CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF PLANNING AND PERMITTING (DPP)  

Zoning Adjustment: Flag Lot Width  

Application Instructions  

This document is intended to assist you in preparing a complete application, and should be read in conjunction with the Land Use Ordinance (LUO).  

I. Overview  
   A. Applicability. Where practical difficulties or results inconsistent with the general purpose of the LUO would occur from its strict literal interpretation, the adjustment review process provides a mechanism by which specified regulations may be modified to provide flexibility for unusual situations and to allow for alternative ways to meet the purposes of the LUO, while continuing to provide certainty and efficient processing. See LUO Section 21-2.140-1(c) for details.  

   B. Standard of Review. Where unusual terrain or existing development does not allow the required access drive, the Director of the DPP may (i) adjust the minimum access width to no less than 10 feet, and (ii) allow more than dual access to an access drive, provided that:  
      1. The appropriate government agencies do not object to the proposal;  
      2. No more than three flag stems or access drives are located adjacent to one another, the access drive(s) do not serve more than five dwelling units, and the combined access drive pavement width does not exceed 32 feet; and  
      3. When more than dual access to a flag stem(s) or access drive(s) is proposed, the design results in one common driveway and one curb cut to serve all lots adjoining the flag stem(s).  

   C. Time Frame. The time frame for processing this permit is 45 days from acceptance of a completed application. However, the time limit may be extended under certain circumstances. If the DPP fails to process this permit within the required time frame, the permit shall be deemed approved.
II. Application Requirements.

A. **DPP Master Application.** Complete and submit the DPP Land Use Permits Division Master Application Form. Provide all requested information.

B. **Fee.** The application **processing fee** is $600. There is an **application review fee** of $200 (non-refundable) which shall be applied to the $600 processing fee upon acceptance. Please submit **two separate checks** (and/or money orders), one in the amount of $200 for the application review fee and another check for the remaining portion of $400 (which will be returned if the application is not accepted). All fees should be payable to the City and County of Honolulu. Checks or money orders which are not properly authorized or that are more than 3 months (90 days) old will not be accepted; and, applications submitted without the proper fees will not be further processed.

*Note: When an Applicant applies for a zoning adjustment after being cited for taking action without having obtained necessary approvals, the application fee set forth above shall be doubled and the application review fee is based on the total application fee after it is doubled. The payment of the fee required by this section shall not relieve the Applicant from compliance with the LUO or from penalties imposed there under.*

C. **Written Statement.** Submit a written statement explaining how the proposal is consistent with the specific standards for the adjustment.

1. Calculate the maximum number of permitted dwellings associated with the lots which will be sharing the flag stem(s) or access drive(s);

2. State whether the proposal involves individual and/or dual access to a flag stem(s) or access drive(s), and whether the design results in one common driveway and one curb cut to serve all lots adjoining the flag stem(s).

D. **Other Information.** Provide written comments from the appropriate government agencies indicating whether there are any objections to the proposal. Typically, Applicants should contact the DPP Traffic Review Branch at 768-8077 and/or State Department of Transportation, Highways Division for comment.

E. **Drawings/Plans.** Submit two (2) copies of the following fully dimensioned drawings and/or plans applicable to the project. All drawings/plans must be black line prints, drawn to scale and prepared by a draftsman, architect, engineer or similar professional. For document imaging
purposes, one (1) set of drawings shall be a maximum size of 11" x 17" and the second should not exceed 24" x 36". DPP staff may request additional copies after acceptance of the application.

In particular, provide a site plan drawn to practical scale, showing:

1. Property and easement lines, including lot dimensions and area;
2. The buildable area boundaries for the proposed lots;
3. Topographic information showing existing features and conditions and proposed grading;
4. Existing and proposed streets showing access to the project, and parking layout with dimensions; and
5. Shoreline, shoreline setback line, stream, road widening, and any other setback lines.

Note: All scaled plans and drawings must include a graphic ("bar") scale in addition to or in lieu of a numerical scale.

G. Photos. Submit photographic documentation of the property taken from the adjoining streets (If possible, panoramic spliced photos of site).

Note: All photos should be labeled and keyed to a general site map.

H. Supplemental Information. Additional information which may be required to successfully process the application by the DPP.

I. Environmental Assessment. If the project is subject to the requirements of Chapter 343, Hawaii Revised Statutes (HRS), the Environmental Impact Statement (EIS) law, then provide documentation of compliance.

1. If the project involves an exempt class of action, pursuant to Section 11-200-8, Hawaii Administrative Rules (HAR), then provide written documentation of such exemption from the appropriate proposing and/or approving agency (for projects subject to HRS Chapter 343, only); or

2. Submit two (2) copies of the Finding of No Significant Impact (FONSI) or EIS for the project.

Note: If the project requires an Environmental Assessment (EA) or EIS, then this must be processed before the Zoning Adjustment application will normally be accepted for processing. If the DPP is
going to be the accepting agency for the EA or EIS, please note that there is now a $600 and $1,200 processing fee, respectively. Additionally, there is a non-refundable application review fee of $200 and $400, respectively, which shall be applied to the processing fee upon acceptance. **Submit two separate checks** (and/or money orders) for the two fees ($400 processing fee and $200 review fee for the EA; $800 processing fee and $400 review fee for the EIS). All fees should be made payable to the City and County of Honolulu. Checks or money orders which are not properly authorized or that are more than 3 months (90 days) old will not be accepted; and, applications submitted without the proper fees will not be further processed.

3. If the project is not an exempt class of action, but is associated with a prior FONSI or EIS, then a determination must be made that a Supplemental EA or EIS is not necessary before the zoning adjustment application will be accepted for processing. Therefore, provide detailed written justifications why the proposal does not require the preparation of a Supplemental EA or EIS.

   **Note:** If the project has substantially changed in size, scope, intensity, use, location, timing, or other means since the time the FONSI was issued or the EIS was accepted, and the project will involve significant effects, then the Applicant must prepare a supplemental assessment prior to submitting the application for the zoning adjustment. The supplemental assessment will be processed in the same manner as the EA or EIS (see Subchapter 10 of Chapter 200, Title 11, HAR, for details).

III. **Electronic Document Submittals.** The submittal of electronic documents, either in whole or in part of this application, is encouraged; and, shall be at the sole discretion of the Applicant. Electronic document submittals shall adhere to the following specified formats: PDF (Adobe Reader 9 or earlier), JPEG, or Word (2003 or earlier). Electronic documents **must** be submitted on either CD or DVD. No individual electronic document shall exceed 15 megabytes in size; any electronic document involving a larger size **must** be broken down into smaller size files. ALL maps, drawings and/or plans **must** be drawn to an appropriate scale, and **must** include a graphic (“bar”) scale accurately representing the applicable scale of the document.

   *For further assistance or information on how to complete the application, please call the DPP at 768-8021.*