

CITY AND COUNTY OF HONOLULU
DEPARTMENT OF PLANNING AND PERMITTING
Development Plan and Sustainable Communities Plan Amendment

Application Instructions

This document is intended to assist you in preparing a complete application and should be read in conjunction with the Department of Planning and Permitting's Rules for Processing of Amendments to the Development Plans and Sustainable Communities Plans of the City and County of Honolulu (November 2004), and Rules of the Planning Commission

I. OVERVIEW

A. Planning Commission and City Council. Processing of this application by the Department of Planning and Permitting (DPP) and preparation of the Director's Report and Recommendation is only the first step in review and decision making on a Development Plan (DP) or Sustainable Communities Plan (SCP) amendment. After the Director's Report and Recommendation is transmitted to the Planning Commission and City Council, the proposed amendment must first be considered by the Planning Commission and then approved as an ordinance by the City Council.

B. Timeframe. With the exception of a Council-initiated DP or SCP amendment proposal, there is no specific time frame for the DPP to complete the processing of an amendment to the DP or SCP because the amount of time required to insure a thorough analysis and community discussion of a proposed amendment will vary depending on the nature and complexity of the proposed change.

The rules for processing an individual applicant's DP or SCP amendment application require that DPP:

1. Route the amendment application package to appropriate government agencies and neighborhood organizations for their review and comment.
2. Hold at least two community meetings in the affected DP or SCP area (one to present the application and solicit comments, and one to present the Department's review of the application and the Director's recommendation and to solicit comments and suggestions regarding the review and recommendation).
3. Within one year of the date that an amendment process is initiated, report to the City Council on progress in processing the amendment to the City Council and identify expected milestones and any resources needed to complete processing the amendment for submittal to the Planning Commission and City Council.

Ord. 08-08 specifies, for Council-initiated DP or SCP amendment proposals, that the Director must submit a report on the proposal along with the proposed ordinance implementing the proposal to the Planning Commission within 270 days of the adoption of the resolution initiating the DP or SCP amendment.

II. PRE-APPLICATION PROCEDURES

- A. Pre-Application Meeting. Please call 768-8054 to schedule a pre-application meeting.

Application Submitted Directly to DPP. Private applicants submitting an amendment to DPP shall meet with DPP for an informal review of the proposed DP or SCP amendment prior to acceptance of the application for processing. Discussion of the application should address:

1. How the proposed amendment contributes to the general welfare and prosperity of the people of Oahu,
2. How the proposed amendment is consistent with the General Plan.
3. Whether the public issue, need or problem addressed by the amendment is so urgent it cannot wait for the 5-Year Review of the DP or SCP,

Council-initiated amendment applications. For an application initiated by the City Council at the request of a private applicant, it is recommended but not required that the private applicant meet with DPP to review the Applicant's proposed amendment prior to submission to the City Council.

Upon approval of the resolution, the private applicant who requested the amendment initiated by the City Council shall meet with DPP prior to the submission of the amendment application to DPP for processing.

- B. Presentation to Neighborhood Board. Although it is not required, private applicants are recommended to make a presentation to the neighborhood board(s) affected by the proposed amendment prior to submitting their application to the DPP.

III. APPLICATION REQUIREMENTS

- A. DPP Master Application. Complete and submit the DPP Planning Division Master Application Form. Provide all requested information.

- B. Notification of Affected Property Owners, Lessees, and Residents. If particular properties are affected by the amendment, it is recommended that the applicant notify property owners, lessees, and residents of any affected area prior to submission of an application. Once an application is accepted for processing by DPP, a notice of the amendment will be sent by DPP to any property owners who are identified as being affected by the amendment.

- D. Fees. Submit the following fee with the completed Master Application Form for processing:

1. \$600 per application for text and/or map amendments.

2. Fees are not refundable, except for applications that are withdrawn by the Applicant prior to acceptance for processing by the DPP.
3. Amendment applications initiated by the City Council on behalf of an Applicant, are subject to a filing fee, which shall be paid by the Applicant.
4. Federal, state and city agencies that submit amendment applications are exempt from the filing fee.

Make checks payable to the "City and County of Honolulu."

- E. Written Statement. Applications should be neatly typed on 8 1/2 x 11" white paper. The amendment application package must include two (2) copies of the written statement and any associated maps (as noted in C.).

Upon DPP's completion of the initial review of the amendment application package, the DPP may request that the applicant provide ADDITIONAL copies of the application package for distribution to public agencies, reference centers and community organizations to allow informed review and comment on the application.

To the extent possible, the written statement must include analysis and supporting documentation to address the following issues:

1. Background. Identify the applicable DP or SCP area affected by the proposed amendment, the role of the DP/SCP area in Oahu's development, and the key elements of the vision of the DP or SCP. Where applicable, describe the following:
 - a. Location of property affected by the amendment.
 - b. Surrounding land uses and structures.
 - c. Proximity to significant public facilities and utilities.
 - d. Proximity to Urban Growth/Urban Community/Rural Community/Agriculture/Open Space/Preservation/Special Area Plan/Special District or any other similar boundary.
 - e. Chronological history of the area affected by the amendment, including a discussion of any previous land use approvals.
2. Amendment Proposal. Provide a detailed description of the proposed amendment, including the following:
 - a. a Ramseyer version of the text to be amended;
 - b. Revisions of any affected DP/SCP Exhibit or Map;
3. Basis for Proposed Amendment.
 - a. Contribution to the general welfare and prosperity of the people of Oahu;
 - b. Public issue, need or problem addressed by the amendment;
 - c. Consistency with the General Plan;

- d. Consistency with existing DP/SCP vision;
 - e. Impact on the DP/SCP vision, policies, principles, guidelines, and implementing actions (implement, clarify, or change?); and
 - f. Other reasons in support of the proposed amendment.
4. Project Specific Information. If the amendment is required for a specific project to proceed, provide:
- a. A brief project description;
 - b. A development timetable; and
 - c. Estimated project cost.
- C. Maps. For amendments affecting the long range land use patterns or the urban growth, urban community, or rural community boundaries, the application must use the applicable DP or SCP Land Use Map as a base.
- Maps included with the application should be no larger than 11 x 17" in size showing the proposed change(s) in relation to the existing land use patterns, boundaries and other features shown on the base map. Other maps may be included as supporting documentation.
- For amendments specific to an area, please provide:
- 1. Location Map (8 ½"x 11").
 - 2. Appropriate DP/SCP Map (with amendment area identified)
 - 3. Public Infrastructure Map (8 ½" x 11")
 - 4. Zoning Map

Submit the filing fee, the DPP Planning Division Master Application Form, and two (2) copies of the written statement and maps to:

City and County of Honolulu
Department of Planning and Permitting
Attn: Planning Division
650 South King Street
Honolulu, Hawaii, 96813

IV. ACCEPTANCE REVIEW PERIOD

The DPP has 30 days calendar days to review a private application package submitted to DPP for processing. By the end of the 30-day period, the DPP shall inform the private applicant in writing whether the application is complete, and if complete, whether the amendment request will be processed immediately or processed in the next scheduled five-year DP or SCP review. Incomplete applications will not be accepted for processing.

- V. WHAT TO EXPECT AFTER A DP/SCP AMENDMENT APPLICATION HAS BEEN ACCEPTED FOR PROCESSING
- A. Review Copies. The applicant will be asked to provide sufficient copies of the written statement and associated maps for distribution to Federal, State, and City agencies, the Neighborhood Boards of the affected DP/SCP area, and community organizations and for placement at libraries and the closest satellite City Hall.
- B. Fees Payment. If the amendment was initiated by the Council at the request of the applicant, the applicant will be asked to pay the required fee
- C. Notification and Distribution of Review Copies. Notification and requests for comments will be sent out by DPP to the applicant, public agencies, neighborhood boards, community organizations, and other interested parties. Copies of the application package will be sent to public agencies, the neighborhood boards in the affected DP/SCP area, and community organizations and made available at libraries and satellite City Halls for use in review.
- D. Orientation Public Information Meeting. Notice of a public information meeting on the proposed amendment will be sent out to the applicant, public agencies, neighborhood boards, community organizations, and other interested parties. The public information meeting will provide an opportunity by the applicant to present the proposed amendment to the public and answer questions and concerns, and for DPP to collect comments and suggestions regarding the amendment.
- E. Analysis of the Amendment and Preparation of the Draft Director's Report. Based on the questions, concerns, and suggestions received from the public review and on DPP's analysis of the amendment, DPP will prepare a draft report and recommendation regarding the amendment.
- F. Distribution of the Draft Director's Report. Notification of the completion of the Draft Director's Report and requests for comments will be sent out to the applicant, public agencies, neighborhood boards, community organizations, and other interested parties. Copies of the draft Director's Report will be sent to the applicant, public agencies, the neighborhood boards in the affected DP/SCP area, and community organizations and made available at libraries and satellite City Halls.
- G. Public Review Draft Information Meeting. Notice of a public information meeting on the Director's Report on the proposed amendment will be sent out to public agencies, neighborhood boards, community organizations, and other interested parties. The meeting will provide an opportunity for DPP to present the results of its analysis of the amendment and the Director's recommendation, and to collect comments and suggestions regarding the review and the recommendation.
- H. Preparation and Transmittal of the Final Director's Report and Recommendation. Based on the comments and suggestions, the final Director's Report and Recommendation will be prepared and transmitted to the Planning Commission and City Council for their formal review and decision making. Copies of the final

Director's Report and Recommendation will be sent to the applicant, and the Neighborhood Boards of the affected DP/SCP area for their use in preparing comments for testimony to the Planning Commission and City Council.

- I. Planning Commission Public Hearing Notice. Notice of a Planning Commission Hearing will be published in the Star Bulletin 10 calendar days prior to the hearing. The Notice will also be sent to the applicant and to the Neighborhood Boards for the affected DP/SCP area.
- J. Planning Commission Action. Within 45 days of receiving the Director's Report, the Planning Commission will hold at least one public hearing on the amendment. After the hearing is closed, the Commission will decide on their recommendation on the amendment. (If the Commission recommends against the amendment, it requires a 2/3 vote of the Council to approve the amendment.) Thirty days after the Commission has closed the hearing, the amendment package with the Planning Commission recommendation will be transmitted to the City Council for final decision making via the ordinance adoption process.
- K. City Council Action. The Council must take final action on the ordinance within 90 days of receipt or the ordinance fails. (The amount of time for final action can be extended by vote of the Council.) The ordinance process involves three votes of the full Council (called first, second, and third reading) a public hearing, and at least two Planning Committee meetings.
- L. Mayoral Action. If the Council adopts the ordinance, it is sent to the Mayor for approval. If the Mayor vetoes the ordinance, it goes back to the Council which can override the veto if six of the nine Councilmembers vote to approve the ordinance.

For more information on the Planning Commission proceedings and requirements, call the Planning Commission staff at 768-8007. For more information on the ordinance adoption process at City Council, call the City Clerk at 523-4480.