



RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), AS AMENDED, RELATING TO DANCE AND MUSIC SCHOOLS.

WHEREAS, pursuant to the city's land use ordinance, dance and music schools are a permitted use in the B-1 Neighborhood Business, B-2 Community Business, BMX-3 Community Business Mixed Use, BMX-4 Central Business Mixed Use, and IMX-1 Industrial-Commercial Mixed Use zoning districts and a permitted use subject to certain standards in the AMX-1 Low-density Apartment Mixed Use, AMX-2 Medium-density Apartment Mixed Use, AMX-3 High-density Apartment Mixed Use, and Resort zoning districts; and

WHEREAS, examples of uses similar to dance and music schools that are permitted in the I-1 Limited Industrial and I-2 Intensive Industrial zoning districts include meeting facilities; vocational, technical, industrial and trade schools; and "amusement and recreation facilities, indoor" which include establishments such as martial arts studios, game rooms, health and fitness establishments, and gymnastic schools; and

WHEREAS, many buildings in the I-1 and I-2 zoning districts are constructed with flexible spaces that can be configured to accommodate the needs of dance and music schools; and

WHEREAS, due to the foregoing, the Council desires to allow dance and music schools as a permitted use in the I-1 Limited Industrial and I-2 Intensive Industrial zoning districts; and

WHEREAS, Section 6-1513 of the Revised Charter of the City and County of Honolulu 1973, as amended ("RCH"), provides that "[a]ny revision of or amendment to the zoning ordinances may be proposed by the council and shall be processed in the same manner as if proposed by the director [of planning and permitting]"; and

WHEREAS, ROH Chapter 2, Article 24, establishes procedures and deadlines for the processing of Council proposals to revise or amend the general plan, the development plans, the zoning ordinances, and the subdivision ordinance, and clarifies the responsibility of the Director of Planning and Permitting to assist the Council in adequately preparing its proposals for processing; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting and the Planning Commission are directed, pursuant to Section 6-1513 of the Revised Charter of the City and County of Honolulu 1973, as amended, and ROH Chapter 2, Article 24, to process the proposed



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amendment to Chapter 21, ROH 1990 (the Land Use Ordinance), attached hereto as Exhibit "A," in the same manner as if the proposal had been proposed by the Director; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and

BE IT FINALLY RESOLVED that, pursuant to ROH Chapter 2, Article 24, the Clerk shall transmit copies of this Resolution and the Exhibit attached hereto to the Director of Planning and Permitting and the Planning Commission of the City and County of Honolulu, and shall advise them in writing of the date by which the Director's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

Breene Hunt

DATE OF INTRODUCTION:

OCT 11 2013

Honolulu, Hawaii

Councilmembers

EXHIBIT A



A BILL FOR AN ORDINANCE

RELATING TO DANCE AND MUSIC SCHOOLS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to amend the provisions of the Land Use Ordinance, ROH Chapter 21, relating to dance and music schools.

SECTION 2. Chapter 21, Table 21-3 ("Master Use Table"), Revised Ordinances of Honolulu 1990, as amended, is amended by amending the "Dance or music schools" use in the Commerce and Business category to read as follows:

**"TABLE 21-3
MASTER USE TABLE**

In the event of any conflict between the text of this Chapter and the following table, the text of the Chapter shall control. The following table is not intended to cover the Waikiki Special District; please refer to Table 21-9.6(A).

- KEY:** Ac = Special accessory use subject to standards in Article 5
 Cm = Conditional Use Permit-minor subject to standards in Article 5; no public hearing required (see Article 2 for exceptions)
 C = Conditional Use Permit-major subject to standards in Article 5; public hearing required
 P = Permitted Use
 P/c = Permitted use subject to standards in Article 5
 PRU = Plan Review Use

ZONING DISTRICTS																						
USES (Note: Certain uses are defined in Article 10.)	P-2	AG-1	AG-2	Country	R-20, R-10	R-7.5, R-5, R-3.5	A-1	A-2	A-3	AMX-1	AMX-2	AMX-3	Resort	B-1	B-2	BMX-3	BMX-4	I-1	I-2	I-3	IMX-1	
COMMERCE AND BUSINESS																						
Dance or music schools										P/c ¹	P/c ¹	P/c ¹	P/c	P	P	P	P	P	P	P	P	P ²

SECTION 3. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.



A BILL FOR AN ORDINANCE

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 13-245

Introduced: 10/11/13 By: BREENE HARIMOTO

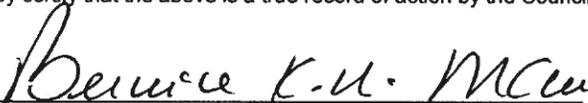
Committee: ZONING AND
PLANNING

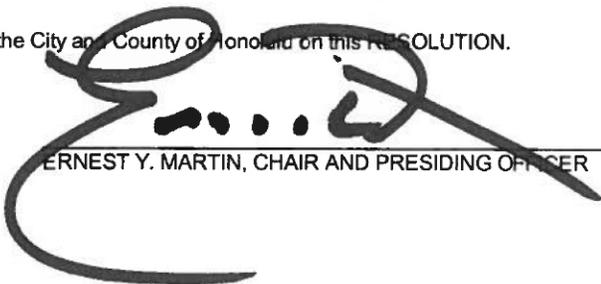
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1990 (THE LAND USE ORDINANCE), AS AMENDED, RELATING TO DANCE AND MUSIC SCHOOLS.

Voting Legend: * = Aye w/Reservations

11/21/13	ZONING AND PLANNING	CR-376 - RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
12/11/13	COUNCIL	CR-376 AND RESOLUTION 13-245 WERE ADOPTED. 9 AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


BERNICE K. N. MAU, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER