

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

State Special Use Permit (SUP)

Application Instructions

*This document is intended only as a guide to preparing an application.
Please refer to the State Land Use Law, Chapter 205 HRS, and the Rules of the
Planning Commission of the City and County of Honolulu for more information.*

I. Overview

- A. 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 768-8049 to schedule a meeting.

- B. Neighborhood Board. You are encouraged to make an informational presentation to the neighborhood board in whose district the proposed project is to be located. For information regarding the appropriate neighborhood board to contact, please call the Neighborhood Commission at 527-5749.

- C. HRS Provisions. Please refer to Chapter 205, HRS, and the Rules of the Planning Commission of the City and County of Honolulu for additional information. In particular, refer to the following:

Section 205-2 Districting and classification of lands

Section 205-4.5 Permissible uses with agricultural districts

Section 205-5 Zoning

Section 205-6 Special Permit

Rules of the Planning Commission, City and County of Honolulu (effective January 16, 1995)

Subchapter 4 Rules Applicable to State Special Use Permits

Subchapter 5 Rules Applicable to Contested Cases

- D. Process. If the subject area for which the SUP is requested is 15 acres or less, the City Planning Commission will be the final authority for approval or denial.

If the subject area is greater than 15 acres, the Planning Commission will make a recommendation, and the State Land Use Commission will be the final authority for approval or denial.

II. Application Requirements

- A. DPP Master Application. Complete and submit the DPP Planning Division Master Application Form. Provide all requested information.
- B. Fees. Submit the appropriate fees calculated as follows: \$600 base fee, plus an additional \$225 per acre, or major fraction thereof, of the project site, up to a maximum of \$6,000. Fees should be made payable to the City and County of Honolulu and are non-refundable.
- C. Written Statement. Your application package must include two (2) copies of the following material. (The written statement and supporting materials should be bound or stapled together to insure that all the submittal materials are kept together when transmitted to the public and agencies for review.) If you are submitting a multi-permit application, please submit two copies for each permit.

Upon completion of the DPP's initial review of your submittal, you will be notified of the number of ADDITIONAL copies required for agency and community review and comment.

The written statement must address the following issues:

1. Land Use Commission Guidelines. Describe how the proposed use will meet the following State Land Use Commission "guidelines" for granting an SUP:
 - a. Such use shall not be contrary to the objectives sought to be accomplished by the (State) Land Use Law and Regulations.
 - b. That the desired use would not adversely affect surrounding property.
 - c. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection.
 - d. Unusual conditions, trends and needs have arisen since the

district boundaries and regulations were established.

- e. That the land upon which the proposed use is sought is unsuited for the uses permitted within the District.
2. Compliance with LUO. Indicate how the proposed use complies with the purpose and intent, uses and development standards of the applicable zoning district, as set forth in Article 3 of the Land Use Ordinance.
 3. Project Site. Describe the project site, including:
 - a. Soil type(s) and classifications under current ratings systems, including:
 - (1) Land Capability Groupings by the Soil Conservation Service (SCS) of the U.S. Department of Agriculture.
 - (2) Agricultural Lands of Importance in the State of Hawaii (ALISH) by SCS, University of Hawaii (UH) College of Tropical Agricultural and Human Resources, and the State of Hawaii Department of Agriculture.
 - (3) Overall Productivity Rating by the UH Land Study Bureau.
 - b. Topography, abutting uses and chronological history of the use of the land including the present use of the property.
 4. Project Description.
 - a. Details on existing and proposed uses and activities, such as hours of operation, number of persons (clients and staff) on the site, and use and number of structures.
 - b. Details on existing and proposed structures, building and site alterations, including parking areas, grading and landscaping including building heights, setbacks and buffering from adjoining parcels.
 5. Infrastructure Requirements. Describe infrastructure requirements for the project, including the following if applicable (preliminary checks with the appropriate agency are encouraged):

- a. Method of wastewater disposal and adequacy of the system to accommodate the proposal.

Contact DPP, Wastewater Branch (768-8197) and/or State Department of Health (586-4294).

- b. Water needs

Contact Board of Water Supply (748-5440).

- c. Drainage problems, if any. Check flood hazard maps.

Contact DPP, Civil Engineering Branch (768-8102).

- d. Streets and Transportation

- (1) A traffic impact analysis may be required.

- (2) Contact DPP, Traffic Review Branch (768-8077) and/or the State Department of Transportation (587-2171) for details.

- (3) Address transportation issues; i.e. road improvements, park and ride facilities.

- 6. Mitigative Measures. Identify major concerns raised during preliminary agency review and community input, and indicate proposed mitigative measures to address these concerns.

- D. Photos. Submit photos of the project site showing the following:

- 1. Street access (ingress and egress) to the project site;
- 2. Uses on adjoining properties; and
- 3. 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.)

For further assistance or information on how to complete the application, please call the DPP at 768-8049 or 768-8054.

**STATE SPECIAL USE PERMIT (SUP)
APPLICATION CHECK LIST**

1.	Master Application Form	
2.	Fees	
3.	Written Statement (2 copies)	
4.	Site Plans	
5.	Landscape Plans	
6.	Photos (labeled and keyed to a general site map)	

***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 Department of Planning and Permitting.

WHAT TO EXPECT AFTER A SPECIAL USE PERMIT APPLICATION HAS BEEN SUBMITTED

The Department of Planning and Permitting (DPP) will review the application to make sure that it is complete as described above in Section II: Application Requirements. Our guideline for this review is that DPP will determine whether the application is complete and notify the Planning Commission and the applicant that the application has been accepted for processing.

Thirty-days after acceptance, the period of agency/public review and comment will close, and DPP will begin to prepare the Director's Report and Recommendation concerning the proposed Special Use Permit for transmittal to the Planning Commission with the application.

Within 60 days after acceptance, a notice of a public hearing before the Planning Commission will be published.

Within 14 days after the public hearing notice is published, any party seeking to require that the permit be decided through a contested case hearing must file a petition to intervene.

Within 21 days after the public hearing notice is published, anyone opposing a proposed intervention must file written objections to the intervention.

(See Subchapter 5 of the Rules of the Planning Commission for more information regarding contested case hearings.)

Within 90 days after acceptance, the Planning Commission will conduct a public hearing on the permit, unless an extension has been agreed to by all parties.

If one or more petitions to intervene have been received, the Commission will first decide if the petitions will be granted. The commission shall grant or deny the petition to intervene within a reasonable time. The public hearing on the Special Use Permit shall remain open until after the commission acts on the petition to intervene.

If the project requiring the Special Use Permit also requires other permits or approvals that require a public hearing before the Planning Commission, the Planning Commission may conduct a single hearing.

Within 60 days after the close of the public hearing,

- **If the SUP is for an area of 15 acres or less**, the Planning Commission will issue a written Decision and Order, including Findings of Fact and

Conclusions of Law, unless a longer period of time is agreed upon by all parties.

- If the SUP is for an area of more than 15 acres, the Planning Commission will transmit the application, a complete record of the proceedings before the Planning Commission, and their written Decision and Order, including Findings of Fact and Conclusions of Law, to the State Land Use Commission (LUC).

Within 45 days after the LUC receives the complete record from the Planning Commission for an SUP for more than 15 acres, the LUC will act to approve, approve with modification, or deny the SUP.