



Frequently Asked Questions TOD Zoning and Land Use Regulations

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Department of Planning and Permitting

While the rail project has been grabbing the spotlight, the City's community planning for development along the transit route has been proceeding for over ten years. Transit-oriented development (TOD) typically refers to housing, jobs, and services within easy walking distance of a transit station that takes advantage of the convenience and affordability of transit. The City has prepared TOD plans for each community along the rail line. Following the City Council's adoption of each TOD plan, the Department of Planning and Permitting (DPP) is responsible for creating land use and zoning regulations that help to implement each neighborhood's development and urban design recommendations.

In addition to mixed-use zoning, the TOD Special District, created by Ordinance 17-54, will be applied to lands near the rail stations along the entire corridor to promote TOD. These components are intended to encourage compact, mixed-use development, incentivize streetscape and open space improvements, and improve access for pedestrians and bicyclists to get to rail and bus stations. Property owners impacted by the proposed changes will receive a notice by mail and an invitation to attend a community meeting to learn more and submit comments.

What is a “zone change”?

Zoning specifies how property can be used and developed, including what uses are allowed (apartments, stores, offices, etc.) and how tall and bulky buildings can be. A zone change amends these rules by changing the original ordinance adopted by the City Council that established the City's zoning map. The procedures under which zone changes are processed are described in the Revised Ordinances of Honolulu (ROH), Section 2-24.3. Chapter 21 of the ROH, also known as the Land Use Ordinance (LUO), describes the various zoning districts, what uses are permitted in each district, dimensional regulations, and design standards.

What is the current and proposed zoning of my property?

Maps of the current and proposed zoning for all properties being rezoned around the rail stations can be found at <http://bit.do/honolulu-tod-zoning> (case sensitive) under TOD Zoning & Land Use Regulations.

How will I know if my property is being rezoned?

You can look at the website identified above. The DPP is also mailing a notice to affected property owners with details of their zone change, inviting them to attend a community meeting in or near their neighborhood.

What is a “special district”?

The purpose of a special district is to protect, enhance, or develop particular physical and visual aspects of an area for the benefit of the community as a whole. A special district supplements or modifies underlying zoning regulations (e.g., the historic Chinatown and Waikiki special district regulations). More information about special districts can be found in the LUO, Section 21-9.20.

Why is rezoning and the creation of a special district necessary?

The DPP is required to establish a TOD special district and zoning regulations for areas around each transit station, in accordance with Ordinance 09-4, to implement TOD. In addition to supporting transit access and ridership, TOD can help rejuvenate neighborhoods along the rail corridor. The regulatory changes are based on the Neighborhood TOD Plans, which are created through extensive community input. TOD regulations are intended to encourage the kind of

compact, walkable, mixed-use development that will create more choices for where and how we live, work, and travel. The proposed changes are the result of many community meetings and research regarding community values and future opportunities. To learn more about TOD, please visit www.honolulu.gov/tod.

What are the key features of the proposed regulations?

- Mixed-Use Zoning Districts – Property owners can use their land and buildings for a greater variety of purposes. For example, a property that is being rezoned from B-2 (Community Business) to BMX-3 (Community Business Mixed Use) will now be able to support residential uses, in addition to business uses.
- Building Siting and Design Standards – New buildings will need to be located toward the front of the property and have features like ample windows and entrances, which create a pleasant pedestrian experience, a dynamic business environment, and attract customers to storefronts.
- Parking – Existing minimum vehicle parking requirements are reduced, and bicycle parking is required. This will allow property owners to build more efficiently, and it will encourage the use of bicycling in the station areas. We expect rail and other alternative transportation options (e.g., bicycles and car sharing) to reduce the need for vehicle parking spaces.
- Community Benefits – In areas near the stations, property owners may be able to achieve building heights and densities above the base limit in exchange for the provision of affordable housing, parks (or park improvements), and/or streetscape improvements.

How will the zone changes and special district affect property values and taxes?

Your property tax bill is based on your annual assessed valuation, tax rate classification, and the current tax rate. Living near a transit station may make your property and neighborhood more attractive, resulting in an increase in property value. If property values increase in your community, your property taxes will increase, even if tax rates stay the same. Rezoning to a higher density, mixed-used zoning may increase the development potential and value of your property, as well as cause a change to its tax-rate classification.

Owners of residential and apartment properties that are rezoned to business mixed use, such as BMX-3, and who continue to use them exclusively for residential purposes, may apply for a Residential Use Dedication. If approved, the property will continue to be assessed and classified as residential and taxed at the Residential or Residential A tax rate, both of which are lower than the Commercial tax rate. Owners must be aware that there are consequences of violating the dedication requirements, which would result in back taxes and penalties. Please contact the Department of Budget and Fiscal Services Real Property Assessment Division at 768-3799 for more information.

What can I do if I don't want my property rezoned?

You can contact the DPP TOD Division at 768-8012. You may also submit testimony to the DPP, Planning Commission, and/or City Council when the proposal is being discussed. Notices of public hearings will be advertised in the Honolulu Star-Advertiser when they are scheduled.

What is the timeline for adopting the zoning and land use regulations?

All property owners affected by new zoning and land use regulations will be notified and invited to a public meeting to discuss the draft proposal. Once complete, the DPP will submit its recommendation to the Planning Commission, followed by the City Council for final review and adoption. Additional zone changes in other TOD areas will be proposed following adoption of their Neighborhood TOD Plan by the City Council.