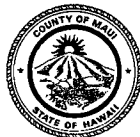


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Mike White

Vice-Chair
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Yuki Lei K. Sugimura



Director of Council Services
Sandy K. Baz

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

September 14, 2017

Mr. William Spence, Director
Department of Planning
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Spence:

**SUBJECT: DISTRICT BOUNDARY AMENDMENT, COMMUNITY
PLAN AMENDMENT, AND CHANGE IN ZONING FOR
HUI NO`EAU VISUAL ARTS CENTER (LU-43)**

The Land Use Committee is in receipt of County Communication 17-363, from Council Chair Mike White, transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS AMENDING THE STATE LAND USE DISTRICT CLASSIFICATION, CHANGE IN ZONING, AND AMENDING THE PAIA-HAIKU COMMUNITY PLAN DESIGNATION FOR THE HUI NO`EAU VISUAL ARTS CENTER FOR PROPERTY SITUATED AT 2841 BALDWIN AVENUE, MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND (2) 2-4-002:006 (POR)."

Prior to my scheduling this matter, I would like to confirm the existing land use designations for the parcels. Enclosed please find Zoning and Flood Confirmation forms for each of the two parcels involved in the project.

I would appreciate receiving your response by **Thursday, September 21, 2017**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Mr. William Spence
September 14, 2017
Page 2

Thank you for your attention to this matter. Should you have any questions, please contact me or the Committee staff (Carla Nakata at 270-7659, or Clarita Balala at 270-7668).

Sincerely,


ROBERT CARROLL, Chair
Land Use Committee

lu:ltr:043apl01:cmn

Attachments

cc: Mayor Alan M. Arakawa
John S. Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division,
Department of Planning
Robb Cole, Planner, Hawaii Land Use Group LLC



ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Hawaii Land Use Group LLC TELEPHONE (808) 298-7622
PROJECT NAME Hui No`eau Visual Arts Center E-MAIL RCole@HawaiiLandUseGroup.com
PROPERTY ADDRESS 0 Baldwin Avenue TAX MAP KEY (2) 2-4-002:006

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

STATE DISTRICT: Urban Rural Agriculture Conservation (SMA) Special Management Area

MAUI ISLAND PLAN Growth Boundary: ² Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

Protected Area: ² Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² (PD) Planned Development

COUNTY ZONING: (PH) Project District

OTHER/COMMENTS: 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.

FLOOD HAZARD AREA ZONES ³ & BASE FLOOD ELEVATIONS:

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: See Attached LUD Map

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

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

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:

(Signature) _____
(Date)

For: John S Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division



ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Hawaii Land Use Group LLC TELEPHONE (808) 298-7622
PROJECT NAME Hui No`eau Visual Arts Center E-MAIL RCole@HawaiiLandUseGroup.com
PROPERTY ADDRESS 2841 Baldwin Ave., Makawao, HI 96768 TAX MAP KEY (2) 2-4-002:011

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REVIEWED & CONFIRMED BY:

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