Permit Packet Includes:
1. Process Overview
2. Project District Development Approval Application Packet & instructions

Resources:
- Maui County Code, Chapter 19.45

Approval or Permit Required: To develop tracts of land designated as project districts by the adopted community plans.

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=1289
APPENDIX MAUI-33

Project District Development Approval – Maui & Lanai
County of Maui
Department of Planning
Current Planning Division

Steps

1. Obtain a “Project District Development Approval Application Packet” from the Maui Department of Planning or from the website listed above. Be aware that there may be protests to a Project District Approval application.

2. Complete the application packet. Review the “Informational Sheet” (page 1 of the packet) and “Flow Charts”. It is applicant’s duty to fully complete the application. The accepting agency may or may not inform the applicant of whether the application is complete. Incomplete applications will cause delay.

3. Submit completed application, one copy of the documents required in the “Required Submittals”, and all required forms and related documents to the Department of Planning. Note the required submittals for each Phase (I – III). Submit fee with the application (see below for fee amount). Note fees for each Phase. Make checks payable to the “County of Maui, Director of Finance”.

4. After acceptance of the application by the Department of Planning, it will be reviewed for completeness and sent to reviewing agencies. The Applicant may need to submit additional sets of the application for agency transmittal.

5. If the application is complete, a public hearing will be scheduled with the appropriate Planning Commission (Maui or Lanai) to provide a recommendation to the City Council to tentatively approve or deny the application and project district ordinances proposed by the Commission (Phase I). The applicant will be notified of the hearing date. If the application is incomplete, the Director of Planning may provide the applicant with a written statement that identifies the portions of the application determined to be incomplete.

6. Upon notification of the hearing date, the applicant must complete the “Letter of Notice Phase I” provided in the Application Packet, sending notice of date of the hearing, by registered or certified mail, return receipt requested to each of the owners and lessees within 500 feet of the subject parcel, not less than 30 calendar days prior to the date of the public hearing. Prior to mailing the notice, applicant must verify the listing with the Real Property Tax Records of the County of Maui (Department of Finance, Real Property Division). Also complete and distribute the “Notarized Affidavit of Mailing of Notice of Public” in the Application Packet. A Location Map must be sent with this notice.

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.

8. Publish a notice of hearing as set forth in the applicant. A certified copy of the

Updated December 2009
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.

9. If the project district ordinance requires unilateral or bilateral agreements then, after the Council approves the project district ordinance, the applicant shall negotiate the terms of the agreements with the Mayor or his designated representative. Agreements are enforceable by the County, may be modified, shall bind all persons having an interest in the property, and shall be recorded with the Bureau of Conveyances or the Land Court by the City Council.

10. After tentative approval of Phase I, applicant must submit to the Planning Director a preliminary site plan for the project district development (Phase II). The preliminary site plan shall conform to the project district ordinance and shall include the items listed in the “Required Submittals”. Phase II approvals often expire if construction is not started by a deadline stated in the permit.

11. A second public hearing will be scheduled with the Planning Commission to review the preliminary site plan and analysis. Applicant will be notified of the hearing date. Applicant must repeat Steps 6, 7, & 8 herein regarding distribution and publication of the second hearing for Phase II. Use the “Letter of Notice Phase II”, not the “Letter of Notice Phase I” used for the first hearing.

12. If Phase II is approved, with or without modifications, by the appropriate Planning Commission, applicant must submit a final site plan to the Planning Director to review the final site plan and analysis (Phase III). Final site plan contents are listed in the “Required Submittals”.

13. The Director shall approve the final site plan if it conforms in all substantive respects to the approved preliminary site plan.

Total Time Period: TBD

Fees

<table>
<thead>
<tr>
<th>Fees depend on cost of project (Fee Schedule, Tables A &amp; B).</th>
<th>Amount</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Phase I (Table A)</td>
<td>$550</td>
<td></td>
</tr>
<tr>
<td>- Phase II (Table A)</td>
<td>$550</td>
<td></td>
</tr>
<tr>
<td>- Phase II (Table B)</td>
<td>$55</td>
<td></td>
</tr>
</tbody>
</table>

Public Hearing is required.
*Applicant pays all notice, publication, and mailing fees.

Total Fees: $1155 (minimum) No maximum

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PROJECT DISTRICT DEVELOPMENT APPROVAL


INFORMATIONAL SHEET

The developer of land designated as a project district on an adopted community plan may initiate a project district development. Considered uses shall be in conjunction with the guidelines of the appropriate adopted community plan.

PHASE I

Upon submittal of the application for Project District Development, it will be reviewed for completeness.

A public hearing will be scheduled with the Maui Planning Commission to review and provide a recommendation to the County Council.

Prior to the Planning Commission hearing, the following must be completed:

PLANNING DEPARTMENT

- Preparation of a bill for an ordinance relating to development standards.
- Referral to other agencies for comments.
- Preparation of report and recommendation.

APPLICANT

Notification of hearing date by certified mail. (Notification letter to owners and lessees within 500 feet of the subject parcels(s) are to be mailed after application accepted, and public hearing scheduled. A location map of the proposed project will 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.

Revised 7/17/03
PHASE II

A public hearing will be scheduled with the Planning Commission to review the preliminary site plan and analysis.

Prior to the Planning Commission hearing, the following must be completed:

APPLICANT

Notification of hearing date by certified mail. (Notification letter to owners and lessees with 500-feet of the subject parcels (s) are to be mailed after application accepted, and parcels (s) are to be mailed after application accepted, and public hearing scheduled. A location map of the proposed project will be sent with the notice (form attached.) Said notification will be done 30 days prior to the public hearing.) The applicant will 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 agencies for comments.

-Preparation of report and recommendation.

PHASE III

Administrative Review of the final site plan in accordance with the Planning Commissions’s approval of the preliminary site plan and conditions.
PROJECT DISTRICT PROCESSING

FLOW CHART

PHASE I PROCESSING

1. Submittal of Application to Planning Department
2. Central Coordinating Agency (Development Services Administration)
3. Certified by CCA
4. Planning Director
5. Current Planning Division

- Notification of Applicant
- Notification of Owners w/in 500 Ft.
- Proof of Notice

6. Staff Planner
7. Referred to Agencies
8. Notice Public Hearing

Department Report and Recommendation
(Attendance Required)

- Appropriate Planning Commission For Hearing in Community Plan Region
- Commission Assigns Hearings Body Hana Advisory Committee

Action by Planning Commission

Planning Commission Recommendation Transmitted to County Council (After Preparation of Draft Ordinances)

Action by County Council

Action by Mayor

Adopted by Ordinance
PROJECT DISTRICT PROCESSING

FLOW CHART

PHASE III PROCESSING

Submittal of Application to Planning Department

Planning Director

Current Planning Division

Staff Planner

Referred to Agencies

Action by Planning Director
APPLICATION TYPE: PROJECT DISTRICT DEVELOPMENT APPROVAL

DATE: ___________________________ PROJECT 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: ___________________________________________________
PROJECT DISTRICT DEVELOPMENT
REQUIRED SUBMITTALS

PHASE I

____ 1. Evidence that the applicant is the owner or lessee of record of the real property.

____ 2. A notarized letter of authorization from the legal owner if the applicant is not the owner.

____ 3. Legal description of the land to be developed.

____ 4. List of landowners and recorded lessees of real property within 500 feet 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.

____ 5. Original and 1 copy of the proposed project district, including land uses, densities, infrastructural requirements, development standards, and a conceptual map showing the project district boundaries, and the acreage involved.

____ 6. Original and 1 copy of an explanation of the impact of the project district development on the community.

____ 7. Non-refundable filing fee (see Fee Schedule, Table A), payable to Maui County, Director of Finance.

After reviewing the application materials for completeness for agency transmittal, the Planning Department will notify the applicant on how many copies of the application packet to provide for agency transmittal.

PHASE II

In addition to Items 1-4 of the Phase I requirements, the following additional information shall be submitted:

____ 1. Original and 1 copy of a preliminary site plan and analysis to include the following:

   a. Proposals for drainage, street, parking, utilities, grading, landscape planting, architectural design concepts and guidelines, building elevations, building sections, construction phasing, open spaces, land uses, and signage.

   b. Proposals for recreation and community facilities.

   c. Proposals for floor area ratios, lot coverage, net buildable areas, open space ratios, impervious ratios, and density factors.
d. Statement on potential environmental, socioeconomic, and aesthetic impacts.

After reviewing the application materials for completeness for agency transmittal, the Planning Department will notify the applicant on how many copies of the application packet to provide for agency transmittal.

2. **Non-refundable filing fee** (see Fee Schedule, Table A), payable to *County of Maui, Director of Finance*.

**PHASE III**

In addition to Items 1-2 of the Phase I requirements, the following additional information shall be submitted:

1. **Final site plans** to include the following:
   a. Drainage, street, parking, utilities, grading, landscape planting, architectural design concepts and guidelines, building elevations, building sections, construction phasing, open spaces, land uses, and signage.
   b. Recreation and community facilities.
   c. Floor area ratios, lot coverage, net buildable areas, open space ratios, impervious ratios, and density factors.

2. **Non-refundable filing fee** (see Fee Schedule, Table A), payable to *County of Maui, Director of Finance*. 
DATE:

TO:

Please be informed that the undersigned has applied to the ________________ Planning Commission of the County of Maui for a Phase I Project District Development Approval 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 request for Phase I Project District Development Approval.

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, 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

____________________(___)____________________
Phone Number
(Letter of Notice Phase II, Project District-Maui Planning Commission)

DATE:

TO:

Please be informed that the undersigned has applied to the Planning Commission of the County of Maui for a Phase II Project District Development Approval 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:

Public Hearing Date: ____________________________________________________________
Time: _________________________________________________________________________
Place: ________________________________________________________________________

Attached please find a map identifying the location of the specific parcel(s) being considered in the request for Phase II Project District Development Approval.

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.

Petitions to intervene shall be in conformity with Sections 12-201-20, 12-201-40, and 12-201-43 of the Rules of Practice and Procedure for the Maui Planning Commission and shall be filed with the Commission and served upon the applicant no less than ten days before the first public hearing date. Filing of all documents of the commission is c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793.

The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal state holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday or state holiday. When the described period of time is 10 days or less, Saturdays, Sundays, or state holidays within the designated period shall be excluded in the computation.

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, 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
__________________________________________________________

(____)_______________________________

Phone Number
NOTARIZED AFFIDAVIT OF MAILING

[Name], 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 ____________________________, 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 here to 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:
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

Zoning Administration and Enforcement Division