



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON ZONING AND PLANNING

---

### Voting Members:

Ikaika Anderson, Chair  
Trevor Ozawa, Vice Chair  
Carol Fukunaga  
Ann H. Kobayashi  
Joey Manahan

---

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
THURSDAY, APRIL 30, 2015  
9:00 AM

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 9:00 a.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.

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

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.

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.

\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3818 or send an email to [gmurayama@honolulu.gov](mailto: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](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 APPROVAL**

MINUTES OF THE APRIL 2, 2015 COMMITTEE ON ZONING AND PLANNING MEETING

**FOR ACTION**

1. **BILL 7 (2015) – AIEA ZONE CHANGE.** Rezoning land situated at Aiea, Oahu, Hawaii from AG-1 Restricted Agricultural district to the R-5 Residential district. TMK: 9-8-060:009. (Applicant: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints) (Transmitted by Communication D-66; Bill 7 passed first reading 2/18/15) (Current deadline for Council action: 8/9/15)

PROPOSED UNILATERAL AGREEMENT – The Proposed U/A (draft dated 4/24/15) to be attached as “Exhibit B” to the Bill after execution and recordation.

2. **RESOLUTION 15-89 – ‘OHANA HALE AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT.** Authorizing exemptions from certain requirements relating to the ‘Ohana Hale affordable and market rate condominium project in McCully, Oahu, Hawaii, Tax Map Key: (1) 2-3-028: 004. (Current deadline for Council action: 5/9/15)

PROPOSED CD1 TO RESOLUTION 15-89 (Submitted by Councilmember Anderson – The CD1 (OCS2015-0346/4/23/2015 3:32 PM) amends the Resolution as follows:

- A. In the BE IT RESOLVED clause, deletes paragraph 4, which reads:

Deferral from ROH Section 14-6.1 and 14-6.4, to allow a deferral of payment of water system connection fees charged by Board of Water Supply, estimated at \$350,000. Fees will be paid when Developer obtains a construction loan.

Renumbers the remaining paragraphs.

- B. In the paragraph covering deferral from ROH Section 14-3.2, to allow a deferral of payment of sewer lateral connection and installation charges, provides an estimate of \$30,000 for the total fees.
- C. In the paragraph covering deferral from ROH Section 14-10.3, to allow a deferral of payment of wastewater system facilities charges, provides an estimate of \$710,000 for the total fees.

- D. In the paragraph covering deferral from Sections 1-102, 2-202(2), and 2-202(3) of the Board of Water Supply Rules and Regulations, to allow deferral of payment of water system facility and installation of water service fees, provides an estimate of \$317,000 for the total fees.
- E. In the paragraph covering exemption from LUO Sec. 21-3.120-2(b) and Table 21-3.4, to allow the P1 parking levels and residential units of the Project to encroach into the required 10-foot rear yard setback and 10-foot side yard setback, provides that the encroachment is approximately 10 feet along the rear and 10 feet along the side of the property.
- F. Makes miscellaneous technical and non-substantive amendments.

Related communication:

M-679 Craig K. Hirai, executive Director, Department of Business, Economic Development & Tourism, Hawaii Housing Finance and Development Corporation, requesting approval for exemption pursuant to Section 201H-38, Hawaii Revised Statutes, for the proposed 'Ohana Hale Condominium Development located in McCully, Oahu, Hawaii.

- 3. **RESOLUTION 15-30 – PROPOSING AN LUO AMENDMENT RELATING TO WIND MACHINES.** Amending the City's Land Use Ordinance to increase the setback required for utility-scale wind machines to minimize their impact on residences, schools, and healthcare centers.

Related communications:

CC-61 Acting City Clerk, notifying the DPP of the introduction of the Council proposal.

D-94 Department of Planning and Permitting, confirming receipt of Resolution 15-30.

- 4. **BILL 6 (2015), CD1, FD1 – PUBLIC SIDEWALKS.** Amending the law relating to sitting or lying on public sidewalks in areas zoned for commercial and business activities. (Bill 6 passed second reading and public hearing held 4/22/15)

5. **BILL 20 (2015) – LUO AMENDMENT RELATING TO ACCESSORY DWELLING UNITS.** Amending the Land Use Ordinance (LUO) to establish accessory dwelling units as a permitted use in all residential zoning districts, to encourage and accommodate the construction of accessory dwelling units, increase the number of affordable rental units and alleviate the housing shortage in the City, and to establish land use standards for those accessory dwelling units. (Transmitted by Communication D-129; Bill 20 passed first reading 3/11/15) (Current deadline for Council action: (6/3/15))

Related communication:

D-179 Department of Planning and Permitting, submitting proposed amendments to Bill 20 (2015).

6. **BILL 21 (2015) – ACCESSORY DWELLING UNITS.** Amending the provisions of the Land use Ordinance, Revised Ordinances of Honolulu 1990, Chapter 21, relating to Ohana dwellings to encourage the creation of affordable housing and to accommodate a variety of housing arrangements. (Transmitted by Communication D-129; Bill 21 passed first reading 3/11/15)

PROPOSED CD1 TO BILL 21 (2015) (Submitted by Councilmember Anderson) – The CD1 (OCS2015-0298/4/10/2015 9:41 AM) makes the following amendments:

- A. Deletes the definition of "ohana dwelling unit" from LUO Article 10 ("Definitions").
- B. Amends the following ROH sections to replace references to "ohana dwellings" with "accessory dwelling units":
- Section 21-8.20A ("Housing — Multiple dwelling units on a single country or residential district zoning lot").
  - Section 21-8.20-1 ("Procedures for approval of ohana dwellings").
  - Section 21-8.30 ("Farm dwellings — Agricultural site development plan").
  - Section 21-2.110-3 ("Designation of ohana-eligible areas").
  - Section 21-2.140-1 ("Specific circumstances").
  - Section 21-4.110 ("Nonconformities").

- Section 22-7.5 ("Land area required for parks and playgrounds").
- Section 8-10.22 ("Exemption — Historic residential real property dedicated for preservation").

C. Makes miscellaneous technical and non-substantive amendments.

7. **BILL 3 (2015) – HONOULIULI ZONE CHANGE.** Rezoning land situated at Ewa, Oahu, Hawaii from AG-1 Restricted Agricultural District to the R-3.5 Residential District, A-2 Medium-Density Apartment District (with 40- and 65-foot height limits), AMX-2 Medium-Density Mixed Use Apartment District (with 40- and 65-foot height limits), B-1 Neighborhood Business District, B-2 Community Business District (with a 60-foot height limit), BMX-3 Community Business Mixed Use District (with a 90-foot height limit), IMX-1 Industrial-Commercial Mixed Use District (with a 60-foot height limit, and P-2 General Preservation District. TMK: 9-1-017:004 (por.), 059 (por.), and 072 (por.); 9-1-018:001 (por.) and 004 (por.) (Applicant: D.R. Horton-Schuler Homes, LLC) (Bill 3 passed second reading and public hearing held 3/11/15; deferred in Committee 4/2/15) (Current deadline for Council action: 6/28/15)

PROPOSED UNILATERAL AGREEMENT – The proposed U/A (draft dated 2/25/15) to be attached as “Exhibit B” to the Bill after execution and recordation.

Related communications:

- CC-119 Councilmember Ron Menor, submitting proposed amendments to the Unilateral Agreement for Bill 3 (2015).
- CC-147 Councilmember Brandon Elefante, submitting proposed amendments to the Unilateral Agreement for Bill 3 (2015).
- CC-156 Councilmember Kymberly Marcos Pine, submitting proposed amendments to the Unilateral Agreement for Bill 3 (2015).
- CC-157 Councilmember Ron Menor, submitting additional proposed amendments to the Unilateral Agreement for Bill 3 (2015).
- CC-158 Councilmember Ikaika Anderson, submitting proposed amendments to the Unilateral Agreement for Bill 3 (2015).

Committee on Zoning and Planning Agenda  
Thursday, April 30, 2015

**INFORMATIONAL BRIEFING**

8. **UPDATE BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND PERMITTING REGARDING THE STATUS OF ALL PENDING LAND USE ORDINANCE (LUO) AMENDMENTS AND DEVELOPMENT PLAN AND SUSTAINABLE COMMUNITIES PLAN REVISION BILLS.**

IKAIKA ANDERSON, Chair  
Committee on Zoning and Planning