



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON ZONING AND PLANNING

Voting Members:

Trevor Ozawa, Chair
Ron Menor, Vice Chair
Carol Fukunaga
Ann H. Kobayashi
Joey Manahan

AGENDA SPECIAL MEETING

DATE: TUESDAY, NOVEMBER 1, 2016
TIME: 5:30 PM
PLACE: FILIPINO COMMUNITY CENTER
94-428 MOKUOLA STREET ([Map](#))
WAIPAHU, HAWAII 96797

SPEAKER REGISTRATION

Persons wishing to testify are requested to register to speak by Tuesday, November 1, 2016, 4:30 p.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3827 your name, phone number and the agenda item;
- c. By filling out the registration form in person; or
- d. By calling 768-3818.

ON-SITE REGISTRATION

On-site registration will begin at 5:00 p.m. and close at 5:30 p.m.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker limited to a **one-minute** presentation.

WRITTEN TESTIMONY – Prior to the Day of the Meeting

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

20 copies are requested if written testimony is submitted on-site.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

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Accommodations are available upon request to persons with disabilities, please call 768-3818 or send an email to gmurayama@honolulu.gov at least three days prior to the meeting date.

The meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publish id=92>; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

FOR ACTION

1. **BILL 74 (2015) – LUO AMENDMENT RELATING TO THE TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT.** Establishing a special district with appropriate land use standards and guidelines for those areas around the Honolulu Rail Transit Project stations. (Bill 74 passed first reading 11/4/15; deferred in Committee 3/3/16) (Current deadline for Council action: 1/11/17)

PROPOSED CD1 TO BILL 74 (2015) (Submitted by Councilmember Anderson) – The CD1 (OCS2016-0208/2/26/2016 12:44 PM) makes the following amendments:

- A. Corrects proposed new Figure 21-1 "Permit Application Processing Time" by showing that the Council has 60 days to review Plan Review Use proposals.
- B. Amends the proposed new language in subsection 21-9.20-2(c) to clarify that projects less than one acre in size or that meet the development standards found in Section 21-9.100-8 are Exempt Projects.
- C. Amends the definition of "Active ground floor activities" in subsection 21-9.100(c) to include "offices" and "financial institutions".
- D. Amends the definition of "TOD special district" in subsection 21-9.10(c) and adds a new Bill Section 11 that designates the TOD special district boundaries.
- E. Amends proposed new subsection 21-9.100-7(a) to specify that the corner lot requirements apply to key-street facing façades.
- F. Amends proposed new subsection 21-9.100-8(a)(1)(A) to clarify that the maximum FAR shall be as prescribed by the underlying zoning district, unless modified through a special district permit or PD-T permit.
- G. Deletes proposed new sections 21-9.100-8(a)(3)(E)(iii) and 21-9.100-8(a)(6)(E).

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- H. Amends proposed new Table 21-9.8 by correcting the reference to height and density limits for "Modifications to height and/or FAR", and specifying that a Major permit or PD-T permit is required for projects seeking densities or heights beyond base limits.
- I. Makes miscellaneous technical and nonsubstantive amendments.

PROPOSED CD1 TO BILL 74 (2015) (Submitted by Councilmember Elefante) –
The CD1 (OCS2016-0946/10/7/2016 12:49 PM) makes the following amendments:

- A. Corrects proposed new Figure 21-2.1 "Permit Application Processing Time" by showing that the Council has 60 days to review Plan Review Use proposals.
- B. Amends the proposed new Section 21-9.20-2(c) to clarify that projects less than one acre in size or that meet the development standards found in Section 21-9.100-8 are Exempt Projects.
- C. Amends proposed new Sections 21-9.20-2(c), 21-9.100-7(d), 21-9.100-11, and Table 21-9.8 ("TOD Special District Project Classification") to require that projects proposing more than 10 residential dwelling or lodging units, or both, must obtain a special district permit.
- D. Amends the proposed new definition of "Active ground floor activities" in Section 21-9.100(c) to include "offices" and "financial institutions".
- E. Amends the proposed new definition of "TOD special district" in Section 21-9.100(c) and adds a new Bill SECTION 11 that designates the TOD special district boundaries.
- F. Amends proposed new Section 21-9.100-7(a) to specify that the corner lot requirements apply to key-street facing façades.
- G. Amends proposed new Section 21-9.100-8(a)(1)(A) to clarify that the maximum FAR will be as prescribed by the underlying zoning district, unless modified through a special district permit or PD-T permit.
- H. Amends proposed new Section 21-9.100-8(a)(1)(D) to provide that projects seeking a bonus height of 20 feet or more require a PD-T permit.

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- I. Amends proposed new Section 21-9.100-8(a)(1)(E)(iii) to add language clarifying that where the project proposes more than 10 residential dwelling or lodging units, or both, the affordable or rental units must be in addition to the base affordable housing requirements.
- J. Deletes proposed new Sections 21-9.100-8(a)(3)(E)(iii) and 21-9.100-8(a)(6)(E).
- K. In proposed new Section 21-9.100-8(a)(3)(I), replaces "subsection" with "subdivision."
- L. Amends proposed new Section 21-9.100-8(b)(1) to establish a TOD affordable housing requirement as follows:
 - All projects proposing more than 10 residential dwelling or lodging units, or both, must provide affordable housing units in an amount equal to at least 30 percent of the total residential units in the project. "Affordable housing" means housing that is affordable to households with incomes not exceeding 120 percent of the area median income for Honolulu. Of the total number of affordable housing units, no less than two-thirds must be affordable to households with incomes not exceeding 100 percent of the area median income, and no less than one-third must be affordable to households with incomes not exceeding 80 percent of the area median income. The units must remain affordable for at least 30 years.
 - The affordable housing units must be provided on the project site or within one-half mile of the identified Honolulu Rail Transit Project transit station nearest to the project. No other delivery options are allowed, including but not limited to a cash contribution ("in-lieu fee").
 - All affordable units must be delivered prior to the issuance of the certificate of occupancy for the project. For multi-phase projects, the affordable units attributable to each phase must be delivered prior to the issuance of the certificate of occupancy for that phase.
 - The director may adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement the affordable housing requirement.

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- M. Amends proposed new Section 21-9.100-9(a) to clarify that the application requirements apply where a TOD special district permit is sought to modify development standards pursuant to Sections 21-9.100-7 and 21-9.100.
- N. Amends proposed new Section 21-9.100-9(b) to clarify that the subsection applies where a TOD special district permit is sought because the lot is an acre or more in size, or when height or density bonuses are sought.
- O. Amends proposed new Section 21-9.100-9 to add a new subsection (d), which provides that where a special district permit is sought to allow the development of more than 10 residential dwelling or lodging units, or both, the application must show how the base affordable housing requirement is being satisfied. Re-alphabetizes the subsequent subsection.
- P. In re-alphabetized proposed new Section 21-9.100-9(e)(2), clarifies that where affordable housing is provided as a community benefit for a TOD special district permit, it must be in addition to the base affordable housing requirement.
- Q. Amends proposed new Section 21-9.100-10(b)(1) to also include a reference to Section 21-9.100-8(a)(1)(E) (in addition to the reference to Section 21-9.100-9(b)).
- R. Amends proposed new Section 21-9.100-10(c) to add a new subdivision (4), which provides that the base affordable housing requirement must be satisfied, and clarifies that where affordable housing is provided as a community benefit for a TOD special district permit, it must be in addition to the base affordable housing requirement.
- S. Amends proposed new Section 21-9.100-10(d) by adding a new subdivision (11), which requires that if applicable, PD-T applications include a discussion of how the proposed project will satisfy the base affordable housing requirement. Renumbers the subsequent subdivision.
- T. Amends proposed new Section 21-9.100-10(f) to provide that if applicable, PD-T conceptual plans must show how the base affordable housing requirement will be satisfied.
- U. Amends proposed new Section 21-9.100-10(g)(2) to clarify that modification to use regulations would be to allow up to 10 dwelling units in the IMX-1 district.

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- V. Amends proposed new Table 21-9.8 ("TOD Special District Project Classification") to clarify that projects seeking a maximum FAR of up to 3.5 are major; projects seeking a bonus height that is less than 20 feet are major; and all other projects seeking densities or heights beyond the base limits specified in Sections 21-9.100-8(a)(1)(A) and 21-9.100-8(a)(1)(D) are PD-T.
- W. Makes miscellaneous technical and non-substantive amendments.

Related communication:

CC-255 Councilmember Brandon Elefante, submitting a proposed CD1 to Bill 74 (2015).

- 2. **BILL 75 (2015) – LUO AMENDMENT RELATING TO MISCELLANEOUS LAND USE ORDINANCE AMENDMENTS.** Clarifying development standards for structures with integrated commercial and dwelling uses; to revise development standards for height and street setbacks in the business, business mixed use, and industrial mixed use districts; and to establish appropriate standards for bicycle parking. (Bill 75 passed first reading 11/4/15; deferred in Committee 3/3/16) (Current deadline for Council action: 1/11/17)

PROPOSED CD1 TO BILL 75 (2015) (Submitted by Councilmember Ozawa) – The CD1 (OCS2016-0888/9/13/2016 9:25 AM) makes the following amendments:

- A. Adds a new Bill Section 7 to revise Figure 21-3.5, which depicts transitional heights in the business, BMX, IMX and all industrial districts, to add references to the resort district, where applicable; and renumbers subsequent bill section accordingly.
- B. In renumbered Bill Section 12:
 - 1. Moves the definitions of long-term bicycle parking” and “short-term bicycle parking” from proposed new ROH Section 21-6.150(a) to LUO Article 10 (“Definitions”) (see renumbered Bill Section 13). A substantive provision in the definition of “short-term bicycle parking” is removed from the definition and inserted in the proposed new ROH Section 21-6.150(b.). Re-designates the subsequent subsection in Section 21-6.150 accordingly.

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2. In re-designated Section 21-6.150(a), revises the short-term bicycle parking requirements for non-residential uses to one space for every 2,000 square feet of floor area or portion thereof, or one space for every ten vehicle spaces or portion thereof, whichever is greater; and revises the long-term bicycle parking requirement for non-residential uses to one space for every 12,000 square feet of floor area or portion thereof, or one space for every 30 vehicle spaces or portion thereof, whichever is greater.
 3. In re-designated Section 21-6.150(a), revises the short-term bicycle parking requirements for residential uses to one space for up to 10 units, and thereafter one space for every 10 units or portion thereof. Also provides an exception from bicycle parking requirements for detached single-family and two-family dwellings and for duplex dwellings.
 4. In re-designated Section 21-6.150(b), adds a provision that Section 21-4.110(e) regarding nonconforming parking and loading does not apply to short- and long-term bicycle parking.
- C. Corrects drafting and format errors, and makes various technical amendments for purposes of grammar, clarity, and style.
3. **BILL 76 (2015) – WAIPAHU ZONE CHANGE (2014/GEN-5)**. Amending Zoning Map No. 8 (Waipahu), Ordinance 86-110, by rezoning land situated near the Farrington Highway and Mokuola Street intersection (Waipahu Transit Center rail station area) and Farrington Highway and Leoku Street intersection (West Loch rail station area in Waipahu, Oahu, Hawaii, from R-5 Residential, R-7.5 Residential, A-2 Medium-density Apartment, B-1 Neighborhood Business, B-2 Community Business, and I-2 Intensive Industrial districts to the AMX-2 Medium-density apartment Mixed Use, BMX-3 Community Business Mixed Use, IMX-1 Industrial-commercial Mixed Use, and P-2 General Preservation Districts. (Bill 76 passed first reading 11/4/15; deferred in Committee 3/3/16) (Current deadline for Council action: 1/11/2017)

PROPOSED CD1 TO BILL 76 (2015) (Submitted by Councilmember Anderson) – The CD1 (OCS2016-0470/5/10/2016 2:23 PM) makes the following amendments:

- A. Adds a new SECTION 2 to the Bill, which provides that existing unilateral agreements applicable to areas within the zone change districts as shown on the maps attached to the Bill as Exhibit A and Exhibit B, remain in full force and effect.

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- B. Amends the Exhibit B Zoning Map No. 8 (West Loch Station) to reflect that the parcels identified as TMK Nos. 9-4-039: 094 and 095, located at 94-141 and 94-145 Pupupuhi Street, are being rezoned from A-2 with a 60' height limit, to BMX-3 with a 60' height limit (instead of AMX-2 with a 60' height limit).
- C. Makes miscellaneous technical and non-substantive amendments.

Related communication:

- D-606 Department of Planning and Permitting, transmitting proposed amendments to Bill 76 (2015).

TREVOR OZAWA, Chair
Committee on Zoning and Planning