

APPENDIX MAUI-41

Land Use Commission Special Use Permit (SUP1, SUP2) – Lanai
County of Maui
Department of Planning
Lanai Planning Commission

Permit Packet Includes:

1. Process Overview
2. Lanai Planning Commission Land Use Commission Special Use Permit Application Packet & instructions

Resources:

- Hawaii Revised Statutes, Chapter 205
- Maui County Code, Chapter 19.29 Rural Districts
- Maui County Code, Chapter 19.30A Agricultural District

Approval or Permit Required: To regulate certain "unusual and reasonable" land use within the Agricultural and Rural Districts of Lanai, other than permissible agricultural or rural uses within those 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
250 South High Street
Kalana Pakui Building, Suite 200
Wailuku, HI 96793
Phone: 808-270-7735

Website:

<http://www.co.maui.hi.us/index.aspx?NID=1283>

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**Land Use Commission Special Use Permit (SUP1, SUP2) – Lanai
County of Maui
Department of Planning
Lanai Planning Commission
Steps**

Time

1. Obtain a "**Lanai Planning Commission Land Use Commission Special Use Permit**" application packet from the Maui Department of Planning or from the website listed above. Please read the criteria portion on the "Informational Sheet" (page 1 of the packet) thoroughly. Review the "Flow Chart" provided in the application packet. Be aware that there may be protests to a Land Use Commission Special Use Permit application.

2. Complete the application packet. Please review and complete the "Required Submittals" provided in the application packet. Also review and complete the "Zoning and Flood Confirmation Request Form" provided in the application packet, which may prompt applicant to obtain a Flood Development Permit or submit additional information. It is the responsibility of the applicant 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. Submit fee with the application (see below for fee amount). 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 transmitted to the Central Coordinating Agency (CCA) to be reviewed for completeness. Upon certification by the CCA, the application will be sent to reviewing agencies at which point the agencies may require additional information from the applicant. The Department of Planning will contact the applicant for additional sets of the application for agency transmittal.

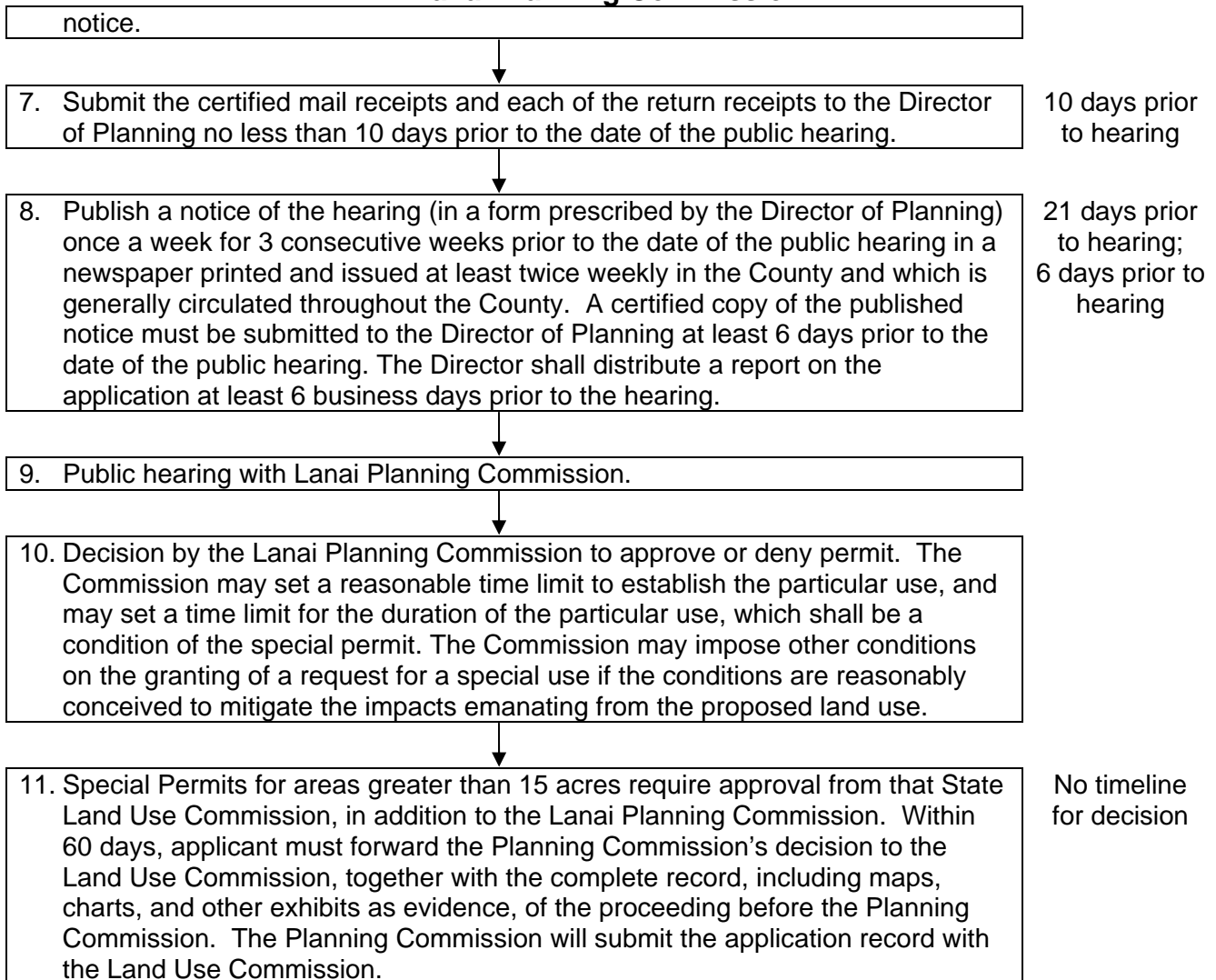
5. If the application is complete, a public hearing (for review and action) will be scheduled by the Department of Planning and the applicant will be notified of the hearing date. If the application is incomplete, the Director of Planning may provide the applicant with a written statement that identifies the portions of the application determined to be incomplete.

6. Upon notification of the hearing date, the applicant must complete the notice of hearing form, titled "Lanai Planning Commission", 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 25 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" in the Application Packet. A Location Map must be sent with this

25 days prior
to hearing

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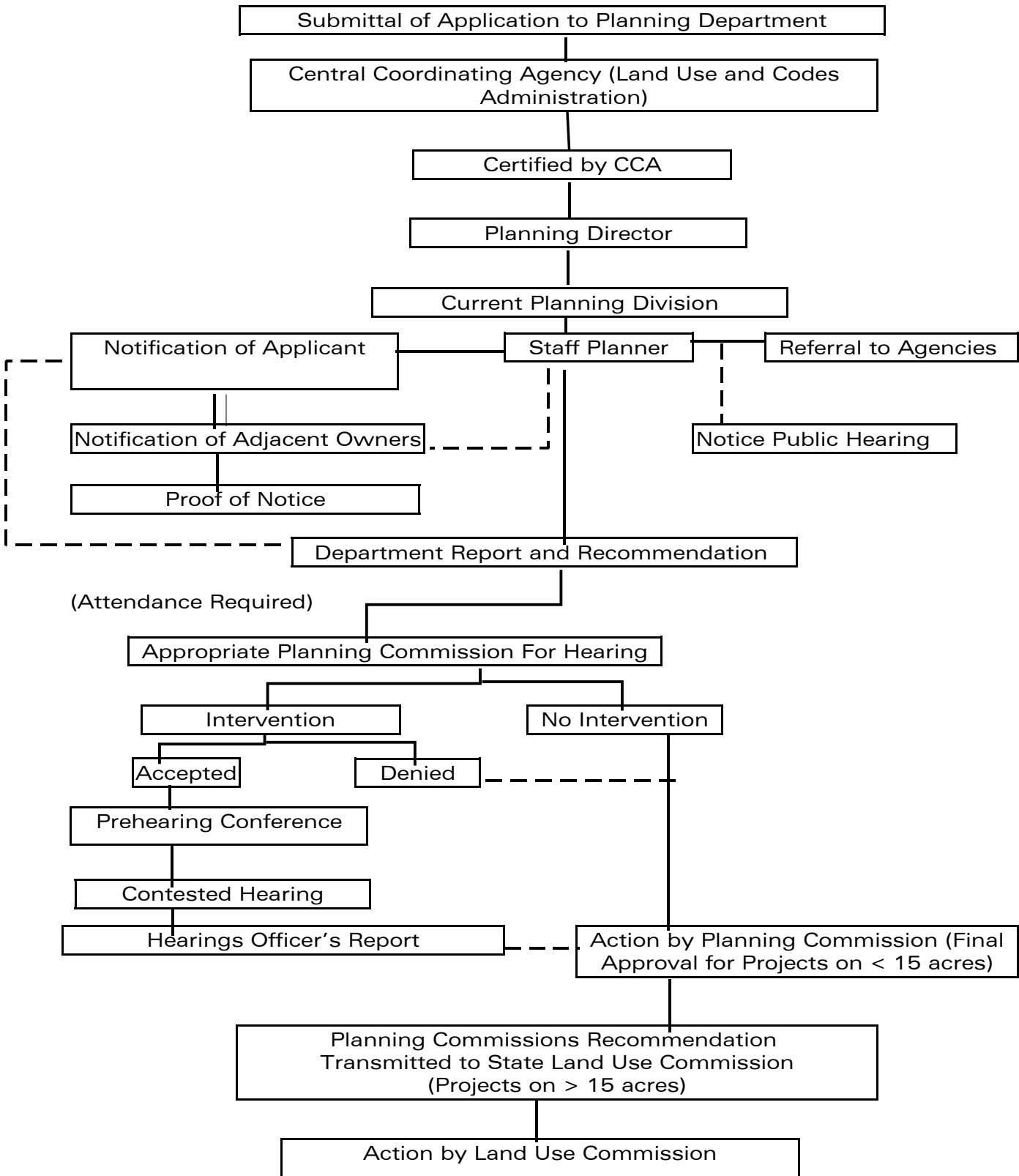


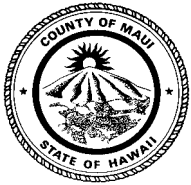
Total Time Period: TBD

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

LAND USE COMMISSION SPECIAL USE 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: LAND USE COMMISSION SPECIAL USE PERMIT

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: _____

LAND USE COMMISSION SPECIAL USE PERMIT APPLICATION
REQUIRED SUBMITTALS

- ___ 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. Lis of landowners and recorded lessees of real property abutting the subject parcel and across the street. 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 number and the names and addresses of all owners and lessees to be notified, including a map drawn to scale, clearly defining the adjacent parcels affected.
- ___ 4. Photographs (preferably slides) of the project site.
- ___ 5. A **non-refundable** filing fee (See Fee Schedule, Table A). Checks payable to ***County of Maui, Director of Finance.***

One Original and One Copy

- ___ 1. Description of the proposed use.
- ___ 2. Reason(s) justifying the request.
- ___ 3. 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 plans, etc.), driveway access, parking area, etc.
- ___ 4. A report identifying reason proposal is a "reasonable and unusual use" pursuant to Chapter 15 Land Use Commission Rules, Subchapter 12, Special Use Permits.

After the Planning Department has reviewed the application packet for suitability of transmittal to agencies, the Planning Department will contact the applicant to produce the additional sets of the application packet for agency transmittal.

LANAI PLANNING COMMISSION

DATE: _____

TO: _____

Please be informed that the undersigned has applied to the Lanai Planning Commission of the County of Maui for a Land Use Commission Special Use Permit at the following parcel(s):

- 1. Tax Map Key: _____
 - 2. Location: In the vicinity of _____
 - 3. State Land Use 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 being considered in the request for Land Use Commission Special Use Permit Application.

The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 15 of the Hawaii Administrative rules, and the Lanai Planning Commission rules.

Petitions to intervene shall be in conformity with §12-401-20, 12-401-40 and 12-401-43 of the Rules of Practice and Procedure for the Lanai 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 to 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 prescribed 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 Lanai Planning Commission, 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, at 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:

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