

Waiver Permit

City and County of Honolulu, Department of Planning and Permitting (DPP), Land Use Permits Division

Purpose: To request a waiver from the strict application of the development or design standards of the Land Use Ordinance (LUO) for: 1) Public uses or structures, and utility installations; 2) to permit the creation of lots designated for landscaping and open space purposes which do not meet minimum lot area and/or dimensions; 3) to permit replacement of improvements on private property when the improvements are rendered nonconforming through the exercise of government's power of eminent domain; and 4) to permit the retrofitting of improvements when the retrofit is required to comply with federal mandates, provided such improvements cannot otherwise be made without conflicting with the provisions of the LUO.

* Most ground-mounted PV farms on Oahu will need a Waiver.

Regulations / Authority: Revised Ordinances of Honolulu (ROH) Chapter 21, see Table 21-3.1

Potential Approval Prerequisites: If the proposed project triggers HRS Chapter 343, the Environmental Impact Statements law, submit a completed Environmental Assessment (EA), Environmental Impact Statement (EIS), or a letter of exemption from HRS Chapter 343 from the proper authority.

Fees: Application Fee is required – Review permit link below.

For Permit Application, Guidelines and Fees:

<http://www.honolulu.dpp.org/ApplicationsForms/ZoningandLandUsePermits.aspx>

<http://www.honolulu.dpp.org/Portals/0/pdfs/zoning/waiverpermit.pdf>

Contact Information: DPP Land Use Permits Division (808) 768-8021

Checklist / Process	Chronology
1. Complete and submit a Land Use Permits Division Master Application Form to DPP. If an EA or EIS is required, the completed EA or EIS must be submitted as part of the SMA application.	
2. DPP reviews the application for completeness.	Within 10 working days
3. DPP will issue a Waiver Permit approval or denial letter.	Within 45 days of receipt of complete application
Estimated Time from Completed Application Acceptance	1 to 3 months

Other Application Considerations:

1. Waivers are generally required for “utility installations.”
2. For PV projects, the ground area covered by the PV panels will likely be included and counted towards the “maximum building areas.”