Solar Farm Guidelines

The following “guidelines” shall be used to determine whether a utility-grade solar facility (“solar farm”) is a utility installation, Type A:

1. The solar farm is at least 1,500 feet from any adjoining zoning lot in the Country, Residential, Apartment, or Apartment Mixed Use Districts. [Note: Solar farms in the P-1 Restricted Preservation District are under the jurisdiction of the State Department of Land and Natural Resources.] If the proposed facility is fully screened from the adjoining lot(s) by landscaping or a wall or fence (except chain-link) a minimum of 6 feet in height, then this minimum distance may be reduced, provided the facility remains a minimum of 500 feet from any such adjoining zoning lot.

If the project is to be installed on or incorporated as a part of the roof design of a bona fide agricultural structure (e.g., a barn, stable, or greenhouse) in a P-2, Agricultural or Country District, then the above minimum separation distances from such zoning districts shall not apply. That is, if the project is to be installed as part of the roof of bona fide agricultural structures, then there shall be no minimum separation distance requirement for Type A installations.

2. A solar farm that will be located on the roof of permitted structures in the Industrial, Industrial Mixed Use, Business, or Business Mixed Use Districts shall be classified as a utility installation, Type A, regardless of the adjoining zoning district(s); or, whether there are other installations on the same or adjoining zoning lot(s).

3. The proposed solar farm must have adequate access, as determined by the appropriate agency (Traffic Review Branch for City and private roadways; State Department of Transportation, Highways Division for State roadways).

4. There are no other existing solar farms on the subject zoning lot, unless those installations are completely on the roof of a bona fide agricultural structure(s); or, on the roof of permitted structures in the Industrial, Industrial Mixed Use, Business, or Business Mixed Use Districts.

5. There are no other existing solar farms established on any abutting zoning lot(s), unless those installations are completely on the roof of a bona fide agricultural structure(s); or, on the roof of permitted structures in the Industrial, Industrial Mixed Use, Business, or Business Mixed Use Districts.
6. The solar farm will not require a State Special Use Permit; and, is otherwise in compliance with Hawaii Revised Statutes (HRS) Section 205-2, relating to renewable energy. Specifically, the project will not be located on lands with soils that have a Land Study Bureau (LSB) classification of “A”; or, if it is on lands with soils that have an LSB classification of “B” or “C,” it will not occupy more than 10 percent of the total acreage of the lot or 20 acres of land, whichever is lesser, as detailed in HRS Section 205-2(6)(A) and (B).

7. The solar farm will not be located in the Special Management Area, Shoreline Setback Area, Coastal High Hazard District, Floodway, or otherwise be subject to Flood Hazard District regulations.

8. The solar farm will not involve the use of an historic site (State or National Register).

In the event that a proposed project does not meet the above guidelines for a utility installation, Type A, the solar farm will automatically be considered a utility installation, Type B, and must be authorized by an approved Conditional Use Permit (CUP) (Minor) before any building permit(s) can be processed further. Please note than an application for a CUP (Minor) for a utility installation, Type B, involving a solar farm must include a copy of the Interconnection Requirement Study (IRS) determination letter for the project, which is issued by the Hawaiian Electric Company. Applications which do not include the required IRS determination letter will be returned as incomplete. Please further note that this CUP (Minor) involves a 45-day process, once accepted for processing; and, that it does not involve a public hearing.

If a proposed solar farm project will not meet the above guidelines, but an Applicant still feels that classification as a utility installation, Type A, is warranted, then the Applicant may submit a written request for further consideration. Such requests must include a written description of the project, fully dimensioned and scaled plans and drawings (which must include a graphic or “bar” scale), and an explanation of which guideline(s) the project does not meet and why it should still be considered a utility installation, Type A, even though the project does not meet one or more of the guidelines.

Applicants whose projects will need to obtain an approved zoning waiver, pursuant to LUO Section 21-2.130(a)(1), should apply for the waiver before any other development permit(s) or approval(s) for the solar farm can be issued. For those solar farm projects which must obtain both an approved CUP (Minor) and a zoning waiver, these applications can be submitted at the same time for concurrent processing.