APPENDIX MAUI-33

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

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 Time

- 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.

30 days prior to hearing

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 as set forth in the application. A certified copy of the

21 days prior

APPENDIX MAUI-33

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

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.

to hearing; 6 days prior to 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.

See Steps 6,7, & 8

- 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.

No timeline for decision

Total Time Period: TBD

Fees	Amount	Maximum
Fees depend on cost of project (Fee Schedule, Tables A & B). - Phase I (Table A) - Phase II (Table A) - Phase II (Table B)	\$550 \$550 \$55	
Public Hearing is required. *Applicant pays all notice, publication, and mailing fees.	~	
Total Fees:	\$1155 (minimum)	No maximum



PROJECT DISTRICT DEVELOPMENT APPROVAL

SOURCE OF LEGAL AUTHORITY: Chapter 19.45, Maui County Code, 1980, as

amended.

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.

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.

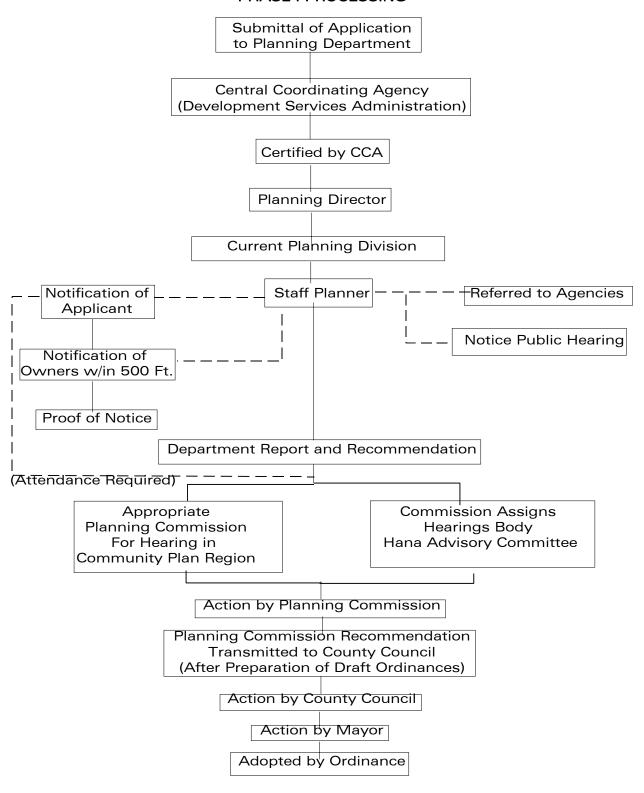
PHASE III

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

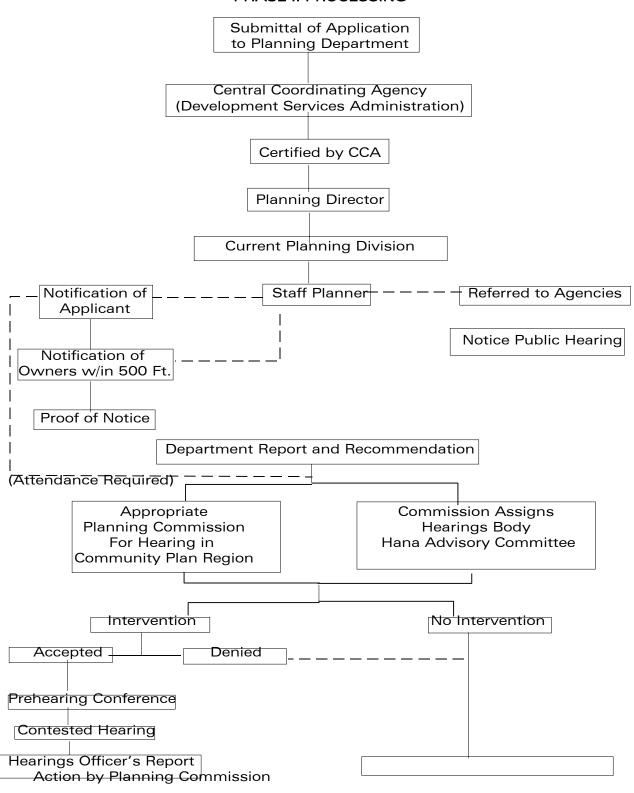
PHASE I PROCESSING



PROJECT DISTRICT PROCESSING

FLOW CHART

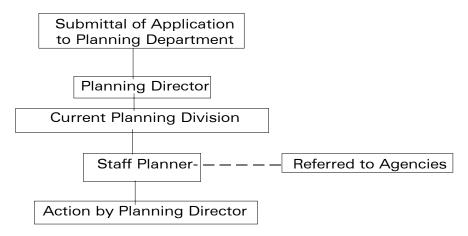
PHASE II PROCESSING

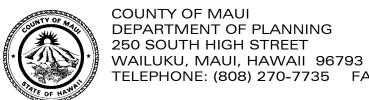


PROJECT DISTRICT PROCESSING

FLOW CHART

PHASE III PROCESSING





TELEPHONE: (808) 270-7735 FAX: (808) 270-7634

APPLICATION TYPE:	CATION TYPE: PROJECT DISTRICT DEVELOPMENT APPROVAL		
DATE:	PROJECT VALUATION: \$		
PROJECT NAME:	ROJECT NAME:		
TAX MAP KEY NO.:	CPR/HPR NO.:	LOT SIZE:	
PROPERTY ADDRESS:			
		(H)	
ADDRESS:			
CITY:	STATE:	ZIP CODE:	
OWNER SIGNATURE:			
APPLICANT:			
CITY:	STATE:	ZIP CODE:	
PHONE (B):	(H):	FAX:	
APPLICANT SIGNATUR	RE:		
AGENT NAME:			
CITY:	STATE:	ZIP CODE:	
PHONE (B):	(H):	FAX:	
EXISTING USE OF PRO	PERTY:		
CURRENT STATE LAND	O USE DISTRICT BOUNDAR	Y DESIGNATION:	
COMMUNITY PLAN DESIGNATION: ZONING DESIGNATION:			
OTHER SPECIAL DESIG	SNATIONS:		

PROJECT DISTRICT DEVELOPMENT REQUIRED SUBMITTALS

PHAS	ΕI	
	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.
	mittal, t	reviewing the application materials for completeness for agency the Planning Department will notify the applicant on how many copies of on packet to provide for agency transmittal.
PHAS	ΕII	
		to Items 1-4 of the Phase I requirements, the following additional shall be submitted:
	1.	Original and 1 copy of a preliminary site plan and analysis to include the following:

b. Proposals for recreation and community facilities.

land uses, and signage.

a.

c. Proposals for floor area ratios, lot coverage, net buildable areas, open space ratios, impervious ratios, and density factors.

Proposals for drainage, street, parking, utilities, grading, landscape

planting, architectural design concepts and guidelines, building elevations, building sections, construction phasing, open spaces,

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*.

(Lette	er of Notice Phase I, Project	strict)
		DATE:
TO:		
	ning Commission of the Cour oval at the following parcel(undersigned has applied to the of Maui for a Phase I Project District Development
2.	Location: In the vicinity of	
3.	Zoning Designation:	
4.	Proposed use	
<u>THIS</u>	SECTION TO BE COMPLET	BY THE PLANNING DEPARTMENT:
cons Title appre Stree heari Depa (808)	idered in the request for Pha The hearing is held under t 19 of the Maui County Code Testimony relative to th opriate Planning Commission et, Wailuku, Hawaii, 96793 ing. Information relative to the artment, 250 South Hig	entifying the location of the specific parcel(s) being I Project District Development Approval. authority of Chapter 92, Hawaii Revised Statutes; nd the appropriate Planning Commission rules. request may be submitted in writing to the to the Maui Planning Department, 250 South High represented in person at the time of the public opplication is available for review at the Planning Street, Wailuku, Maui, Hawaii, Telephone (ai 1-800-272-0117, Extension 7735; and toll free (sion 7735).
		Name of Applicant Signature
		Address

___(__)_ Phone Number

(Letter of Notice Phase II, Project District-Maui Planning Commission) DATE:

	D/ (I	L .
TO:		
		ersigned has applied to the Planning a Phase II Project District Development
2.	Location: In the vicinity of	
3.	Zoning Designation:	
4.	Proposed use	
	SECTION TO BE COMPLETED BY THI Public Hearing Date:	
County of the I Commis of all do	t for Phase II Project District Development Appr The hearing is held under the authority of Chap Code and the appropriate Planning Commissic Petitions to intervene shall be in conformity w Rules of Practice and Procedure for the Maui ssion and served upon the applicant no less tha ocuments of the commission is c/o the Maui Pla Hawaii 96793.	ter 92, Hawaii Revised Statutes; Title 19 of the Maui on rules. ith Sections 12-201-20, 12-201-40, and 12-201-43 Planning Commission and shall be filed with the on ten days before the first public hearing date. Filing nning Department, 250 South High Street, Wailuku,
until the	y of the period unless it is a Saturday, Sunday of e end of the next day which is not a Saturday, is 10 days or less, Saturdays, Sundays, or st ed in the computation.	ollowing the act, event, or default, and includes the regal state holiday in which event the period runs Sunday or state holiday When the described period ate holidays within the designated period shall be submitted in writing to the appropriate Planning
		O South High Street, Wailuku, Hawaii, 96793, or
	Information relative to the application is availab treet, Wailuku, Maui, Hawaii, Telephone (808) on 7735; and toll free from Lanai 1-800-272-0	le for review at the Planning Department, 250 South 270-7735; toll free from Molokai 1-800-272-0117, 125, Extension 7735.
		Name of Applicant
		Signature

Address

___(__)_ Phone Number

NOTARIZED AFFIDAVIT OF MAILING

	, being first duly sworn on oath, deposes
and says th	
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	<u> </u>
FLOOD INFORMATION	
FLOOD HAZARD AREA* ZONE	
BASE FLOOD ELEVATION Vertical Datum or for Flood Zone A	mean sea level, 1929 National Geodetic 0, FLOOD DEPTHfeet.
FLOODWAY [] Yes or []	No
* For flood hazard area zones B or G any work is done in any drainage fac	REQUIRED [] Yes or [] No C; a flood development permit would be required if cility or stream area that would reduce the capacity eam, or adversely affect downstream property.
	COUNTY USE ONLY
REMARKS/COMMENTS:	uired. orrect.
Reviewed and Confirmed by:	
Signature	Date

Zoning Administration and Enforcement Division