
2. Submit each of the return receipt for the certified or registered mail to the planning director not less than ten business days prior to the date of the public hearing.

3. Publish the subject matter, on a form prescribed by the planning director, once a week for three consecutive weeks prior to the date of the public hearing in a newspaper which is printed and issued at least twice weekly in the County and which is generally circulated throughout the County. (Note: The mailed notice to surrounding owners and lessees of record and site location map is the form to be published in the newspaper for three consecutive weeks.)

PLANNING DEPARTMENT:

1. Notify the Application and the appropriate state and county agencies of the date of the public hearing not less than 45 calendar days prior to the date of the public hearing.
2. Publish the notice of the date, time, place and subject matter of the public hearing once in a newspaper printed and issued at least twice weekly in the county and which is generally circulated throughout the county at least thirty calendar days prior to the date of the public hearing.
3. Transmit a report on the application to the planning commission not less than six days prior to the date of the public hearing.

After the completion of the public hearing the Planning Director shall transmit the Planning Commission's recommendations to the County Council not more than 60 days after the public hearing.

**COMMUNITY PLAN AMENDMENT  
REQUIRED SUBMITTALS**

- \_\_\_ 1. Evidence that the applicant is the owner or lessee of record of the real property to be reclassified.
- \_\_\_ 2. A notarized letter of authorization from the legal owner if the applicant is not the owner.
- \_\_\_ 3. List of owners and lessees of real property within a 500 feet radius of the subject parcel should be obtained from the most current available list at the Maui County Department of Finance, Real Property Tax Division. This list should include the tax map key numbers and the names and addresses of all owners, lessees, and members of the Board of Directors or managing agents to be notified, including a map drawn to scale, clearly defining the 500 feet notification boundary and the parcels affected.
- \_\_\_ 4. Original and one (1) copy of the policies and objectives of the general plan applicable to the application and an analysis as to conformance to these policies and objectives.
- \_\_\_ 5. Original and one (1) copy of a locational map identifying the site, adjacent roadways and identifying landmarks.
- \_\_\_ 6. Legal description and mylar map drawn to scale of the subject property in a format prescribed by the department of planning.
- \_\_\_ 7. Original and one (1) copy of a draft environmental assessment including, but not limited to, the following:
  - a. Identification of applicant or proposing agency;
  - b. Identification of approving agency which shall be the department of planning;
  - c. Identification of agencies consulted;
  - d. General description of the action's technical, economic, social, and environmental characteristics;
  - e. Summary description of the affected environment, including suitable and adequate location and site map;
  - f. Identification and summary of major positive and negative impacts and alternatives considered, if any;
  - g. Proposed mitigation measures, if any;
  - h. Any other information the department may require in its consideration of every phase of the proposed action, the expected consequences, both primary and secondary, and the cumulative as well as the short term and long-term effects of the action in making a determination; and
  - i. Compliance with Chapter 200, Title 11, State Department of Health rules.
- 8. A **non refundable** filing fee (See Fee schedule, Table A); payable to *County of Maui, Director of Finance*.

After reviewing the application submittals for suitability for transmittal to agencies, the Planning Department will notify the applicant of the need to provide additional copies.

DATE:

TO: Owners/Lessees

Please be informed that the undersigned has applied to the \_\_\_\_\_ Planning Commission of the County of Maui for a Community Plan Amendment at the following parcel(s):

- a. Tax Map Key: \_\_\_\_\_ Acreage \_\_\_\_\_
- b. Street Address \_\_\_\_\_
- c. State Land Use Designation: \_\_\_\_\_
- d. Community Plan Amendment  
From \_\_\_\_\_ To \_\_\_\_\_
- e. Proposed Development: \_\_\_\_\_

**THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:**

Public Hearing Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

\_\_\_\_\_

Attached please find a map identifying the location of the specific parcel(s) being considered in the request for Community Plan Amendment.

The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code, and the appropriate Commission rules.

Testimony relative to this request may be submitted in writing prior to the hearing to the appropriate Planning Commission c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Planning Department, 250 South High Street, Wailuku, Maui, Hawaii, Telephone (808) 270-7735; toll free from Molokai 1-800-272-0117, Extension 7735; and toll free from Lanai 1-800-272-0125, Extension 7735.

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone



**NOTARIZED AFFIDAVIT OF MAILING**

\_\_\_\_\_, being first duly sworn on oath, deposes and says that:

- a. Affiant is the applicant for a \_\_\_\_\_  
for land situated at \_\_\_\_\_,  
TMK: \_\_\_\_\_
- b. Affiant did on \_\_\_\_\_, 20\_\_\_\_, deposit in the United States mail, post paid, by certified or registered mail and delivery to addressee, a copy of a Notice of Hearing, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified on "Exhibit B," attached hereto and made a part hereof.
- c. Thereafter there was returned to the Office of Affiant the United States Post Office Certified or Registered Mail Receipts, which are attached hereto as "Exhibit C" and made a part hereof.

Further Affiant sayeth naught:

\_\_\_\_\_