

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

Zoning Adjustment: Residential Height

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(k) for details.

B. Standard of Review. The Director of the DPP may adjust the building height envelope up to a maximum of 35 feet, only under the following conditions:

1. The lot and/or building "footprint" has a slope greater than 40 percent (40%). Slope is defined as the incline of grade across the buildable area of a zoning lot (or building footprint), expressed as a percentage. The slope shall be calculated using the following formula:

$$\frac{(\text{Highest elevation point}) - (\text{Lowest elevation point})}{\text{Horizontal linear distance between highest and lowest points}} \times 100$$

2. There is no reasonable development alternative without an increase in the height envelope; and
3. The lot shall be limited to dwelling use.

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 compliance with the LUO is not feasible. Include alternatives considered, and why they are not feasible. Examples of alternatives might include the following: moving the building to a less steep part of the lot, redesigning the roof, or stepping down the floor levels.
- D. Permits and Violation Notices. Provide copies of previous building permits and violation notices if they are relevant to the request.
- E. Photographic Documentation.
 - 1. Panoramic (spliced) photographs, if possible, showing existing site conditions; and
 - 2. Photographs showing conditions on abutting properties and the relationship of the proposed dwelling to neighboring structures.

Note: All photographs should be dated and accompanied by a location map, showing the orientation/direction of the photographs.

- F. 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. Existing and proposed streets showing access to the project, and parking layout with dimensions; and
 - d. Shoreline, shoreline setback line, stream, road widening, and any other setback lines.
- 2. Topographical map showing existing and finish grade, proposed grading, and other features and conditions.
 - 3. Building elevation and section drawings, showing existing and finish grades, and critical spot elevations.
 - 4. Floor plans showing proposed and existing uses.

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

- 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.