



COUNTY OF MAUI
DEPARTMENT OF PLANNING
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Application Packet for
USE DETERMINATION
(UD)

I. SOURCES OF AUTHORITY

The sources of authority for a **Use Determination (UD)** are:

- As provided for in various chapters of Maui County Code, [Title 19, Zoning](#), as amended.

Copies can be obtained at the Department of Planning (Department) at One Main Plaza, 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 **Use Determination (UD)** is to allow for certain specific, similar, or related uses in districts where such determination is permitted, provided that no conflict arises with the intent of the specified zoning districts.

III. APPLICATION CONTENTS

This application contains the following documents:

1. Permit authority, purpose, application contents, and general processing procedures (pg 1)
2. *Use Determination Application Checklist* (pg 2)
3. *Use Determination (UD) Application* (pg 3)

One additional document is required to process this application, the [Zoning & Flood Confirmation Form](#). The electronically fillable PDF is available from the County of Maui website at: <http://www.co.maui.hi.us/index.asp?NID=1402> or as a paper form from the Department of Planning (See Processing Procedures, below, and *Use Determination Application Checklist* (pg 2, Item 4.).

IV. PROCESSING PROCEDURES

Before applying for a Use Determination, it must be assessed whether the UD request is permitted for the zoning district of the particular parcel. The first step is for the Applicant to submit the [Zoning & Flood Confirmation Form](#) to the Zoning Administration and Enforcement Division (ZAED) of the Department. This step confirms which chapter of [Title 19, Zoning](#) applies, and the particular chapter specifies whether the zone allows Use Determinations. The Department will inform the Applicant whether the Use Determination application is permitted for the parcel.

The primary steps of the Use Determination process are:

1. Submittal by the Applicant of the completed application packet. The Department reviews the application to determine whether the required submittals are adequate for acceptance, and then, initial processing. The Department may ask for additional documents or revisions as needed upon submittal or at any point in the review process.
2. Transmittal by the Department to agencies for review and comment, and the addressing by the Applicant of any comments by the agencies.
3. Preparation of a report by Department staff for review by an appropriate Planning Commission.
4. Action on the Use Determination by the appropriate Planning Commission at a regularly scheduled meeting.

USE DETERMINATION APPLICATION CHECKLIST

Instructions:

- In developing the application packet, it is useful to keep in mind that submittal of a digital copy of the entire application packet in PDF format is required.
- Please label all documents and arrange them in the order they are listed below.
- All documents submitted shall be on standard sized 8½"x11" paper, except the **site plan** and **plans of the proposed development** which may be on 11"x17" paper, if needed. In the case of large parcels and plan areas, full-sized hard copies will be accepted along with the PDF of the plans
- All photos shall be numbered and labeled with content information, and shall be printed on 8½"x11" paper.
- All checklist items must be addressed in the manner indicated, and shall be complete at the time of application submittal. Incomplete applications will not be accepted, or may be returned, and/or could result in delayed processing.

Submit the following:

1. A **non-refundable** filing fee, payable to County of Maui, Director of Finance.
See [Fee Schedule, Table B](#) Use Determination (No Public Hearing Required). The current fee schedule is available at the Department of Planning or at the Department of Planning section of the County of Maui website under "[Development Permits, Applications, Reviews, and Variances](#)" at www.maui-county.gov.
2. Completed **Use Determination Checklist** (This Checklist) (Page 2)
3. Completed **Use Determination Application** (Page 3)
4. Fully processed **Zoning & Flood Confirmation Form** available at: <http://www.co.maui.hi.us/index.asp?NID=1402> or as a paper form from the Department. The form is returned to you by ZAED after processing and prior to assembling this Use Determination application packet.
5. **Owner authorization of the application.**
- A. Submit evidence that the Applicant is the owner or lessee of record of the real property, or
- B. If the Applicant is not the owner or lessee of record, a notarized letter from the owner authorizing the Applicant to act on the owners behalf, and evidence that any authorization is from the legal owner.
6. A **site plan of the subject property**. The plan shall define and show the location of the proposed use, the existing physical conditions of the land, including but not limited to, property boundaries, topography, all structures, and other natural and man-made features that may help the Commission make its determination. Said plans shall be drawn to scale, and measured in feet.
7. Any **plans of the proposed development** designating the location and dimensions of the proposed activity or development on the land.
8. Numbered and labeled **photographs of the parcel** on which the use is proposed. The views should include the (1.) site, (2.) surrounding properties, and (3.) the relationship of the site to the nearest public roadway. Label all photographs with facing-direction information, and print on standard sized paper, 8½"x11".
9. A **list of the zoning classifications of the directly adjacent parcels**.
10. **Any other information and documentation required by the Department of Planning** to properly process the application, and/or items you feel will aid the Department in its review of your project.
List all other submitted documents below.
- A) _____ C) _____
- B) _____ D) _____
11. A **Statement of Justification** of how the proposed use meets the intent of the applicable zoning district
12. An **electronic copy in PDF format** of the completed application packet on a compact disk. Arrange the PDF in the order of the Checklist including all of the submittals required in Checklist Items 1 – 11. In the case of 11"x17" and other large format plans a separate PDF is suggested.

Note: Any misrepresentation regarding this application may result in a determination denial, decision revocation, and other possible violations and/or fines.

USE DETERMINATION APPLICATION

County Use Only
Application Number: UD _____ - _____

Please print legibly or type in the information below.

PROPERTY ADDRESS/PROJECT INFORMATION		
Name of Project: <i>(If project name is not provided, applicant's name will be used)</i> _____		
Tax Map Key No. _____	Total Lot Area: _____	Valuation: \$ _____
Physical Address/Location of Project: _____		
Additional Location Information: _____		

DESCRIPTION OF PROPOSED LAND USE	
<i>Provide a brief written description of the Existing and Proposed uses.</i>	
Describe the Existing Use:	_____

Describe the Proposed Use:	_____
<i>Include a description of all proposed uses for the parcel.</i>	_____

Related Permit Numbers: <i>(if applicable)</i>	_____

CONTACT INFORMATION	
APPLICANT INFORMATION	
Applicant's Name(s): _____	Email: _____
Mailing Address: _____	
Phone Number(s): bus _____ hm _____ cell _____ fax _____	
Signature(s): _____	Date: _____
CONSULTANT INFORMATION	
Contact Name(s): _____	Email: _____
Mailing Address: _____	
Phone Number(s): bus _____ hm _____ cell _____ fax _____	
Signature(s): _____	Date: _____
OWNER INFORMATION	
Owner's Name(s): _____	Email: _____
Mailing Address: _____	
Phone Number(s): bus _____ hm _____ cell _____ fax _____	
Signature(s): _____	Date: _____

County Use Only Initial Application Review by:	
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