

## APPENDIX MAUI-30

### Conditional Use Permit (CP) – Maui & Lanai County of Maui Department of Planning Current Planning Division

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**Permit Packet Includes:**

1. Process Overview
2. Conditional Permit Application Packet & instructions

**Resources:**

- Maui County Code, Chapter 19.40

**Approval or Permit Required:** To regulate proposed land uses not specifically permitted, but similar, related, or compatible to those uses permitted within a given use zone and for a limited period of time.

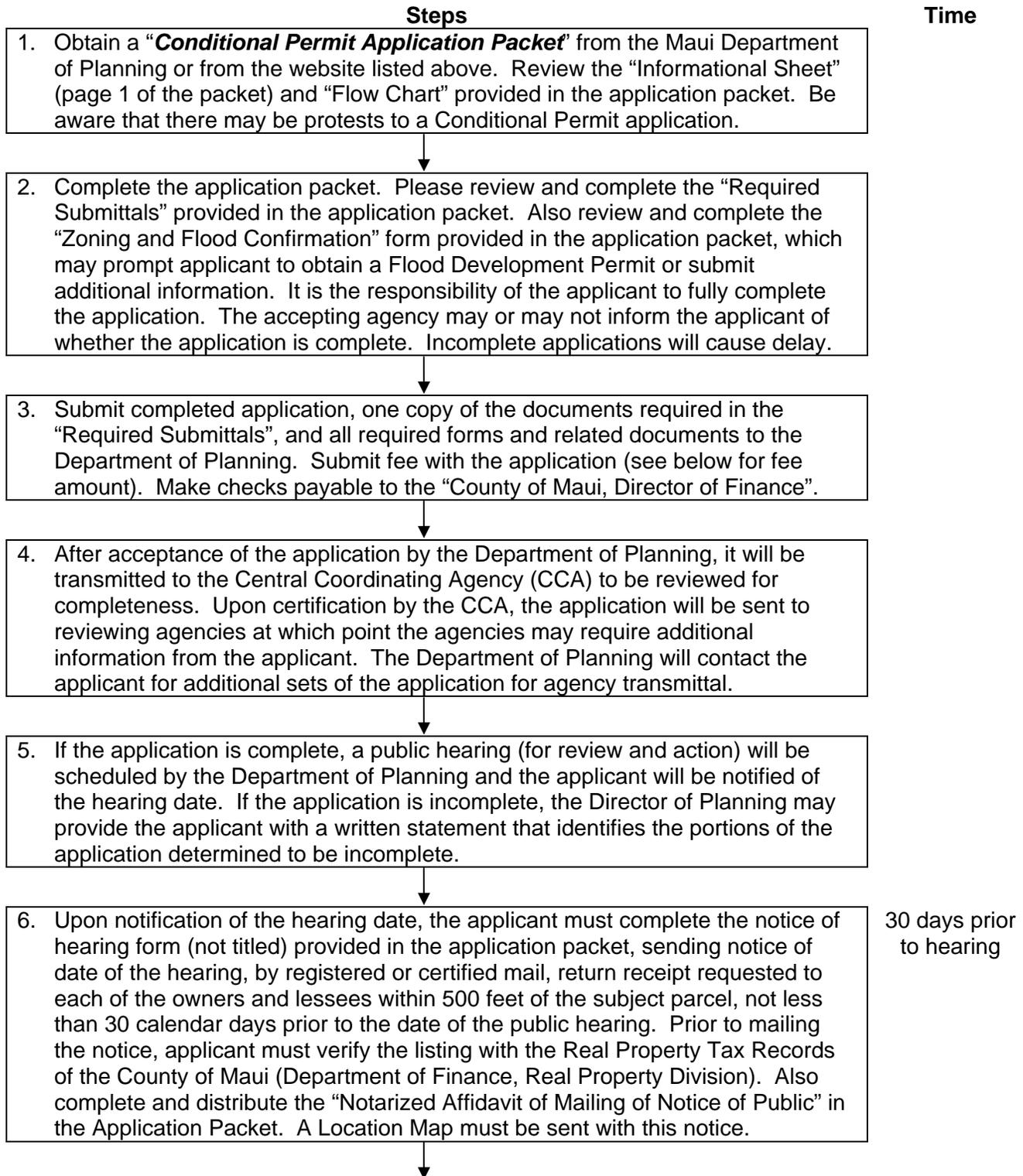
**Contact Information:** Department of Planning  
Current Planning Division  
2200 Main Street, Suite 619  
Wailuku, HI 96793  
Phone: 808-270-8205

**Website:** <http://www.co.maui.hi.us/index.aspx?NID=1250>

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## APPENDIX MAUI-30

### Conditional Use Permit (CP) – Maui & Lanai County of Maui Department of Planning Current Planning Division



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County of Maui  
Department of Planning  
Current Planning Division**

7. Submit the certified mail receipts and each of the return receipts to the Director of Planning no less than 10 days prior to the date of the public hearing.	10 days prior to hearing
8. Publish a notice of hearing (in a form prescribed by the Director of Planning) once a week for 3 consecutive weeks prior to the date of the public hearing in a newspaper printed and issued at least twice weekly in the County and which is generally circulated throughout the County. A certified copy of the published notice must be submitted to the Director of Planning at least 6 days prior to the date of the public hearing. The Director shall distribute a report on the application at least 6 business days prior to the hearing.	21 days prior to hearing; 6 days prior to hearing
9. Public hearing with the Maui or Lanai Planning Commission. Upon appropriate action by the Commission, the Director of Planning shall transmit the report of the Commission and recommendations to the County Council.	Must be transmitted within 90 days
10. Decision by the City Council to approve or deny permit. The Commission may set a reasonable time limit to establish the particular use, and may set a time limit for the duration of the particular use, which shall be a condition of the special permit. The County Council may impose other terms and conditions on the permit (i.e., expiration date), and may require a bond, in a form acceptable to it, or a cash deposit from the property owner or contract purchaser in such amount as will assure compliance with the conditions imposed pursuant to this section. The Department of Public Works may also impose conditions upon the permit if impacted by the permitted use. Conditional Permits are adopted through ordinance by the Maui County Council and Mayor.	No timeline for decision

**Total Time Period: TBD**

Fees dependent on cost of project. Please refer to Fee Schedule, Table A for complete listing.	\$550	
Public Hearing is required. *Applicant is responsible for all fees for notice requirements, including all publication and mail fees.	~	
Total Fees:	\$550 (minimum)	No maximum



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

### CONDITIONAL PERMIT

SOURCE OF LEGAL AUTHORITY: Chapter 19.40, as amended, Maui County Code, 1980.

### INFORMATIONAL SHEET

A Conditional Permit Application may be filed for proposed uses that are similar or related to those uses permitted within the given use zone and is for a limited period of time.

Upon submittal of the Conditional Permit Application, it will be reviewed for completeness.

Upon certification of completeness, a hearing will be scheduled with the Maui Planning Commission to review and act upon the request.

Between the date of certification of completeness and Planning Commission hearing, the following must be completed:

#### APPLICANT

Notification of hearing date by certified mail. (Notification letter to owners and lessees within 500 feet of the subject parcel(s) are to be mailed after application accepted, and public hearing scheduled. A location map of the proposed project shall be sent with the notice (form attached). Said notification shall be done 30 days prior to the public hearing. The applicant shall submit an affidavit to the Director on a form provided by the Department certifying that notice, as required herein has been provided.

Please note that prior to mailing said Notice, the applicant shall reverify the listing with the Real Property Tax Records of the County of Maui.

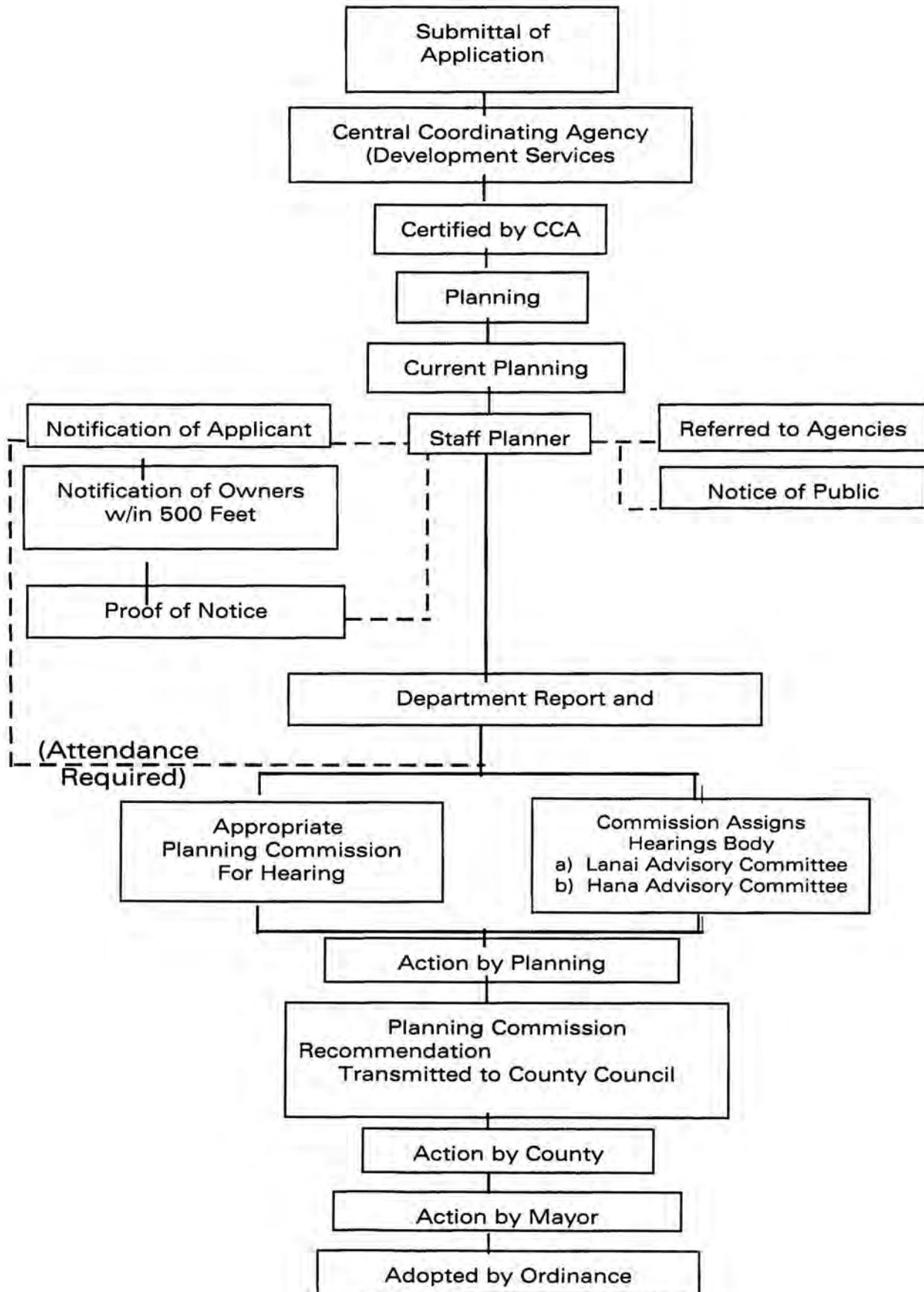
#### PLANNING DEPARTMENT

Referral to other agencies for comments.

Preparation of report and recommendation.

# CONDITIONAL PERMIT

## FLOW CHART





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

**APPLICATION TYPE: CONDITIONAL PERMIT** \_\_\_\_\_

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

PROJECT NAME: \_\_\_\_\_ VALUATION: \$ \_\_\_\_\_

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: \_\_\_\_\_

CONDITIONAL PERMIT APPLICATION  
REQUIRED SUBMITTALS

- \_\_\_\_\_ 1. Evidence that the applicant is the owner or lessee of record 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 landowners and recorded lessees of real property within a 500-foot radius of the subject parcel. This list should be obtained from the most current available list at the Maui County Department of Finance, Real Property Division. This list should include the tax map key numbers and the names and addresses of all owners and lessees to be notified, including a map drawn to scale, clearly defining the 500 feet notification boundary and the parcels affected.
- \_\_\_\_\_ 4. Original + 1 copy of the completed Application Form.
- \_\_\_\_\_ 5. Reasons justifying the request (original + 1 copy).
- \_\_\_\_\_ 6. Original + 1 set of a plot plan of the property, drawn to scale, to include but not be limited to, existing and proposed structure(s), (architectural plans to include elevation, sections, floor plan, etc.), driveway access, parking area, etc.
- \_\_\_\_\_ 7. Photographs (preferably slides) of the project site.
- \_\_\_\_\_ 8. **Non-refundable filing fee** (see Fee Schedule, Table A), payable to *County of Maui, Director of Finance*.

An original + 1 collated copy of Items 4-6 should be submitted for Planning Department's review as to completeness for agency review. When the application is deemed complete for agency review, the Planning Department will contact the applicant to submit the number of copies needed for agency transmittal.

Date: \_\_\_\_\_

TO: Owner/Lessee

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

1. Tax Map Key: \_\_\_\_\_
  2. Location: In the vicinity of \_\_\_\_\_
  3. Zoning Designation: \_\_\_\_\_
  4. Proposed Use: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

PLANNING COMMISSION: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

PLACE: \_\_\_\_\_

\_\_\_\_\_

Attached please find a map identifying the location of the specific parcel(s) being considered in the above-referenced request.

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

Testimony relative to this request may be submitted in writing 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- Please print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

( ) \_\_\_\_\_  
Telephone

ATTACHMENT E

NOTARIZED AFFIDAVIT OF MAILING OF  
NOTICE OF PUBLIC HEARING

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

1. Affiant is the applicant for a \_\_\_\_\_  
for land situated at \_\_\_\_\_,  
TMK: \_\_\_\_\_
  
2. Affiant did on \_\_\_\_\_, \_\_\_\_\_, deposit in the  
United States mail, postage prepaid, by certified or registered mail, return  
receipt requested, a copy of a Notice of Hearing with location map, a  
copy of which is attached hereto as "Exhibit A" and made a part here of,  
addressed to each of the persons identified in the list of recorded owners  
and lessees identified as "Exhibit B," attached hereto and made a part  
hereof.
  
3. Thereafter, there was returned to the office of Affiant the United States  
Post Office certified or registered mail receipts and return receipts which  
are attached hereto as "Exhibit C" and made a part hereof.

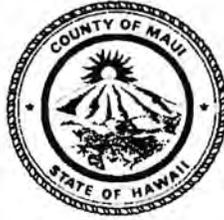
Further, Affiant sayeth naught:

\_\_\_\_\_

Subscribed and sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Hawaii  
My commission expires: \_\_\_\_\_

COUNTY OF MAUI  
 DEPARTMENT OF PLANNING  
 Kalana Paku'i Building  
 250 South High Street  
 Wailuku, Hawaii 96793



Zoning Administration  
 and Enforcement Division  
 Telephone: (808) 270-7253  
 Facsimile: (808) 270-7634  
 E-mail: [planning@mauicounty.gov](mailto:planning@mauicounty.gov)

## ZONING AND FLOOD CONFIRMATION

<b>APPLICANT INFORMATION</b> <i>(To be completed by Applicant)</i>			
APPLICANT			
TELEPHONE		E-MAIL	
PROJECT NAME			
ADDRESS/LOCATION			
TAX MAP KEY NO(S)			
<b>ZONING INFORMATION</b> <i>(To be completed by Staff)</i>			
COMMUNITY PLAN DESIGNTION(S)			
COUNTY ZONING(S)			
STATE LAND USE DISTRICT(S)			
SPECIAL DISTRICT(S)			
<b>FLOOD INFORMATION</b> <i>(To be completed by Staff)</i>			
FLOOD HAZARD AREA ZONE(S)			
BASE FLOOD ELEVATION(S)		mean sea level, 1929 National Geodetic Vertical Datum; or	
For Flood Zone AO, FLOOD DEPTH			
FLOODWAY	<input type="checkbox"/> Yes <input type="checkbox"/> No		
FLOOD DEVELOPMENT PERMIT REQUIRED	<input type="checkbox"/> Yes <input type="checkbox"/> 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.			
<b>FOR COUNTY USE ONLY</b>			
<b>REMARKS/COMMENTS:</b>			
<input type="checkbox"/> Additional information required		<input type="checkbox"/> Information submitted is correct	
<input type="checkbox"/> Required for Agricultural Subdivisions Agricultural Assessment RFS No:		<input type="checkbox"/> Correction has been made and initialed	
Reviewed and Confirmed by:			
(Signature)		(Date)	
For: AARON SHINMOTO, Planning Program Administrator Zoning Administration and Enforcement Division			

