

**CRITERIA FOR MODIFICATION OF  
DEVELOPMENT PROVISIONS**

Makai Area

- A. As part of the development permit review process, the Authority may modify plan and rule requirements for developments provided a public hearing is held. Pursuant to Section 15-23-87, modifications may be granted only to the following:
1. Building envelope requirements
  2. Yards
  3. Loading space
  4. Parking
  5. Tower footprint
  6. Open space, as follows:
    - a. Obstructions overhead that enhance utilization and activity within open spaces or do not adversely affect the perception of open space.
    - b. Height from sidewalk elevation of four feet may be exceeded at a maximum height-to-length of 1:12 if superior visual relief from building mass results.
- B. Pursuant to Section 15-23-88, provide a description of the proposed modification, including supporting rationale and analysis relative to the:
1. Manner in which the proposed modification would contribute to a development that is practically and aesthetically superior to that which could otherwise be accomplished via strict enforcement of the applicable rule.
  2. Impact of the proposed modification on adjacent developments or uses.
  3. Extent to which the proposed modification would affect the essential character of the surrounding area and the overall intent and purposes of the Makai Area Plan.
- C. Fees for modifications only:
1. Administrative Fee: \$200
  2. Public Hearing Notice Fee: Contact HCDA
  3. Fees are payable to: Hawaii Community Development Authority
- D. An informal meeting with HCDA staff is recommended prior to the submittal of a formal request for a modification.
- E. Refer to Sections 15-23-87 and 15-23-88 of the Makai Area Rules for additional details.

General Processing Flowchart

**MODIFICATION OF DEVELOPMENT PERMIT**

Mauka & Makai Areas

