

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

**Zoning Adjustment: Grade Irregularities**

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(d) for details.
- B. Standard of Review. Where unusual natural deviations occur in grade, the Director of the DPP may adjust the building height envelope to permit reasonable building design. An adjustment shall be made only in accordance with the intent of the pertinent district regulations.
- 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. Submit a non-refundable fee of \$300 payable to the City and County of Honolulu.

*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**. 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 why the site conditions justify the zoning adjustment.
- D. Other Information. Provide any other information which supports the request.
- 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.
1. Site plan drawn to practical scale, showing:
    - a. Property and easement lines, including lot dimensions and area;
    - b. Location, size, spacing, and dimensions of all existing and proposed buildings, structures and improvements, and building setbacks from property lines;
    - c. Exterior elevation drawings showing the proposed building height and the unusual grade deviation; and
    - d. Shoreline, shoreline setback line, stream, road widening, and any other setback lines.
  2. Topographic map showing existing and finish grade, proposed grading, and other features and conditions.
  3. Building elevation and cross section drawings, with spot elevations or contours of existing and finish grades, including the area of unusual grade deviation.
  4. Landscape plans showing existing and proposed landscaping, including open spaces, planting areas and trees.
- Note: All scaled plans and drawings **must** include a graphic ("bar") scale in addition to or in lieu of a numerical scale.*
- F. Photos. Submit photographs of the site showing the grade irregularities.

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

- G. Supplemental Information. Additional information which may be required to successfully process the application by the DPP.
- 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 Zoning Adjustment 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 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 768-8022.*