

**CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF PLANNING AND PERMITTING**

**Shoreline Setback Variance**

Application Instructions

*This document is intended as a guide to preparing an application.  
Please refer to Chapter 23, ROH, and the  
Shoreline Setback Rules and Regulations for more information*

I. Overview

- A. Applicability. This permit covers structures and activities in the Shoreline Area as defined in Chapter 23, Revised Ordinances of Honolulu (ROH).
- B. Public Hearing. The processing procedure for this permit includes a public hearing which may be waived by the DPP under certain circumstances and when specifically requested by the applicant.
- C. ROH Provisions. Please refer to Chapter 23, ROH, and the Shoreline Setback Rules and Regulations available from the DPP for specific information concerning the applicability, criteria and procedure for obtaining a Shoreline Setback Variance.

II. Pre-Application Meeting. You are encouraged to review this guide and schedule a preliminary meeting with DPP staff to discuss the application and processing requirements. Please call 768-8014 to schedule a meeting.

III. Application Requirements

- A. DPP Master Application. Complete and submit the DPP Land Use Permits Division Master Application Form. Provide all requested information.
- B. Fees. Submit the appropriate fee. The fee is \$600 for a non-seawall and \$1,000 for a seawall variance. When a variance application is submitted after the applicant has completed the activity or structure for which the variance is sought, or after the applicant has been cited for the activity or construction without the necessary variance, in which case the application fee is \$1,200 for a non-seawall structure and \$2,000 for a seawall respectively. Fees should be made payable to the City and County of Honolulu, and are not refundable.

*(Note: Fees are waived for public agency projects.)*

- C, Environmental Assessment. Submit twenty (20) copies of an Environmental Assessment for the project prepared in accordance with the attached Content Guide.

*(Note: This step may be waived if you present an acceptable Finding of No Significant Impact (FONSI) or an Environmental Impact Statement (EIS) prepared under NEPA or Chapter 343, Hawaii Revised Statutes regulations.)*

- D. Written Statement. Submit a written statement addressing the following issues:

1. ROH Sections. Indicate the section(s) of Chapter 23, ROH, from which a variance(s) is sought.
2. Criteria for Granting Variance. Describe how the application meets the criteria for granting a variance specified in Section 23-1.8, ROH.
3. Public Agencies Only. For public agencies only: substantiate that the structure, activity or facility proposed for the shoreline area is in the public interest.
4. Flood Hazard District. Discuss whether the project complies with Section 9.10 of the Land Use Ordinance entitled "Flood Hazard Districts". Provide copies of documentation confirming compliance, if any.

- E. Drawings/Plans. Submit one set of drawings/plans, drawn to scale. 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". Plans should show the following:

1. Shoreline and Shoreline Setback Line. The shoreline and shoreline setback line prepared and certified by a registered land surveyor and certified by the State Surveyor and Director of Land and Natural Resources within one year of the application date.

2. Site Plan. A site plan, prepared by a draftsman, architect, engineer, or similar professional, showing the land parcel(s), and any adjacent land affected by the proposal. The site plan should also show, when pertinent, easements, slope, and all existing and proposed locations of structures, streets, property lines, uses, driveways, pedestrian walks, off-street parking and loading spaces, yards (front, side and rear) and landscaped areas.
3. Shoreline Protection Structures. Plans for proposed shoreline protection structures prepared and stamped by a professional engineer licensed in the State of Hawaii.

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

Note: ELECTRONIC DOCUMENT SUBMITTALS: Electronic document submittals shall adhere to the following specified formula: PDF, JPEG, Word (preferred for text documents) or Wordperfect 8. Electronic documents **must** be submitted on either CD (preferred) or 3.5-inch floppy disk. 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 768-8014.*

**CONTENT GUIDE for Preparing an ENVIRONMENTAL ASSESSMENT Required  
with an Application for a Shoreline Setback Variance (SV)  
Chapter 23, Revised Ordinances of Honolulu,  
and the Shoreline Setback Rules and Regulations**

This document is provided only as a guide for preparation of an Environmental Assessment. For procedural requirements, see Administrative Rules of the Department of Health, Chapter 200 of Title 11, "Environmental Impact Statement Rules," Sections 10, 11, and 12.

1. GENERAL INFORMATION

- A. Applicant: Name; Mailing Address; Phone Number.
- B. Recorded Fee Owner: Name; Mailing Address; Phone Number.
- C. Agent (if any): Name; Mailing Address; Phone Number.
- D. Tax Map Key: Zone, Section, Plat, and Parcel(s).
- E. Lot Area: Acreage or square footage.
- F. Agencies Consulted in Making Assessment: Indicate Federal, State, and/or County agencies consulted. Attach a copy of correspondence(s).

2. DESCRIPTION OF THE PROPOSED ACTION

A. **General Description:**

- 1. Brief narrative description of proposed project;
- 2. Relation of parcel to the shoreline setback (i.e., entirely within, partially);
- 3. Location map (1" = 1000' scale preferred); and
- 4. Land use approvals granted and/or approvals required.

B. **Technical Characteristics:**

- 1. Use characteristics;
- 2. Physical characteristics - layout drawing showing property lines, lot size, certified shoreline, shoreline setback line, reference datum, ground elevations, existing structures;
- 3. Construction characteristics including demolition, removal, or modification of existing structures, clearing, grubbing, grading, filling, new structure height and design; and
- 4. Other pertinent information.

**For shore protection structures** (e.g. seawall, revetment), a coastal engineer's report must be prepared addressing:

1. The affected shoreline, including beach profile, offshore depths, foreshore and backshore areas littoral transport, cyclical and abnormal changes of beach form, changes for water level, wave run-up and changes in sources of sand; and
2. Structure description, including functional and structural stability, structural life expectancy, toe protection, foundation, flank protection, stone underlayment and filters, relation to wave run-up, and potential effects of the design on the shoreline.

### III. AFFECTED ENVIRONMENT

- A. A brief description of subject site and surrounding area. (Include information on existing land uses; General Plan and Development Plan land use designations; zoning; population; unique features; etc.)
- B. Federal FIRM Zone, LUO Flood Hazard District and other geologically hazardous land conditions.
- C. Where applicable, coastal views from surrounding areas, especially from the adjacent beach.
- D. Project site in relation to publicly owned or used beach access points, beach parks and recreation areas; rare, threatened, or endangered species and their habitats; wildlife and wildlife preserves; wetlands, lagoons, tidal lands and submerged lands; fisheries and fishing grounds; other coastal/natural resources.
- E. Include suitable and adequate location and site maps. (Dated aerial, low-oblique, or ground-level photographs should be used whenever location and site maps are not sufficient to adequately describe the project).

### IV. PROJECT IMPACTS

Identify and summarize major impacts of the proposed action on the affected environment. Discuss alternative uses and/or designs, including the "no project" alternative. For shore protection structures, describe the effects of the proposal and alternative designs on natural shoreline processes.

### V. MITIGATION MEASURES

Indicate proposed mitigation measures, if any.

## SHORELINE SETBACK VARIANCE

### APPLICATION CHECK LIST

1.	Pre-Application meeting w/DPP (optional)	
2.	Written information (see content guide)	
3.	Master Application Form	
4.	Written Statement of Hardship and Section of Chapter 23, ROH from which variance is proposed	
5.	Written Statement that the structure, activity, or facility proposed is in the public interest <b>(for public agencies only)</b>	
6.	Drawings/Plans	
	Property lines	
	Easements	
	Location of existing structures and uses	
	Location of proposed structures and uses	
	Driveways and pedestrian walks	
	Off-street parking and loading spaces	
	Plans for proposed shoreline protection structures prepared and stamped by a professional engineer licensed in the State of Hawaii	
	Certified Shoreline Survey	
	Fees	

\*Note: This list is intended as a general reference for applicants. Please refer to the attached permit instruction sheets for complete application requirements.

The adequacy/completeness of application submittals for acceptance will be determined by the DPP within ten (10) working days of submittal.