

Special Management Area (SMA) Use Permit
Department of Business, Economic Development and Tourism (DBEDT)
Office of Planning (OP)
DBEDT-OP-2

Purpose: To develop within special management areas and shoreline setback variances for developments within a community development district, for which a community development plan has been developed and approved

Approval Authority: OP

Prerequisite(s): Chapter 343, Hawaii Revised Statutes (HRS) compliance; Development Permit with the Hawaii Community Development Authority (HCDA)

Fees: \$200 (upon notification of a public hearing)

References: HRS 206E, HRS 205A; Chapter 15-150 Hawaii Administrative Rules (HAR)

Website: <http://hawaii.gov/dbedt/czm/program/sma.php>

Checklist	Estimated Time
1. Applicant submits completed SMA Use Application Form along with additional information as required on the SMA Application Instructions to OP.	
2. OP notifies the applicant if the application is complete and has been accepted for processing.	7 days from Submission
3. OP determines if the proposal requires SMA Use Approval, SMA Minor Approval, or is exempt. <ul style="list-style-type: none"> a. If an SMA Use Approval is required, a public hearing is necessary and the applicant will have to follow HAR 15-150-13. b. If an SMA Minor Approval is required (valuations or fair market value not in excess of \$500,000 and will not significantly affect the SMA), no public hearing is required and OP will grant or deny a SMA Minor Approval within ten working days. c. If exempt, applicant follows rules per HRS 205A. 	30 days from OP Notification to Applicant
4. Applicant publishes a notice statewide, in accordance with HRS 1-28.5, stating the nature of the proposed development for which an application is made and the time and place of the public hearing. The applicant now pays the filing fee for the public hearing.	20 days before Hearing
5. Applicant consults with OP before public notice is published, and submits proof to OP that the notice of public hearing was published correctly.	
6. Applicant gives notice by certified mail of the public hearing to: <ul style="list-style-type: none"> a. Pertinent neighborhood boards b. Owners of all property within 300 feet of the affected property c. All owners of the property described in the application, and d. Persons who have requested in writing to be notified of SMA use hearings or applications 	15 days prior to Hearing
7. Applicant submits proof of the notices to OP.	5 days prior to Hearing
8. Public hearing is conducted in the county where the development is proposed	Between 21 and 60 days from Acceptance
9. Hearing officer transmits findings and recommendations to OP	10 days from Hearing
10. OP accepts, accepts with modification, or denies permit application.	Within 60 days after the Public Hearing
Total Estimated Time from Application Acceptance	Up to 6 Months