

APPENDIX MAUI-8

Special Management Area Use Permit (SM1) - Lanai County of Maui Department of Planning Current Planning Division

Permit Packet Includes:

1. Process Overview
2. Special Management Area Permit Application Packet (Lanai) & instructions

Resources:

- Hawaii Revised Statutes, Chap. 205A (Coastal Zone Management)
- Special Management Area Rules, Lanai Planning Commission

Approval or Permit Required: To regulate any use, activity, or operation that qualifies as "development", and has a total cost fair market value of \$125,000 or more; or has significant adverse environmental or ecological effect within the Special Management Area.

Contact Information:

Department of Planning
Current Planning Division
2550 South Main Street
Wailuku, HI 96793
Phone: 808-270-7735

Website:

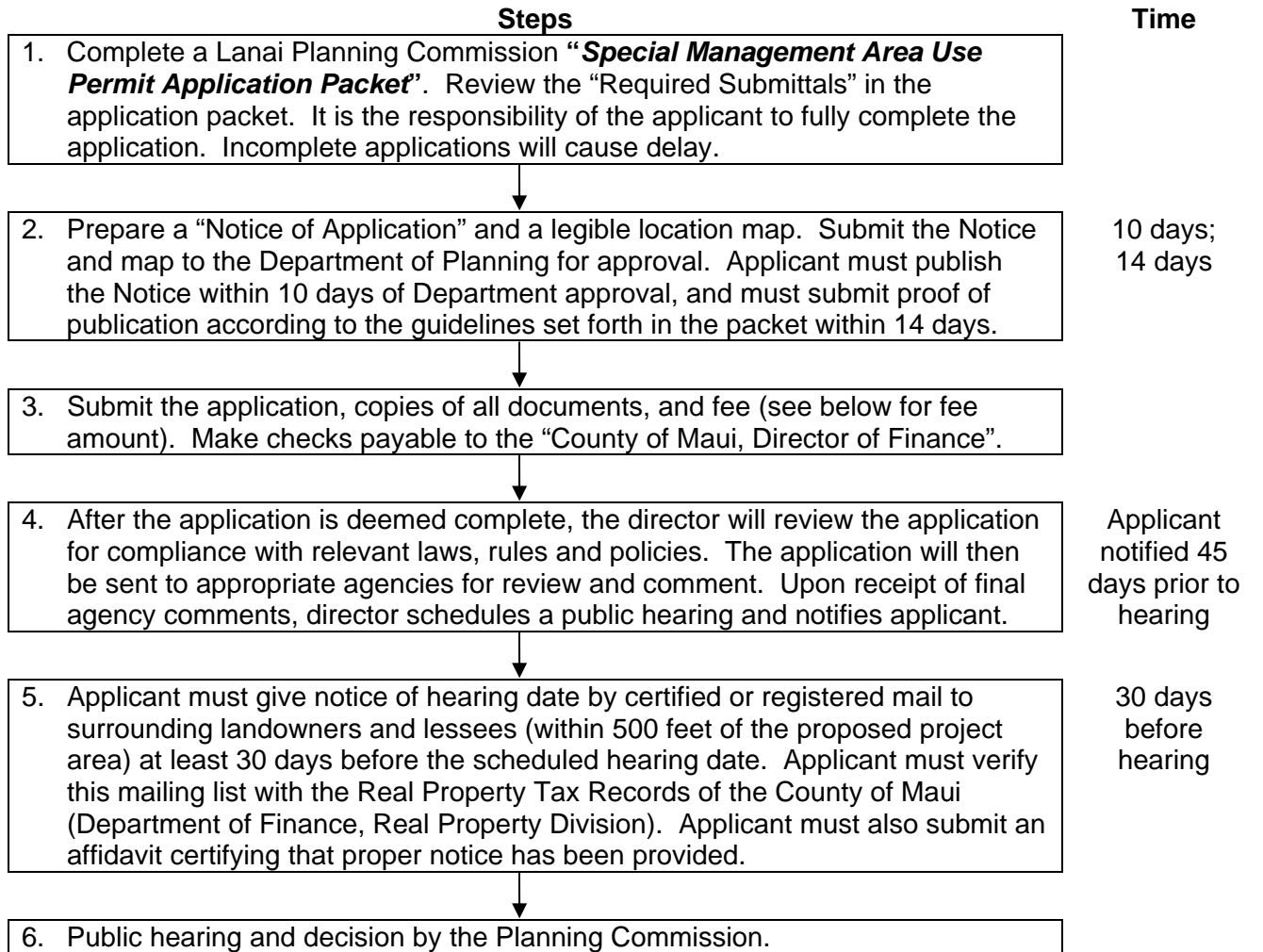
<http://www.co.maui.hi.us/index.aspx?NID=1245>

APPENDIX MAUI-8

Special Management Area Use Permit (SM1) - Lanai County of Maui Department of Planning Current Planning Division

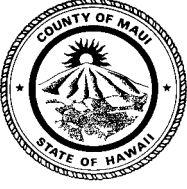
NOTE:

- Applicant may need to present proposed development to the Urban Design Review Board and Maui County Cultural Resources Commission for recommendations to the Commission.
- Applicant must provide documentation of full compliance with HRS 343 (HEPA) and Dept. of Health Environmental Impact Statement (EIS) Rules.



Total Time Period: 180-365 days

Fees	Amount	Maximum
Fees dependent upon project cost (Fee Schedule, Table A).	\$550	
Public hearing required. *Applicant pays all notice, publication, and mail fees.	~	
Total Fees:	\$550 (minimum)	No maximum



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

LANAI PLANNING COMMISSION
SPECIAL MANAGEMENT AREA PERMIT APPLICATION

SOURCE OF LEGAL AUTHORITY: Chapter 205A, Hawaii Revised Statutes, as amended.

INFORMATIONAL SHEET

The purpose of the Special Management Area Permit is to regulate any use, activity or operation that qualifies as a "development"; and has a total cost or fair market value of \$125,000.00 or more; or has significant adverse environmental or ecological effect within the Special Management Area. This application provides a means to preserve, protect, and where possible, restore the natural resources of the coastal zone of Hawaii by establishing special controls on development within the areas along the shoreline so as to avoid the permanent loss of valuable resources and the foreclosure of land use and management options, and insure that adequate public access is provided to beaches, recreational area, and natural reserves.

Upon submittal of a Special Management Area Permit Application, it will be reviewed by the Central Coordinating Agency (Department of Public Works and Environmental Management, Development Service Administration) for completeness. For purposes of central coordinating agency review, completeness means all required documents have been filed.

Upon receipt of the application from the central coordinating agency, the director shall review the application based upon the policies, objectives, and guidelines as provided in Sections 12-402-10 and 12-402-11 of the Special Management Area Rules and, if necessary, request additional data or information.

Upon receipt of all information necessary for processing the Director shall transmit the application to appropriate agencies for review and comment. Upon receipt of final agency comments, the application shall be deemed complete by the Director and shall be scheduled for public hearing.

If applicable, the applicant shall present the proposed development to the Urban Design Review Board and Maui County Cultural Resources Commission for comment and recommendation to the commission.

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

APPLICANT:

Preparation of a Notice of Application and legible map for submittal to the Planning Department for review of completeness. Within 10 days of departmental approval the applicant shall publish the Notice of Application and map once in a newspaper printed and issued at least twice weekly in the County and which is generally circulated through the County. Proof of publication shall be submitted to the Planning Department within 14 days after the date of publication.

Notification of hearing date by certified or registered mail to surrounding owners and lessees. (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 made 30 days prior to the public hearing.) The applicant shall also send notice to all persons who have requested the commission in writing to be notified of special management area proceedings. 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.

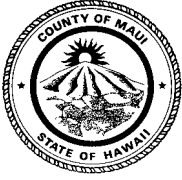
Please note that prior to mailing said notice the applicant shall verify the listing with the Real Property Tax Records of the County of Maui.

PLANNING DEPARTMENT

The department shall notify the applicant the date of the scheduled hearing at least 45 days prior to the hearing.

The Director shall publish a notice of public hearing once in a newspaper that is printed and issued at least twice in the County and which is generally circulated throughout the county.

Prepare a report and recommendation to the commission.



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

APPLICATION TYPE: LANAI PLANNING COMMISSION
SPECIAL MANAGEMENT AREA PERMIT APPLICATION

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: _____

SPECIAL MANAGEMENT AREA 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 and evidence that the authorization is from the legal owner.
- ___ 3. Provide documentation that full compliance with Chapter 343, Hawaii Revised Statutes (HRS) and the Environmental Impact Statement (EIS) Rules of the State Department of Health have been met.
- ___ 4. Notice of application and legible map (See Attached form)
- ___ 5. A written description of the proposed action, including but not limited to the use, length, width, height, depth, building material and statement of objectives of the proposed action.
- ___ 6. An Assessment Report identifying the anticipated impacts of the proposed action on the Special Management Area that addresses or describes:
 - a) The environmental setting of the property that is the subject of the proposed action;
 - b) The relationship of the proposed action to land use plans, policies, and control of the affected area;
 - c) The probable impact, including cumulative impacts, of the proposed action on the environment.
 - d) Any probable adverse environmental effects that can be avoided;
 - e) Alternatives to the proposed action;
 - f) Mitigating measures proposed to minimize impact; and
 - g) Any irreversible and irretrievable commitment of resources.

Said Assessment Report should also address the objectives, policies and guidelines set forth in Sections 12-402-10 and 12-402-11 of the Special Management Area Rules of the Lanai Planning Commission.
- ___ 7. Three (3) sets of a certified shorelines survey (one original). Survey shall be the actual field location of the shoreline as prepared by a land surveyor registered in the State of Hawaii. The survey maps developed by the registered land surveyor shall bear the surveyor's signature and date of field survey and the certifying signature and date of the chairman of the Board of Land and Natural Resources.
- ___ 8. List of owners and lessees of real property within a 500 feet radius of the subject parcel boundaries obtained from the most current available list at the Maui County Department of Finance, Real Property Tax Division. This list shall be listed by Tax Map Key numbers with the names and mailing addresses of all owners and lessees to be notified, and shall include a map drawn to scale, clearly defining the 500-foot notification boundary and the parcels affected.
- ___ 9. A preliminary drainage plan.

- 10. A plot plan of the land on which the proposed action is to occur. The plot plan shall be prepared to scale and be based upon an accurate instrument survey, and shall define and show the design of the proposed action and the existing physical conditions of the land, including but not limited to property boundaries, topography, natural and man made features, trees and structures.
- 11. A preliminary plan of the development designating in dimensions the location of the proposed action on the land. If structures are included in the action, the plan of the development shall also show a dimensioned floor plan, sections, elevations, and other physical features. Said plans must be dated.
- 12. A preliminary landscape planting and irrigation plan defining tree and shrub locations, type of plant materials, sizes, irrigation lines as well as landscape lighting and graphics. Said plans must be dated.
- 13. Photographic Analysis (consisting of photographs or slides) or VHS format video tape identifying the area where the proposed action is to occur. The visual analysis should include the site, surrounding properties, and relationship of the site to the nearest public roadway.
- 14. Colored rendering.
- 15. A **Non-refundable** filing fee (See Fee Schedule, Table A); checks payable to ***County of Maui, Director of Finance.***
- 16. Any other information and documentation required by the Director. (I.e: traffic impact analysis, archaeological reconnaissance, etc.)

* DOES THE PROJECT FALL UNDER ANY OF THE FOLLOWING:

- 1. The use of State or County funds or lands;
- 2. The use within any land classified as Conservation District by the State Land Use Commission under Chapter 205, Hawaii Revised Statutes;
- 3. The use within the shoreline area as defined in Section 205-31, Hawaii Revised Statutes;
- 4. The use within any Historic Site as designated in the National Register or Hawaii Register.

IN ADDITION TO ITEMS 14 AND 16, THE APPLICANT SHALL SUBMIT AN ORIGINAL PLUS ONE COLLATED COPY OF ITEMS 1 - 13 AND ITEM 16 FOR REVIEW BY PLANNING DEPARTMENT STAFF. UPON DEEMING THE APPLICATION MATERIALS TO BE COMPLETE FOR PUBLIC AGENCY REVIEW, THE PLANNING DEPARTMENT WILL NOTIFY THE APPLICANT AS TO HOW MANY ADDITIONAL SETS OF THE APPLICATION PACKET ARE TO BE PROVIDED FOR AGENCY REVIEW.

NOTICE OF APPLICATION
SPECIAL MANAGEMENT AREA USE PERMIT

Please be advised that the undersigned has filed an application for a Special Management Area Use Permit with the County of Maui Planning Department for the following parcel(s):

1. Tax Map Key: _____
(See Attached Location Map)

2. Location: (Street Address) _____

3. Existing Land Use Designations:
 - a. State Land Use District: _____
 - b. Community Plan Designation: _____
 - c. County Zoning: _____

4. Description of the existing Uses on Property:

5. Description of the Proposed Development on Property:

By: _____	_____
(Owner/Applicant)	(Agent)
_____	_____
(Signature)	(Signature)
_____	_____
_____	_____
(Address)	(Address)
_____	_____
(Telephone)	(Telephone)

(Maui Planning Department Certification of Completion _____)
The applicant is responsible for ensuring accuracy of the information
Published by _____ (In newspaper printed and issued at least twice weekly in the
County and which is generally circulated throughout the County.)

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 Special Management Area Permit pursuant to the Special Management Area Rules of the Lanai Planning Commission for the following parcel:

- 1. Tax Map Key: _____ Acreage: _____
- 2. Street Address: _____
- 3. State Land Use Designation: _____ Community Plan: _____
Zoning: _____
- 4. Proposed Development: _____

THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

Public Hearing Date: _____

Time: _____

Place: _____

The hearing is held under the authority of Chapters 205A and 91, Hawaii Revised Statutes (HRS), and the Lanai Planning Commission Rules. The particular sections of the Statute and Rules involved are Sections 205A-26, 205A-27, 205A-28 and 205A-29, HRS and Chapter 401 and 402, 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 (10) 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 prescribed period of time is ten (10) days or less, Saturdays, Sundays, or State holidays within the designated period shall be excluded in the computation.

Any party may be represented by Counsel or other representative.

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 96793, Telephone (909) 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)

(Applicant's Agent, if applicable)

(Signature)

(Signature)

(Phone)

(Phone)

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 of 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 NUMBERS:

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 AO, 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
Zoning Administration and Enforcement Division

Date