

CITY CLERK
HONOLULU, HAWAII

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

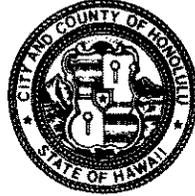
650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041

MAY 6 2 58 PM '09

DEPT. WEB SITE: www.honolulu.gov • CITY WEB SITE: www.honolulu.gov

MUFI HANNEMANN
MAYOR

RECEIVED



DAVID K. TANOUE
DIRECTOR

ROBERT M. SUMITOMO
DEPUTY DIRECTOR

May 4, 2009

The Honorable Nestor Garcia, Chair
and Members of the Budget Committee
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

RECEIVED
2009 MAY -6 P 1:30
CITY COUNCIL
HONOLULU, HAWAII

Dear Chair Garcia and Councilmembers:

SUBJECT: Budget Communication 10
Department of Planning and Permitting Questions

This is in response to the questions in Budget Communication No.10 that were directed to the Department of Planning and Permitting.

Question 5: a): Please provide greater details on the department's proposed use of an Affordable Housing Consultant.

Answer: The consultant will be working on technical aspects of the current Unilateral Agreement Affordable Housing Rules.

The department does not have adequate and available staffing adept at financial/economic analyses, particularly with respect to the viability of certain affordable housing requirements for typical new housing projects. The consultant will have to have working knowledge of the dynamics of housing sales and marketing, and the cost of developing housing in general, as well as the public policy to provide affordable housing. In particular, the consultant will examine all in-lieu options to the current 30% affordable housing, such as cash, land, off-site housing; sales versus rental housing. The consultant will study how "enhancement" credits should be awarded, if at all. On a timely basis, the consultant will deliver recommendations on revisions to the in-lieu options that reflect a balance between flexibility, predictability, and ease of administration.

Question 5: b) Please provide greater details on the department's proposed use of Transit Oriented Development consultant(s).

Answer: The TOD consultant services will be used to complete neighborhood TOD plans. In addition, work needs to be done to translate the TOD plan recommendations into zoning regulations and any financial incentives. For example, the Waipahu TOD draft plan recommends smaller block sizes and new parks around the Leoku (West Loch) transit station. Without significant funding sources, alternative incentives and strategies need to be developed to develop these community benefits.

Question 5: c) Please provide an estimate on the potential budgetary and operational impacts on the department should Bills 6 and 8 from 2008 relating to TVUs and B&Bs be approved by Council.

Answer:

Bill 6:

1. The cost of additional staffing to process an undetermined number of Conditional Use Permits. (Estimate: Two Planner Positions - \$105,000)
2. The administrative cost of conducting public hearings and processing the applications. (Estimate: \$1,500 each)
3. The cost of conducting a ZBA hearing when a CUP application is denied. (The filing fee of \$200 does not off-set the administrative cost of conducting the hearing). (Estimate: \$1,500 each)

Bill 8:

1. We would use current staffing to conduct internet research to identify vacation rental advertisements that are not in compliance with the provisions of Bill 8 (i.e., TVU number and site address) and to determine the actual location for those advertisements that do not list an address. (Estimate: \$0)
2. We would also use current staffing to conduct increased enforcement monitoring and issuance of citations. (Estimate: - \$0)
3. The legal cost of conducting ZBA hearings when the violators appeal. (The filing fee of \$200 does not off-set the administrative cost of conducting the hearing). (Estimate: \$1,500 each)

The Honorable Nestor Garcia
May 4, 2009
Page 3

Question 5: d) Please provide a complete catalog of fees charged by the department and an evaluation as to whether the fee charged covers the entire cost of providing the service or a percentage thereof.

Answer: See attached listing of departmental fees (Update of User Fees and Charges Report, Department of Budget and Fiscal Services, February 2009).

All the fees currently charged covers only a small percentage of the total cost to provide the service.

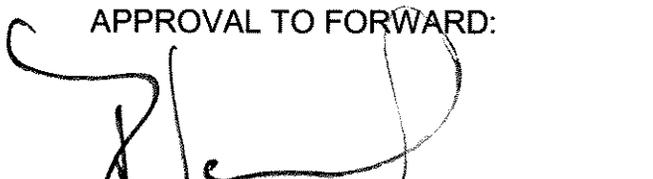
Sincerely,



David K. Tanoue
Director of Planning and Permitting

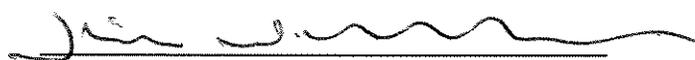
Attachment

APPROVAL TO FORWARD:



Rix Maurer III, Director
Budget and Fiscal Services

APPROVED:



Kirk W. Caldwell
Managing Director

DEPARTMENT OF PLANNING AND PERMITTING			
Regis-Third Party Reviewer	ROH 16-1.1, 16-1.2 (1704.1); Administrative Rules	\$300 per registration	
Building	ROH 18-6.2, TABLE 18-A	VARIABLES	Appendix 20
Storm Drain Connection Fees	ROH 14-12.12	\$100 non-refundable license fee	
Signs	ROH 6-41.1(a)(14)	Varies \$18-\$70	
Grading, Excavation and Fill	ROH 14-14.4	Varies, dependent on volume or area	Appendix 21
Fines – Violations of Grading Ordinance and Engineering Rules	ROH 14-16.4	Civil Fine up to \$1,000/day	
Excavation and Repair of Streets	ROH 14-17.1	VARIABLES	Appendix 22
Service Fees for Dishonored Checks	ROH 2-4.2(b)	Established by Director of Finance - \$20 per BFS Policy 18.1	
Subdivision Fees	ROH 22-1.1	\$250 per application + \$50 for each lot on the preliminary map and any amendment	
Zoning Regulation Application	ROH 6-41.1, 23-1.12 & 25-5.1	VARIABLES	Appendix 23
Nonconforming Use Certificate	ROH 6-41.1(16)	\$400	
Plan Review Fee	ROH 18-6.1	50% of Building permit fee, not to exceed \$2,500	
Exam Fees for Special Inspectors	ROH 16-1.1, 16-1.2 (1704.1); Administrative Rules	\$25 per examination	
Registration Fees for Special Inspectors	ROH 16-1.1, 16-1.2 (1704.1); Administrative Rules	\$10 per registration	
Zoning/Flood Clearance Fee	ROH 6-41.1(a)(20)	\$50 per request or tax map key	
Sidewalk Specs File Fee	ROH 14-18.8(c)	\$100 per application	
Driveway Specs File Fee	ROH 14-18-10(f)	\$100 per application	
Charges for Publications	ROH 6-11.2	Charges based on cost	
Electrical Inspection	ROH 17-4.2	VARIABLES	Appendix 24
Filing Fee - Building Code Variance	ROH 16-1.1, 16-1.2; Administrative Rules	\$100; \$4.00 for each additional building and \$40.00 for each additional item	
Fines - Violation of Building/Electrical Code	ROH 17-3.6	Civil & Criminal Fines include up to \$1,000/day fine and/or one year in jail.	
General Plan Amendment Application Fee	ROH 6-40.2(a)	\$600.00	
Development Plan Amendment Applications for Text, Land Use Map or Public Facilities Map Amendments (Amendment of plans approved prior to 1996)	ROH 6-40.2(a)	\$500.00 per amendment	
Development Plan Amendment Applications for Text or Map (Amendment of plans adopted after 1996)	ROH 6-40.2(b)	\$600.00 per amendment	

APPENDIX 20 – BUILDING PERMITS

ROH CHAPTER 18

Fees for Permits – Table 18-A

The fees for the issuance of building permits shall be computed in accordance with the following schedule:

TOTAL ESTIMATED VALUATION OF WORK	FEE TO BE CHARGED
From \$.01 to \$500.00	\$18.00
From \$500.01 to \$1,000.00	\$6.00 + \$2.50 per \$100.00 or fraction thereof of the total estimated valuation of work
From \$1,000.01 to \$20,000.00	\$11.00 + \$2.00 per \$100.00 or fraction thereof of the total estimated valuation of work
From \$20,000.01 to \$50,000.00	\$60.00 + \$17.00 per \$1,000.00 or fraction thereof of the total estimated valuation of work
From \$50,000.01 to \$100,000.00	\$260.00 + \$13.00 per \$1,000.00 or fraction thereof of the total estimated valuation of work
From \$100,000.01 to \$500,000.00	\$660.00 + \$9.00 per \$1,000.00 or fraction thereof of the total estimated valuation of work
From \$500,000.01 to \$2,000,000.00	\$2,915.00 + \$4.50 per \$1,000.00 or fraction thereof of the total estimated valuation of work
From \$2,000,000.01 and above	\$3,915.00 + \$4.00 per \$1,000.00 or fraction thereof of the total estimated valuation of work

Other Fees: Inspection fees outside of normal business hours shall be in accordance with Chapter 41, Article 20.

(Table 18-A, R.O. 1978 (1983 Ed.); Am. Ord. 92-74, 93-59, 95-28, 99-30, 03-12)

APPENDIX 21 – GRADING, GRUBBING & STOCKPILING FEE

ROH Sec. 14-14.4 Permit fees.

- (a) Prior to issuance of a grading permit, a permit fee for grading on the same site based on the volume of excavation or fill measured in place, whichever is greater, shall be collected according to the following schedule:

Volume of Material	Permit Fee
1,000 cubic yards or less	\$45.00 for each 100 cubic yards or fraction thereof
1,001 - 10,000 cubic yards	\$450.00 for the first 1,000 cubic yards plus \$45.00 for each additional 1,000 cubic yards or fraction thereof
10,001 cubic yards or more	\$855.00 for the first 10,000 cubic yards plus \$27.00 per 1,000 cubic yards or fraction thereof

The fee for a permit authorizing work additional to that under a valid permit shall be the difference between the fee paid for the original permit and the fee computed for the entire project.

- (b) Prior to issuance of a grubbing permit, a permit fee of \$90.00 for grubbing areas up to 15,000 square feet plus \$9.00 for each additional 1,000 square feet or fraction thereof shall be collected.
- (c) Prior to issuance of a stockpiling permit, a permit fee of \$45.00 for stockpiling in excess of the first 100 cubic yards plus \$9.00 for each additional 1,000 cubic yards or fraction thereof shall be collected.
- (d) When grading, grubbing or stockpiling is performed by or on behalf of the city, state or federal government, the chief engineer shall waive the collection of any permit fee required in subsections (a), (b) and (c) of this section.
- (e) When a business is certified as a qualified business pursuant to Section 35-1.3, the chief engineer shall waive the collection of any permit fee required in subsections (a), (b) and (c) of this section for the qualified business for a period of three years.
- (f) All permit fees shall be deposited into the highway fund.

(Sec. 23-2.4, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 96-34, 98-54, 03-12)

APPENDIX 22 – EXCAVATION & REPAIRS OF STREETS & SIDEWALKS

ROH Sec 14-17.1(c)(3)(A)-Permit

The permit fee shall not be refundable even if the applicant, after issuance of the permit, decides not to proceed with the construction.

Work	Permit Fee
Service connection	\$13.50
Repairs to utilities	\$13.50
Trench for installation of pipelines, underground cables, etc. for the first 20 lineal feet, plus \$4.50 for each additional 10 lineal feet or any fraction thereof.....	\$45.00

APPENDIX 23 – ZONING REGULATION APPLICATION

ROH Sec. 6-41.1 - Fee schedule for Land Use Ordinance – Applications and Variances.

- (a) The fees set forth in the following schedule for applications under Chapter 21 and for variance therefrom shall be paid upon application:

Type of Application	Fee
(1) Zone change	\$600.00, plus \$225.00 per acre or major fraction, up to a maximum of \$12,000.00
(2) Cluster housing	\$600.00, plus \$300.00 per acre or major fraction, up to a maximum of \$10,000.00
(3) Conditional use permit (major)	\$600.00, plus \$300.00 per acre or major fraction, up to a maximum of \$10,000.00
(4) Major project in special districts and downtown building heights in excess of 350 feet	\$600.00, plus \$300.00 per acre or major fraction, up to a maximum of \$10,000.00
(5) Plan review use	\$600.00, plus \$300.00 per acre or major fraction, up to a maximum of \$10,000.00
(6) Planned development housing	\$600.00, plus \$300.00 per acre or major fraction, up to a maximum of \$10,000.00
(7) Special districts: establishment of, or amendment to	\$600.00, plus \$300.00 per acre or major fraction, up to a maximum of \$10,000.00
(8) Conditional use permit (minor)	\$300.00
(9) Existing use	\$300.00, plus \$150.00 per acre or major fraction, up to a maximum of \$10,000.00
(10) Exempt project in special districts	No permit fee required
(11) Minor project in special districts	\$100.00
(12) Waiver	\$300.00
(13) Zoning adjustment	\$300.00
(14) Signs—estimated value of work	
(A) \$.01 to \$500.00	\$18.00
(B) \$500.01 to \$1,000.00	\$35.00
(C) \$1,000.01 and above	\$70.00
(15) Zoning variance	\$600.00
(16) Nonconforming use certificate renewal	\$400.00

APPENDIX 23 – Zoning Regulation Application (continued)

(17)	Minor modifications	
	(A) To approved cluster housing permit; conditional use permit (major); plan review use; planned development-housing permit	\$300.00 \$150.00
	(B) To conditional use permit (minor); existing use; waiver and zoning adjustment	
(18)	Site development plan	\$300.00
(19)	Planned Development-Commercial and Planned Development-Resort	\$15,000.00
(20)	Written zoning clearance or confirmation and flood hazard district interpretation	\$50.00 per request or for each tax map key when multiple parcels are involved
(21)	Temporary use approval	\$100.00
(22)	Exclusive agriculture site approval	\$300.00
(23)	Flood variance	\$300.00
(24)	Zoning district boundary adjustment	\$100.00
(25)	Appeals to zoning board of appeals and contested case hearings	\$200.00

- (b) Application fees are not refundable, notwithstanding provisions in the Revised Ordinances of Honolulu, as amended, to the contrary, except when the director of planning and permitting determines that a Land Use Ordinance application or variance is not required in order to proceed with the development proposed.
- (c) When the city council initiates, by resolution, a zone change application on behalf of a private landowner, the owner shall be required to pay the applicable zone change application fee.
- (d) When an application under Chapter 21 or for a variance therefrom is sought subsequent to the applicant's being cited for taking action without having obtained necessary approvals, the application fee set forth in subsection (a) shall be doubled.
- (e) The payment of the fee required by this section shall not relieve the applicant from compliance with Chapter 21 or from imposed penalties.

(Sec. 5-48.1, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 94-36, 99-31, 03-12)

APPENDIX 23 – Zoning Regulation Application (continued)

Shoreline Setback –

ROH Sec. 23-1.12 - Variance application fee.

- (a) The application fee for a variance under this chapter shall be \$600.00 for a non-seawall and \$1,000.00 for a seawall variance and shall not be refundable; provided that the fee shall be waived for public agency projects.
- (b) When a variance application is submitted subsequent to the applicant's having completed the activity or structure for which the variance is sought or having been cited for the activity or construction without having obtained a variance, the application fee shall be \$1,200.00 for a non-seawall structure and \$2,000.00 for a seawall structure respectively.

(Added by Ord. 92-34; Am. Ord. 03-12)

Special Management Area –

ROH Sec. 25-5.1 - Required materials.

- (a) When a proposed development requires a special management area minor permit, an applicant for development within the special management area shall be responsible for submitting the following to the agency:
 - (1) A completed application form (to be obtained from the agency);
 - (2) A tax map key identification of the property on which the applicant proposes development;
 - (3) A plot plan of the property, drawn to scale;
 - (4) A written description of the proposed development, a statement of the objectives of the development, and an estimate of the valuation of the development;
 - (5) A shoreline survey if the parcel abuts the shoreline, unless the proposed development is located inland of the waiver line established as provided in rules adopted by the director pursuant to HRS Chapter 91;
 - (6) Any other relevant plans or information pertinent to the analysis of the development required by the agency; and
 - (7) An application fee according to the schedule set forth in subsection (c).
- (b) When a proposed development requires a special management area use permit, an applicant for development within the special management area shall be responsible for submitting the following to the agency:
 - (1) A completed application form (to be obtained from the agency);
 - (2) The items set forth in subsections (a)(2) through -(7);
 - (3) A written description of the affected environment which addresses the development's technical and environmental characteristics;
 - (4) Additional information that may be needed by the agency for determining the impacts of the proposed development on special wetland areas; and
 - (5) (A) If the director allows concurrent processing of the assessment required by Section 25-3.3(c)(1) and the application for the permit, a copy of either a draft environmental assessment or a draft environmental impact statement preparation notice.

APPENDIX 23 – Zoning Regulation Application (continued)

- (B) If the director does not allow concurrent processing of the assessment required by Section 25-3.3(c)(1) and the application for the permit, a copy of either the final environmental assessment for which a finding of no significant impact has been issued, or a completed and accepted EIS.
- (c) The application fee required by this section shall be as set forth in the following schedule. Application fees are not refundable and shall be waived for public agency projects.
 - (1) Special management area use permit application for agriculture, aquaculture or outdoor recreation developments - \$300.00
 - (2) Special management area use permit application for all other Developments - \$600.00 plus an additional \$300.00 per acre or major fraction thereof, up to a maximum of \$10,000.00
 - (3) When a minor permit application is submitted for processing, the application fee shall be \$100.00.
 - (4) When a special management area use permit or minor permit application is submitted subsequent to the applicant's being cited for undertaking development without having obtained the necessary permit, the application fee set forth above shall be doubled.

(Sec. 33-5.1, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 99-31, 00-11, 03-12)

APPENDIX 24 – ELECTRICAL INSPECTION

ROH Sec. 17-4.2 Charge for extra inspection.

- (a) **Extra Inspections.** If, after notice to a permit holder, more than one inspection is necessary to ensure that deficient or defective electrical work under the permit has been corrected, the holder of the permit shall pay the director of budget and fiscal services \$27.00 for each additional inspection.
- (b) **Miscellaneous Inspections.** For the inspection of any electrical installation not covered by a fee specified in this code, the person requesting the inspection shall pay the director of budget and fiscal services \$27.00 for each hour or portion thereof that is required to make the inspection and travel to and from the installation.
- (c) **Inspections Outside of Normal Business Hours.** For a requested inspection of an electrical installation under a permit outside of normal business hours, the holder of the permit shall be charged at an hourly rate set by the city's department of budget and fiscal services' policies and procedures for a minimum of three hours. Eligibility for such inspection shall be as determined by the building official based upon the nature of the inspection requested and the availability of personnel to perform the inspection.

(Sec. 17-4.2, R.O. 1978 (1983 Ed.); Am. Ord. 95-29, 99-59)