

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

**Existing Use Permit (EU)**  
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. The purpose of the EU permit is to recognize the hardship imposed upon uses that were legally established, but may not comply with current zoning standards. EU permits apply to uses that are now subject to Conditional Use Permits, Major and Minor, and Cluster Housing, Country Cluster, and Agricultural Cluster Provisions. EU status is an alternative to nonconforming status and may be obtained with the approval of the Director of Planning and Permitting.

EU applications for dwellings, other than plantation community subdivisions, must meet the minimum land area requirements (per dwelling unit) and shall not exceed the maximum number of units specified in LUO Sections, 21-3.50-2, 21-3.60-2, and 21-8.50-2.

- B. Time Frame. The time frame for processing this permit is 45 calendar days from acceptance of the completed application. This time frame 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. Submit a non-refundable fee of \$300 plus \$150 per acre or major fraction, up to a maximum of \$10,000 payable to the City and County of Honolulu.

*Note: When an Applicant applies for an existing use permit after being cited for taking action without having obtained necessary approvals, the application fee set forth above **shall be 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. Your application package must include two copies of the following material. If you are submitting a multi-permit application, please submit two copies for each permit.

Submit a written statement addressing the following issues:

1. Site Description. Describe the project site, including topography, abutting uses, and relevant chronological history of the uses of the site, up to the present.
2. Project Description. Describe the proposed project, including the following, as may be applicable:
  - a. Details on existing and proposed uses and activities, hours of operation, number of clients and staff;
  - b. Details on existing and proposed structures, building and site alterations, including parking and loading areas, grading and landscaping, lot dimensions, building heights and bulk, setbacks, yards, and other open spaces, and screening and buffering from adjoining parcels;
  - c. For those projects involving meeting spaces, public gathering spaces, classrooms, and/or residential uses, any occupancy and/or fire safety issues relevant to the existing use, and the conclusions of the relevant agencies (e.g., Honolulu Fire Department) concerning these matters;
  - d. Traffic flow, and off-street parking and loading; and, if the site or surrounding neighborhood is characterized by existing traffic congestion, then the conclusions of the relevant agencies (e.g., State of Hawaii Department of Transportation, Highways Division and/or DPP Traffic Review Branch, as may be applicable) concerning these matters.

*Note, if access to the site is from a private roadway or easement, then the Applicant **must** provide documentation that they have access rights to the roadway or easement at the time of application. And, if off-site access improvements involving a private roadway are likely or even possible, then the Applicant **must** include with the application written permission from **all** of the roadway owners stating that the*

*Applicant is authorized to make any roadway improvements that are determined to be necessary and appropriate;*

- e. Sewers, water, drainage and flooding, refuse and related service areas, and utilities; including the conclusions of the relevant agencies concerning these issues if there are any existing deficiencies;
- f. Signage; and
- g. Any potential nuisances associated with the existing use, such as noise, exterior lighting, dust, odors, and fumes.

D. Drawings/Plans. Submit two (2) sets of 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.

1. Site Plan. Two (2) copies of a site plan drawn to scale, showing existing and proposed structures, including fences and walls, the current buildable area boundary, and any easements or other lot features which affect the site. In addition, the site plan should also indicate the following:

- a. Existing structures to be removed and/or modified;
- b. Distances between structures and setbacks from property lines;
- c. On-site traffic circulation patterns, driveways and access; and
- d. Details of parking areas, including dimensions of parking and loading stalls and maneuvering areas.

2. Building Plans. Detailed plans for all existing and proposed structures, including the following:

- a. Floor plans, including the dimensions of rooms/habitable areas and activity areas, and area calculations. Plans must identify use of all rooms, and show all doors, partitions, bathrooms and kitchens; and

- b. Exterior building elevations show building heights measured from existing grades, and the current regulatory height envelope.

3. Landscape Plans. Landscape plans indicating the following:

- a. Size, location and quantity of existing and proposed landscaping, including plantings to be removed;
- b. Type or kind of plant material by typical name; and
- c. Details of a permanent irrigation system.

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

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

*Note: Applications requiring a Certificate of Need (CON) **must** include the approved CON.*

F. Photos. Submit photos labeled and keyed to a general site plan showing the following:

1. Street access (ingress and egress) to the project site;
2. Uses on adjoining properties; and
3. The sides of all structures, building setbacks from property lines, distances to neighboring buildings, parking areas, and other uses, on the site.

*(Note: all photos should be labeled and keyed to a general site map.)*

G. Copies of all building permits for existing structures. These can be obtained from the Permit Issuance Section located on the ground floor of the Frank F. Fasi Municipal Building, 650 South King Street.

H. 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 EU permit application will normally be accepted for processing.*

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 EU permit 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 EU permit. 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:*

*For residential EU applications: 768-8028.*

*For all other EU applications: 768-8014.*