

## APPENDIX MAUI-31

### Land Use Commission District Boundary Amendment (DBA) County of Maui Department of Planning Current Planning Division

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**Permit Packet Includes:**

1. Process Overview
2. Land Use Commission District Boundary Change/Reclassification & instructions

**Resources:**

- Hawaii Revised Statutes, Chapter 205
- Maui County Code, Chapter 19.68, State Land Use District Boundaries

**Approval or Permit Required:** To implement provisions of H.R.S § 205-3.1 pertaining to applications for boundary amendments/reclassification of State Land Use District boundaries involving lands 15 acres or less presently classified in the Agricultural, Rural or Urban Districts. This permit does not apply to lands exceeding 15 acres or lands within the Conservation Districts. Refer to the State Land Use Commission process for lands greater than 15 acres and/or presently classified in the Conservation District.

**Contact Information:**

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

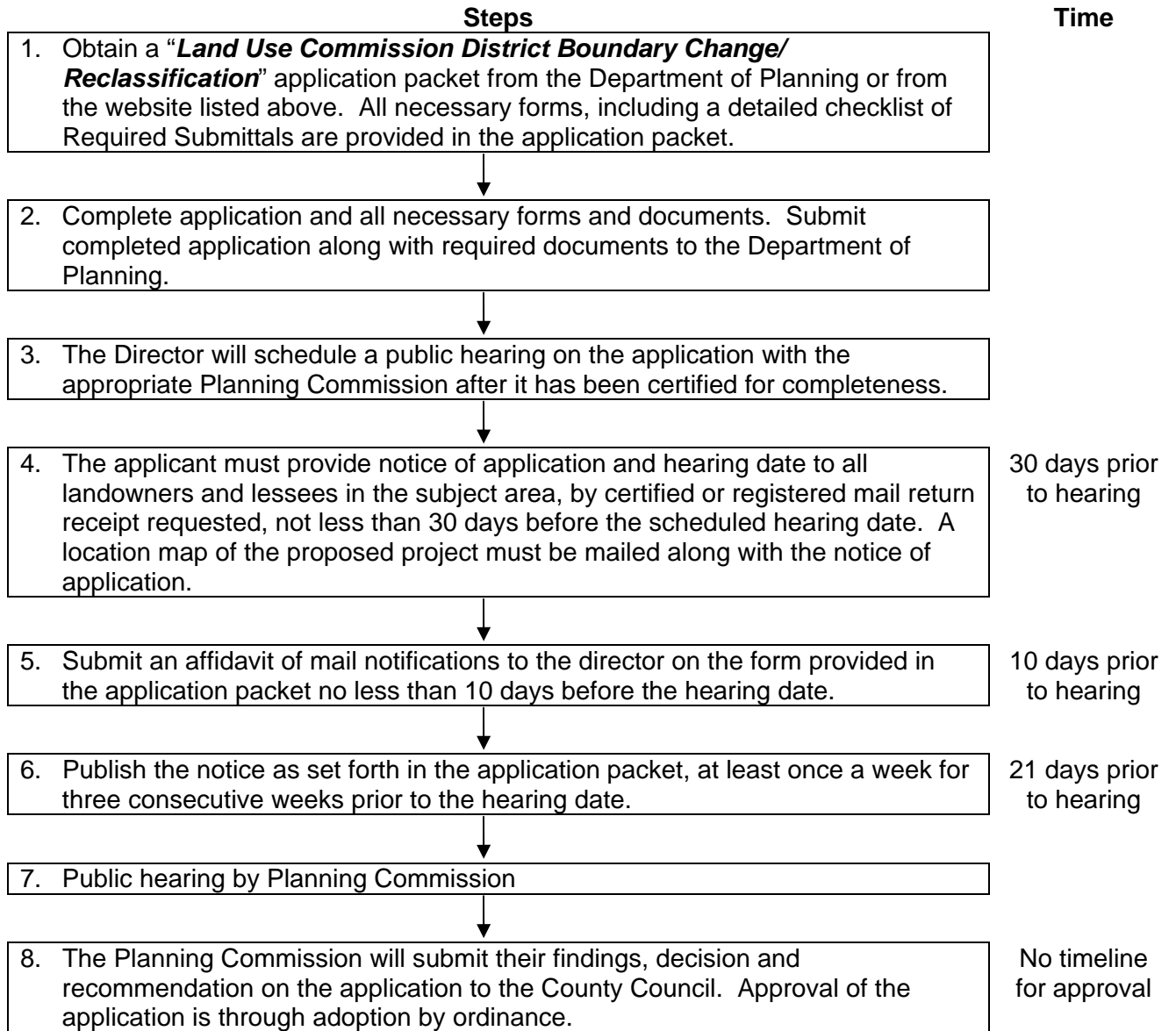
**Website:**

<http://www.co.maui.hi.us/index.aspx?NID=1281>

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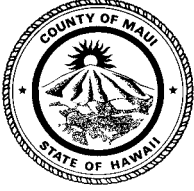
**APPENDIX MAUI-31**

**Land Use Commission District Boundary Amendment (DBA)  
County of Maui  
Department of Planning  
Current Planning Division**



**Total Time Period: > 180 days**

| Fees  | Amount          | Maximum    |
|---|-----------------|------------|
| Fees dependent on project cost. See Fee Schedule, Table A.                                | \$550           |            |
| Public hearing is required.<br>*Applicant pays all notice, publication, and mailing 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

**APPLICATION TYPE:** LAND USE COMMISSION DISTRICT BOUNDARY  
CHANGE/RECLASSIFICATION

**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:** \_\_\_\_\_

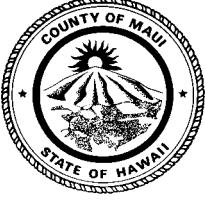
**PHONE (B):** \_\_\_\_\_ **(H):** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**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.

\*\*\*\*\*

**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

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

**STATE LAND USE DISTRICT BOUNDARY  
AMENDMENT/RECLASSIFICATION**

SOURCE OF LEGAL AUTHORITY: Chapter 205, Hawaii Revised Statutes and  
Title 19, Maui County Code

**INFORMATIONAL SHEET**

The purpose of this application is to establish procedures for implementing the provisions of Section 205-3.1, HRS, pertaining to applications for boundary amendment/reclassification of State Land Use District boundaries involving lands fifteen acres or less presently classified in the Agricultural, Rural or Urban Districts. Applicants applying for lands over fifteen acres or classified as Conservation District, should contact the State Land Use Commission for appropriate procedures.

Upon submittal of a State District Boundary Amendment/Reclassification Application, it will be reviewed for completeness.

Upon certification of completeness, a hearing will be scheduled with the appropriate Planning Commission to review. The Commission shall make a recommendation to the County Council. Approval of the application is through adoption by ordinance.

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

**APPLICANT:**

1. Notification of property owners and lessees of hearing date by certified mail or registered mail, return receipt requested. (Notification letter to owners and lessees are to be mailed after listing and map are checked and verified, application accepted and public hearing scheduled. A location map of the proposed project shall be sent with the notice. Said notification shall be made 30 days prior to the public hearing.) The applicant shall submit an affidavit of mailing to the Director on a form provided by the Department certifying that notice, as required herein has been provided.
2. Publication of the notice in a newspaper of general circulation in the county, once a week for three consecutive weeks prior to any public hearing.

**PLANNING DEPARTMENT:**

1. Published notice in a newspaper of general circulation within the County of the scheduled hearing.
2. Preparation of report and recommendation to the Commission.

**LAND USE COMMISSION DISTRICT BOUNDARY CHANGE/RECLASSIFICATION  
REQUIRED SUBMITTALS**

District Boundary Change/Reclassification:

From: \_\_\_\_\_ To: \_\_\_\_\_

- \_\_\_ 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. A **non-refundable filing fee** (See Fee Schedule, Table A); payable to *County of Maui, Director of Finance*.

(One Original and One copy)

- \_\_\_ 1. Legal Description and map drawn to scale of the subject property.
- \_\_\_ 2. Reason (s) justifying the request.
- \_\_\_ 3. Report addressing how the proposed district change conforms to the standards establishing the use district as identified in Chapter 15, Land Use Commission Rules, Subchapter 2 Establishment of State Land Use Districts.
- \_\_\_ 4. Map of site and proposed land use.

After reviewing these documents for completeness, the department will notify the applicant of the number of additional copies needed to be provided for agency transmittal.

DATE:

TO: Owners/Lessees

Please be informed that the undersigned has applied to the \_\_\_\_\_ Planning Commission of the County of Maui for a State Land Use District Boundary Amendment/Reclassification for the following parcel(s):

- 1. Tax Map Key: \_\_\_\_\_
- 2. Location: In the vicinity of \_\_\_\_\_
- 3. Area of parcel: \_\_\_\_\_
- 4. Reclassified from \_\_\_\_\_ to \_\_\_\_\_
- 5. 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 State Land Use District Boundary Amendment/Reclassification.

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:

1. Affiant is the applicant for a \_\_\_\_\_  
for land situated at \_\_\_\_\_,  
TMK: \_\_\_\_\_
  
2. 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.
  
3. 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:

\_\_\_\_\_