



COUNTY OF MAUI
DEPARTMENT OF PLANNING
2200 MAIN STREET, SUITE 619
WAILUKU, HI 96793
(Office) 270-8205 (Fax) 270-1775
email: planning@mauicounty.gov

Application packet for
CONDITIONAL PERMIT
TIME EXTENSION
(CP)

I. SOURCES OF AUTHORITY

Sources of authority for a **Conditional Permit Time Extension (CP)** are listed below:

- Chapter 19.40, Maui County Code, as amended

Copies can be obtained at the Department of Planning at 2200 Main Street, Suite 619 in Wailuku. A PDF fillable version of this application may also be downloaded from the [Planning Department, Permit and Development Applications](#), portion of the County's website at, www.mauicounty.gov.

II. PURPOSE

The purpose of the Conditional Permit Time Extension is to allow for proposed uses that are similar or related to those permitted within a given use zone for a limited period of time.

III. APPLICATION CONTENTS

This application packet contains the following documents:

1. Conditional Permit Time Extension Application (pg 2)
2. Required Submittals Checklist (pg 3)
3. Notice of Filing of an Application of Conditional Permit Time Extension (pg 4)
4. Notarized Affidavit of Mailing of Notice of Application (pg 5)
5. Zoning and Flood Confirmation Form (pg 6)

IV. PROCESSING PROCEDURES

Upon submittal of a Conditional Permit Time Extension Application, the Department of Planning (Department) will review it for completeness. Provided that the application is adequate and no additional information is required, a staff planner will sign the Notice of Application, which must be mailed out by the applicant. Once the 45-day comment period has ended, the Planning Director will approve the application, given the following four (4) criteria are met: 1) permit holder is in compliance with conditions of approval; 2) permitted use has not been substantially changed and new uses have not been added that may result in significant impacts above what would result from the approved conditional permit; 3) agencies have not identified new matters of concern that require mitigation; and 4) no protests have been received from owners and lessees within 500 feet of the parcel on which the conditional permit is located. If the application does not qualify for Planning Director approval, the application is processed in the same manner as the original Conditional Permit application.

CONDITIONAL PERMIT TIME EXTENSION APPLICATION (CP)

County Use Only	
Permit Number: CP	-

Please print legibly or type the following.

PROPERTY ADDRESS & INFORMATION			
Project Name:		Valuation*	
Tax Map Key No.:	CPR/HPR No.:	Lot Size:	
Physical Address/Location of Project:			
Additional Location Information:			
<small>* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of Dept. of Public Works, Development Services Administration</small>			
DESCRIPTION OF PROPOSED ACTIVITY OR DEVELOPMENT			
<i>Written description of the proposed action shall include, but not be limited to: use, length, width, height, depth, building material(s), and statement of objectives of the proposed action. Attach additional sheets, if needed.</i>			
Describe the existing use:			
Describe the proposed use:			
LAND USE DESIGNATIONS			
State Land Use District Boundary:			
Maui Island Plan:			
Community Plan:			
Zoning:			
Other (i.e. SMA):			
CONTACT INFORMATION			
APPLICANT INFORMATION			
Name(s):		Email:	
Mailing Address:			
Phone Number(s):	(bus)	(hm)	(cell) (fax)
Signature(s):		Date:	
CONSULTANT INFORMATION			
Name(s):		Email:	
Mailing Address:			
Phone Number(s):	(bus)	(hm)	(cell) (fax)
Signature(s):		Date:	
OWNER INFORMATION			
Name(s):		Email:	
Mailing Address:			
Phone Number(s):	(bus)	(hm)	(cell) (fax)
Signature(s):		Date:	

REQUIRED SUBMITTALS CHECKLIST

- 1. Completed **Conditional Permit Time Extension Application** form
- 2. Submit a **500-Foot Boundary Notification Map**. This is a map drawn to scale, clearly identifying the 500-Foot Boundary surrounding the subject parcel and the parcels within the notification boundary. Refer to *500-Foot Boundary Notification List & Map Instructions* for more information on how to complete this item (19.65.050(B)).

On this **500-Foot Boundary Notification Map**:

Clearly identify the subject property;

Draw a line indicating the 500-foot boundary;

Clearly identify all lots within 500 feet of the subject property's boundaries; and

Include all the Tax Map Key (TMK) numbers within that area or have a clear systematic method to match each lot on the map with the list of owners within 500 feet of the subject property.

- 3. A **500-Foot Boundary Notification List**. The 500-Foot List is a list of Tax Map Key (TMK) numbers, names, and addresses of all the owners and lessees of record within 500 feet of the subject property's boundaries. The list shall be compiled from the most current list available at the Real Property Tax Division of the Department of Finance at the time of application. (Located in Kahului at 70 East Kaahumanu Ave, Suite A-16) Refer to Checklist Item 14 for instructions (19.65.050(A)(6)).
- 4. A signed **Notice of Filing of an Application for Conditional Permit Time Extension** form
- 5. An **electronic copy in PDF format** of the completed application packet on a compact disk.
- 6. **Non-refundable filing fee** (see Fee Schedule, Table A), payable to '*County of Maui, Director of Finance.*'
- 7. **Zoning & Flood Confirmation form** (pg 6) completed and signed by Planning Department

**NOTICE OF FILING OF AN APPLICATION FOR
CONDITIONAL PERMIT TIME EXTENSION**

DATE: _____

TO: Owners and Lessees of Record within 500 feet of the parcel on which the Conditional Permit use is located

Please be informed that the undersigned has applied to the County of Maui Department of Planning (Department) for a time extension of a **Conditional Permit** for the following project:

1. TAX MAP KEY NO: _____
2. LOCATION (Street Address):
(*Location Map Attached) _____
3. LOCATION (Town, Island): _____
4. CONDITIONAL PERMIT NO.: _____
5. USES PERMITTED BY THE
CONDITIONAL PERMIT: _____

* Enclosed with this notice is a **500-Foot Boundary Notification Map** identifying the specific parcel being considered for the time extension of the **Conditional Permit** and showing the location of all parcels within 500 feet of the boundaries of the subject property.

Information relative to the application is available for review at the Department of Planning, 2200 Main Street, Suite 619, Wailuku, Maui, Hawaii, or telephone: 270-8205; Toll- Free from Molokai 1-800-272-0117, extension 7735; and Toll-Free from Lanai 1-800-272-0125, extension 7735.

Testimony relative to this request may be submitted in writing to the Department of Planning, 2200 Main Street, Suite 619, Wailuku, Maui, Hawaii 96793. The noticed owners and lessees of record may file a written protest against the proposed **Conditional Permit Time Extension** with the Planning Director, provided that all protests must be postmarked or received within forty-five days of the mailing of this notice of application. The protest must include (1) name and mailing address of the noticed owner or lessee of record (the protestor), and (2) the parcel number (TMK) of the property held by the protestor that is within 500 feet of the proposed conditional permit. Further, it is recommended that a phone number is provided with the protest so that Department staff can efficiently confirm the contents and origin of the protest.

Anyone wishing to receive the Department's action or information of the public hearing, if required, may remit a written request to the Department of Planning within 45 days of the mailing of this notice of filing of application.

*Signature of Applicant: _____

*Applicant's Printed Name: _____

Approved as to form by the Department of Planning: _____

Dated: _____

NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF APPLICATION

*
 _____, being first duly sworn on oath, deposes and says that:
 (Name of Applicant or Consultant)

1. Affiant is the applicant for a Conditional Permit Time Extension for property located at
 * _____, in the
 * _____ Community Plan District on

* Tax Map Key No.: _____

2. Affiant did on _____, _____, deposit in the United States Mail, postage paid, by Certified Mail and delivered to addressee, a copy of a *Notice of Filing of an Application for Conditional Permit Time Extension, a 500-Foot Boundary Notification Map* addressed to each of the persons identified on a list of owners and lessees of record within 500 feet of the subject property's boundaries, a copy of is attached hereto and made a part hereof.

Further Affiant sayeth naught:

 (Signature of Applicant or Consultant)

STATE OF _____)		
COUNTY OF _____)		
	SS.	

On this _____ day of _____, 20____, _____ before me personally appeared _____, _____ to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.

NOTARY PUBLIC, State of _____

Print Name _____

My commission expires: _____

NOTARY PUBLIC CERTIFICATION

Doc. Date: _____	# Pages: _____
Notary Name: _____	Judicial Circuit: _____
Doc. Description: _____ _____ _____	
Notary Signature: _____	
Date: _____	
[Stamp or Seal]	



ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME _____ TELEPHONE _____
PROJECT NAME _____ E-MAIL _____
PROPERTY ADDRESS _____ TAX MAP KEY _____

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:

A) Yes No Will it be processed under a consistency exemption from [Section 18.04.030\(B\), MCC?](#)
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____

B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law):

- INSTRUCTIONS:**
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
 - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
 - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹	<input type="checkbox"/> (SMA) Special Management Area
STATE DISTRICT: <input type="checkbox"/> Urban <input type="checkbox"/> Rural <input type="checkbox"/> Agriculture <input type="checkbox"/> Conservation	
MAUI ISLAND PLAN Growth Boundary: ² <input type="checkbox"/> Urban <input type="checkbox"/> Small Town <input type="checkbox"/> Rural <input type="checkbox"/> Planned Growth Area <input type="checkbox"/> Outside Growth Boundaries	
Protected Area: ² <input type="checkbox"/> Preservation <input type="checkbox"/> Park <input type="checkbox"/> Greenbelt <input type="checkbox"/> Greenway <input type="checkbox"/> Sensitive Land <input type="checkbox"/> Outside Protected Areas	
COMMUNITY PLAN: ²	<input type="checkbox"/> (PD) Planned Development
COUNTY ZONING:	<input type="checkbox"/> (PH) Project District
OTHER/COMMENTS:	<input type="checkbox"/> See Additional Comments (Pg.2)
FEMA FLOOD INFORMATION: A Flood Development Permit is required if any portion of a parcel is designated V, VE, A, AO, AE, AH, D, or Floodway, and the project is on that portion.	<input type="checkbox"/> See Attached LUD Map
FLOOD HAZARD AREA ZONES ³ & BASE FLOOD ELEVATIONS:	
<input type="checkbox"/> FEMA DESIGNATED FLOODWAY	For Flood Zone AO, FLOOD DEPTH:

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

_____ Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).
(Signature)

Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

NOTES:

- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change In Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
- 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
- 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
- 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

For: _____ (Signature) _____ (Date)
John S Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division