

CHANGE OF ZONE APPLICATION

COUNTY OF HAWAII PLANNING DEPARTMENT

(Type or legibly print the requested information)

APPLICANT: _____

APPLICANT'S SIGNATURE: _____ DATE: _____

ADDRESS: _____

LIST APPLICANT'S INTEREST IF NOT OWNER: _____

LIST PRINCIPAL(S) INCLUDING NAMES OF MAIN OFFICERS: _____

PHONE:(Bus.) _____ (Res.) _____ (Fax) _____

LANDOWNER(S): _____

LANDOWNER SIGNATURE(S): _____ DATE: _____

(May be by letter)

LANDOWNER(S) ADDRESS: _____

REQUEST: _____ TO _____

(Existing zoning)

(Proposed Zoning)

TAX MAP KEY: _____

STREET ADDRESS OF PROPERTY: _____

SIZE OF PROPERTY OR AFFECTED AREA(S) TO BE REZONED: _____

AGENT: _____

ADDRESS: _____

TELEPHONE:(Bus.) _____ (Res.) _____ (Fax) _____

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: _____ COPIES: _____

THIS CHANGE OF ZONE APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING:

1. A filing fee of five hundred dollars (\$500) plus twenty-five dollars (\$25) per lot or unit proposed by the amendment. (Checks shall be made payable to the County Director of Finance)
2. An original and twenty (20) copies of this completed application and the appropriate Departmental Zoning Questionnaire.
3. An original and twenty (20) copies of a Background and County Environmental Report to include information as listed on the attached form. Note: A County Environmental Report shall not be required for an application where an Environmental Impact Statement or Environmental Assessment has been completed and filed with the Office of Environmental Quality Control in compliance with HRS, Chapter 343, Environmental Impact Statements.
4. An original and twenty (20) copies of a location map.
5. An original and twenty (20) copies of a scale-drawn plot plan of the property showing property lines and measurements; all existing and proposed structures, uses and improvements; proposed subdivision; and reference points such as roadways, shoreline, etc.
6. One copy of a full-size (2' x 3') scale-drawn plot plan of Item 5 for presentation purposes.
7. A legal description of the property in map and written form by metes and bounds as certified by a surveyor shall be submitted with this application. This application shall not be considered complete unless the metes and bounds description in map and written form have been received.
8. A list of the names, addresses and tax map keys of all owners and lessees of record of surrounding properties who are required to receive notice.
9. A certificate of clearance from the Director of Finance that the real property taxes and all other fees relating to the subject parcel(s) have been paid; and there are no outstanding delinquencies.
10. One of the following regarding archaeological resources:
 1. An archaeological inventory report containing significance assessments, effect determinations, and proposed mitigation commitments. The report should be completed pursuant to State Department of Land and Natural Resources Historic Preservation Division (DLNR-SHPD) rules.
 2. A "no effect" letter from the State DLNR Historic Preservation Division.
 3. A copy of a letter written by the applicant to the State DLNR Historic Preservation Division requesting a "no effect" letter, including supporting documentation, to which SHPD has not responded after 30 days (SHPD's time limit under their rules).
11. Any other plans or additional information relevant to this application may be requested by the Planning Director to facilitate processing of this request.

**Background and County Environmental Report
(Attachment to Change of Zone, Project District, and
Agricultural Project District Applications)**

Please use this form as a guide for required information to be included in your Change of Zone, Project District or Agricultural Project District - Background and County Environmental Report.

A. SUBJECT REQUEST

1. Details of Proposed Use/Development:
 - a. Project description:
 - b. Statement of objectives and reasons for the request:
 - c. Number of acres/square feet:
 - d. Proposed units/lots/floor area of proposed building envelope:
 - e. Timeframe and cost:
 - f. Membership size/number of employees and clientele:
 - g. Parking arrangement:
 - h. Traffic impacts (assessment of existing traffic conditions, anticipated increase in traffic and traffic impacts from proposed use):
 - i. Other related information:
 - j. Proposed on-site and off-site infrastructure:

B. CONFORMANCE WITH STATE/COUNTY PLANS

2. State Land Use designation:
3. How the proposed use is not contrary to Chapter 205A, Coastal Zone Management (existing public access, scenic or open space resources, coastal view planes, and coastal ecosystems):
4. Applicable goals/policies and objectives of the General Plan:
5. General Plan designation (LUPAG Map):
6. Zoning:
7. Community Development Plan:
8. Special Management Area:

C. PHYSICAL CHARACTERISTICS AND ENVIRONMENTAL SETTING OF THE PROPERTY AND SURROUNDING AREA

Physical Characteristics/Environmental Setting:

9. Description of subject property, location, climate, topography, slope, soils (including size, shape, existing structures):
10. Lava Hazard Zone:
11. Distance from coastline:
12. Agricultural Lands of Importance in the State of Hawaii (ALISH) designation:
13. U.S.D.A. Natural Resources Conservation Services Soil Service Report soil type:
14. Land Study Bureau soil rating:
15. Flood Insurance Rate Map (FIRM) designation: (Contact Department of Public Works - Engineering Division)
16. Existing drainage ways or improvements:
17. Air/noise/water quality:

Historic Resources:

18. Existing archaeological, cultural or historic sites on National Register or Hawaii Register: (Contact Department of Land and Natural Resources)

Natural Resources:

19. Existing floral /faunal resources (any native or exotic plants; any listed or candidate for endangered species):
20. Scenic or coastal resources:

Valued Cultural Resources:

21. Identify any traditional and customary native Hawaiian rights that are exercised in the area; the extent in which the proposed development will affect these rights; and feasible action to be taken to protect native Hawaiian rights if they exist.

Public Access:

22. Existing public access to and along the shoreline or to mountain areas and knowledge of public access being used:

Social-Economic Characteristics:

23. Social settlement pattern for the area:
24. Economic resources of the area:
25. Land values:

Surrounding lands:

26. Land use:
27. Zoning:

D. PUBLIC FACILITIES AND SERVICES

28. Description of access: (paved or unpaved; private or county, right-of-way and pavement width. If private road, submit evidence of legal access rights):
29. Availability of water:
30. Sewage disposal:
31. Solid waste:
32. Police & fire protection:
32. Schools:
33. Parks:
34. Other utilities and services (telephone/electricity):

E. ENVIRONMENTAL ASSESSMENT AND ANALYSIS

35. Relationship between local short term uses of environment and maintenance and enhancement of long term productivity:

36. Mitigative measures proposed to avoid, minimize, rectify or reduce impact:
37. Alternatives to the proposed development:
38. Irreversible and irretrievable commitments of natural resources that would be involved if proposed action implemented:

F. AGENCIES - COMMENTS

39. You may consult with the following agencies and include discussion in your report or attach their written comments regarding your proposal:
 - a. Department of Public Works:
 - b. Department of Water Supply:
 - c. Police:
 - d. Fire:
 - e. Department of Finance - Real Property Tax Division:
 - f. State of Hawaii Department of Land and Natural Resources - Historic Preservation Division: (If your parcel is in its natural state and has not be cleared previously)
 - g. State of Hawaii Department of Transportation - Highways Division: (If applicable)
 - h. State of Hawaii Department of Health:
 - i. State of Hawaii Department of Agriculture: (Agricultural lands)
 - j. Community groups/individuals, Civil Defense, Office of Housing and Community Development, Kailua Village Design Commission, State of Hawaii Real Estate Commission, and State of Hawaii Department of Human Services: (If applicable)

**COUNTY OF HAWAII
PLANNING DEPARTMENT
REQUIREMENT TO INFORM SURROUNDING PROPERTY
OWNERS AND LESSEES OF FILING AN APPLICATION**

In accordance with the Hawaii County Zoning Code, Chapter 25, Section 25-2-4, adopted December 7, 1996, within ten (10) days after filing an application with the Planning Department or Planning Commission, you are required to serve notice of your application on surrounding owners and lessees of record.

In addition, within ten (10) days of receiving notice of the scheduled date of administrative action or public hearing and not less than ten (10) days prior to the scheduled date of action or hearing, you are required to serve a second notice to surrounding owners and lessees of record.

Notices shall include the following information:

1. Name of the applicant;
2. Precise location of the property involved; including tax map key identification, location map and site plan;
3. Nature of the application and the proposed use of the property;
4. Date on which the application was filed with the director or the commission;
5. Date, time and place that the scheduled administrative action or public hearing will be held to consider the application (to be included in second notice);
6. Contact name and phone number should there be any questions.

When the building site is located within the State Land Use Urban or Rural District, notice shall be served to owners and lessees within three hundred feet (300') of the perimeter boundary of the building site.

When the building site is located within the State Land Use Agricultural District, notice shall be served to owners and lessees within five hundred feet (500') of the perimeter boundary of the building site. Except, that if the surrounding properties are located within the State Land Use Urban or Rural District, notice shall be served to owners and lessees within three hundred feet (300') of the perimeter boundary of the building site.

Data available from the real property tax office shall be utilized in determining the names and addresses of the affected owners and lessees of record. The applicant shall also provide notice to such other owners and lessees of records when the applicant has actual knowledge of such names or as informed by the Planning Director or Planning Commission.

Proof of service for the first notice on owners and lessees of record may be submitted concurrently with or shortly after filing the subject application. Proof of service for the second notice shall be submitted to the Planning Director or Planning Commission prior to the date of administrative action or public hearing. Proof may consist of certified mail receipts, affidavits, declarations or the like. The list of names, addresses and tax map keys of those individuals notified shall also be submitted.

Should you have any questions, please contact the Planning Department at 961-8288.

POSTING OF SIGNS FOR PUBLIC NOTIFICATION

In accordance with Chapter 25 (Zoning Code), Article 2, Division 1, Section 25-2-12, Hawaii County Code 1983 (2005 Edition) and/or Planning Commission Rules of Practice and Procedure, within ten (10) days of being notified of the acceptance of an application, the applicant shall post a sign on the subject property notifying the public of the following:

1. The nature of the application;
2. The proposed use of the property;
3. The size of the property;
4. The tax map key(s) of the property;
5. That the public may contact the Planning Department for additional information; and
6. The address and telephone number of the Planning Department.

The sign shall be not less than nine square feet and not more than twelve square feet in area, with letters not less than one inch high. No pictures, drawings, or promotional materials shall be permitted on the sign.

The sign shall be posted at or near the property boundary adjacent to a public road bordering the property and shall be readable from said public road. If more than one public road borders the property, the applicant shall post the sign to be visible from the more heavily traveled public road.

The sign shall, in all other respects, be in compliance with Chapter 3 (Signs), Hawaii County Code 1983 (2005 edition).

The applicant shall file an affidavit with the Planning Department not more than five (5) days after posting the sign stating that a sign has been posted, and that the applicant will not remove the sign until the application has been granted, denied, or withdrawn. A photograph of the sign in place shall accompany the affidavit.

The sign shall remain posted until the application has been granted, denied, or withdrawn. The applicant shall remove the sign promptly after such action.