

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

**Special Management Area Use Permit (SMP)**

**Application Instructions**

*This document is intended as a guide to preparing an application.  
Please refer to Chapter 25, Revised Ordinances of Honolulu (ROH), for more information  
concerning SMP application requirements and procedures.*

**I. Overview.**

- A. **Applicability.** This permit covers any development, structure, or activity in the Special Management Area (SMA), as defined by ROH Chapter 25.
  
- B. **Application Processing.** The processing of an SMP application by the DPP is generally a two-phase procedure. The first phase involves the preparation and acceptance of an Environmental Assessment (EA) or Environmental Impact Statement (EIS), as determined by the DPP, for the project. The second phase involves the acceptance and processing of the SMP application, which includes a mandatory public hearing to be held in the area where the project is proposed. After the close of the public hearing, the DPP will have up to 20 working days to submit its report and recommendation to the City Council.

At the discretion of the Director of the DPP, the applicant may be allowed to process its EA or EIS concurrently with the SMP application; however, this is not commonly done.

- C. **City Council.** The Director's report and recommendation on the application will be transmitted to the City Council for its consideration and decision making; approval will be by resolution. See ROH Section 25-3.2(a), (b), and (c) for further details.
  
- D. **Time Frame.** The DPP must hold a public hearing no later than 60 days after the acceptance of a completed application, and must transmit its findings to the City Council within 20 working days after the conclusion of the public hearing. When an EA or EIS and the SMP application are processed concurrently, the findings and recommendation must be transmitted within 10 working days after the issuance of a Finding of No Significant Impact (FONSI) or acceptance of the EIS, or the close of the public hearing, whichever occurs last. If the City Council does not take action on the application within 60 days after its receipt of the DPP report and recommendation, then the application is deemed denied; unless the applicant requests in writing an extension of time.

II. Pre-application Meeting. You are encouraged to schedule a pre-application meeting with DPP staff to discuss the application and processing requirements. Please call 768-8014 to schedule a meeting if you feel it would be beneficial.

III. Application Requirements.

A. Assessment. In the first phase of the application procedure, the DPP will assess the environmental and ecological impacts of the project through the applicant's preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS). This step may be waived by the DPP, however, if the applicant presents an acceptable Finding of No Significant Impact (FONSI) or an EIS for the project prepared under the National Environmental Protection Act (NEPA) or Chapter 343, Hawaii Revised Statutes (HRS). In the event of a waiver, the applicant should proceed to step III.B; otherwise, submit the following:

1. DPP Master Application. Complete and submit the DPP Land Use Permits Division Master Application Form. Provide all requested information.
2. Environmental Assessment (EA). Two (2) copies of a Draft EA for the project, including all necessary exhibits, drawings, and a description of the technical, economic, social and environmental characteristics of the project. The EA must be prepared in accordance with the Rules and guidelines published by the Office of Environmental Quality Control (OEQC). See the attached Content Guide.

*Note: Additional copies of the Draft EA will be required for distribution to various agencies for their information, review, and comment. The specific number of additional copies will be determined at the time the assessment is accepted for processing; the applicant will then be contacted to provide the additional copies.*

3. Drawings/Plans. Submit two (2) complete fully dimensioned sets of the following:
  - a. An accurate site plan showing the lot(s) and adjacent land affected by the proposal, showing, when pertinent, easements, slope, streets, property lines, uses, off-street parking areas, yards (setbacks from the front, side and rear zoning lot lines), all existing and proposed locations of structures, and landscaped areas. Also show the Special Management Area (SMA) boundary if the property is not

entirely within the SMA. If applicable, show Flood Hazard District boundaries.<sup>1</sup>

- b. Building elevations and sections, including the regulatory height envelope based on zoning district requirements.
- c. If the project involves a shoreline lot, a current shoreline survey of the shoreline and shoreline setback lines, prepared and certified by a registered land surveyor, and certified by the Board of Land and Natural Resources (within one year of the application date).

*Note: In order that the certification not expire while the SMP application is still being processed, the certified shoreline survey need not be included in the Draft EA, but must be included in the Final EA. In such cases, however, a copy of the current, albeit not-yet-certified, survey should be included in the Draft EA.*

- d. When applicable, grading plans showing existing and finish grade conditions by contours, spot elevations, or other appropriate means. Elevations should be marked on the site plan.

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

- 4. Additional Information. Additional information as may be required by the DPP.

*Note: An assessment **must** be made even if the project is otherwise exempt from the requirements of HRS Chapter 343, as required by ROH Section 25-3.3(c)(1). The Draft EA will be processed in accordance with the procedures enumerated in Subchapter 6 of Chapter 200, Title 11, Hawaii Administrative Rules (HAR).*

Upon acceptance of the applicant’s Final EA, the DPP will assess the project’s potential environmental and ecological impacts, particularly with regard to its effect on the SMA, and determine whether an Environmental Impact Statement (EIS) is required or to issue a Finding of No Significant Impact (FONSI). The assessment is made using significance criteria relevant to the objectives, policies, and guidelines enumerated in HRS Chapter 205A, relating to Coastal Zone Management (CZM) and the SMA.

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<sup>1</sup> Any structure proposed to be built in a Flood Hazard area, as delineated on Federal Flood Insurance Rate Maps, must comply with the requirements of LUO Section 21-9.10-10.

The applicant will be notified in writing when the environmental assessment phase has been completed and a determination made.

If an EIS is required, processing of the SMP will not begin until acceptance of the EIS has been made.

5. Supplemental Assessment. 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 SMP. 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).

*Note: Applicants intending to use the Final EA or EIS for the project as the SMP application document **must** include a separate section(s) specifically addressing the various SMA criteria. Otherwise, a supplemental application document specifically addressing SMA criteria will be necessary at the time the SMP application is submitted for processing.*

- B. Permit. The second phase of the SMP application procedure involves the actual processing of the application by the DPP.

1. Written Information. Complete and submit a separate DPP Land Use Permits Division Master Application Form for the SMP processing phase. Provide all requested information.
2. Assessment. Submit the following information, as applicable:
  - a. Two (2) copies of the FONSI or EIS, upon which a waiver of the assessment procedure is based; or
  - b. Two (2) copies of the FONSI or EIS required by the DPP; and
  - c. Two (2) copies of the supplemental assessment, if one was required.

*Note: If the project involves a prior assessment upon which a waiver of the assessment procedure was based, and the applicant does not anticipate that a supplemental assessment is necessary, then the applicant **must** provide its written justifications explaining how the project has not substantially changed in size, scope, intensity, use, location, timing, or other means; or, if it has*

*substantially changed, then how the change(s) do not involve significant effects.*

3. Drawings/Plans. Submit revisions to any drawings and/or plans previously submitted during the assessment phase.

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

4. Supplemental Information. Submit the following supplemental information, if applicable:
  - a. Documentation of compliance with LUO Section 21-9.10, relating to Flood Hazard Districts.
  - b. Additional information as may be required by the DPP. If the assessment did not include a section(s) specifically addressing the various SMA criteria, then this must be provided for purposes of processing the SMP application. (See Parts III and IV of the attached “Content Guide,” in particular.)

C. Fees. Submit the appropriate fees:

1. The fee for agriculture, aquaculture, or outdoor recreation developments is \$300.
2. The fee for all other developments is \$600, plus an additional \$300 per acre or major fraction thereof, up to a maximum of \$10,000.

Fees should be payable to the City and County of Honolulu and are not refundable.

*Note: When an applicant applies for SMP 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 SMA Ordinance or from penalties imposed there under.*

- IV. 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 768-8014.*

**CONTENT GUIDE for Preparing an ENVIRONMENTAL ASSESSMENT  
Required With an Application for a Special Management Area Use Permit (SMP)  
Chapter 25, Revised Ordinances of Honolulu**

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

**I. 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).

**II. DESCRIPTION OF THE PROPOSED ACTION**

**A. General Description:**

- 1. Brief narrative description of proposed project;
- 2. Relation of parcel to Special Management Area (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, elevations, existing structures;
- 3. Construction characteristics including demolition, removal, or modification of existing structures, clearing, grubbing, grading, filling, new structure height and design;
- 4. Utility requirements (water, electricity, gas, etc.);
- 5. Liquid waste disposal (municipal sewer system, septic tanks, or injection wells);
- 6. Solid waste disposal (includes refuse);
- 7. Access to site, and
- 8. Other pertinent information.

**C. Economic and Social Characteristics:**

1. Estimated cost and time phasing of construction; and
2. Other pertinent information.

**D. Environmental Characteristics:**

1. Soils;
2. Topography (indicate relationship to major topographic features such as mountains, headlands, valleys, streams, channels, springs, marshes, etc.);
3. Surface runoff, drainage, and erosion hazard;
4. Federal FIRM Zone, LUO Flood Hazard District, other geological hazards; and
5. Other information pertinent to the Special Management Area.

**III. AFFECTED ENVIRONMENT**

- A. A brief description of subject site in relation to surrounding area and the description of surrounding area. (Include considerations and information on existing land uses; General Plan and Development Plan land use designations; zoning; and unique features.)
- B. Project site in relation to publicly owned or used beaches, 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.
- C. Relation to historic, cultural, and archaeological resources.
- D. Coastal views from surrounding public viewpoints and from the nearest coastal highway across the site to the ocean or to coastal landform.
- E. Quality of receiving waters and ground water (including potable water) resources. Describe effects on the groundwater recharge cycle within the groundwater control area, show existing and proposed well locations with pumping estimates. Describe effects on receiving waters--streams and ocean waters.
- F. Include suitable and adequate location and site maps. For document imaging purposes, a maximum size of 11" x 17" is preferred, but in no case should plans exceed 24" x 36". (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 impacts of the project relative to the Coastal Zone Management objectives and policies (Section 205A-2, HRS) and the Special Management Area guidelines (Section 25-3.2, ROH).

V. MITIGATION MEASURES

Indicate proposed mitigation measures, if any.

## SPECIAL MANAGEMENT AREA USE PERMIT

### APPLICATION CHECK LIST

1.	Pre-Application meeting w/DPP (optional)	
2.	Written Information (see Content Guide )	
3.	Master Application Form	
4.	Drawings/plans	
	Easements	
	Slope	
	Property lines	
	Streets	
	Off-street parking areas	
	Yards (front, rear, and side)	
	Location of existing structures	
	SMA boundary (if not entirely in SMA)	
	Food hazard boundaries (if applicable)	
	New building/structure elevations and sections	
	Grading plan with existing and finished contours/spot elevations	
5.	Certified Shoreline Survey (if applicable)	
6.	Fees	
7.	Utilities - Water, wastewater disposal	

\*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 10 working days of submittal.