



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

MINUTES

**REGULAR MEETING
THURSDAY, MAY 28, 2015**

**COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813**

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Zoning and Planning was called to order by Committee Chair Ikaika Anderson at 9:10 a.m. Voting Members Fukunaga, Kobayashi, Manahan and Ozawa were present at the meeting. Non-voting members, Council Chair Martin and Councilmember Elefante also attended the meeting.

STAFF PRESENT

Gail Myers, Senior Aide to Committee Chair Anderson
Lori Hiraoka, Attorney, Office of Council Services
Dean Minakami, Analyst, Office of Council Services
Richard Lewallen, Deputy Corporation Counsel, Department of the Corporation Counsel,
substituting for the deputy assigned to the Committee
Gail Murayama, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

APPROVAL OF MINUTES

The minutes of the Committee on Zoning and Planning meeting of April 30, 2015 were approved as circulated.

AYES: FUKUNAGA, KOBAYASHI, ANDERSON – 3.
NOES: None.
EXCUSED: MANAHAN, OZAWA – 2.

FOR EXTENSION OF TIME ONLY

Committee Chair Anderson took the requests for extensions of time – Items 1 and 2 – up together.

1. BILL 22 (2015) – COMMITTEE REPORT 224

LUO AMENDMENT RELATING TO REGULATION OF CERTAIN VISITOR ACCOMMODATIONS. Amending the Land Use Ordinance (LUO) to 1) Require advertisements for vacation rentals (transient vacation units and bed and breakfasts) to include certain information that would facilitate the City's efforts to enhance the regulations of vacation rental operations and improve enforcement measures targeting illegal vacation rentals in residential and other districts; 2) Allow exceptions to the conditions of approval for the renewal of the Nonconforming Use Certificates (NUC) where good cause is established; 3) Revise the renewal procedures to allow processing of the renewal application and issuance of the renewal certificate at any time after the renewal notice is issued; 4) Revise the NUC renewal cycle from a two-year cycle to a one-year cycle to minimize the impact of the DPP not being notified of a change of ownership; and 5) Require the NUC applicant to identify an on-island agent if the certificate holder (applicant) does not reside on Oahu.

2. BILL 20 (2015) – COMMITTEE REPORT 223

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.

Administration/Others

George Atta, Director, Department of Planning and Permitting (DPP)

Director Atta testified in support of the extensions of time and requested Council's approval.

The following individual testified in support of the extension of time for Bill 22:

Don Crescimanno

Committee Chair Anderson recommended that both bills be granted a 120-day extension of time.

Bill 22 (2015) granted a 120-day extension of time subject to the receipt of a written request from the DPP. (See Communication D-379)

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Bill 20 (2015) granted a 120-day extension of time subject to the receipt of a written request from the DPP. (See Communication D-378)

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Related communications:

D-130 Department of Planning and Permitting, transmitting draft bill.
D-378 Department of Planning and Permitting, requesting a 120-day extension of time for Bill 20 (2015). (Submitted after the meeting)
D-379 Department of Planning and Permitting, requesting a 120-day extension of time for Bill 22 (2015). (Submitted after the meeting)

3. BILL 7 (2015) – COMMITTEE REPORT 222

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) (Bill 7 passed second reading 5/6/15) (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.

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Administration/Others

George Atta, Director, Department of Planning and Permitting (DPP)
Robert Mills, PBR Hawaii (Agent)
Roger Bond, Church of Jesus Christ of Latter Day Saints (LDS)

There was no public testimony.

In response to Councilmember Elefante's question regarding the coordination of schedules amongst area churches to alleviate traffic congestion in the community, Mr. Mills stated that the LDS Church would be meeting with the Calvary Chapel to coordinate meeting schedules.

Mr. Mills noted that the applicant would prefer that third reading on the Bill be held in July, in order to give the LDS Church enough time to get the unilateral agreement recorded.

Director Atta stood on the DPP's written report recommending approval of the zone change.

Committee Chair Anderson recommended that the Bill be reported out for third reading subject to the recordation of the unilateral agreement.

Councilmember Elefante spoke in support of the Committee Chair's recommendation and noted that the zone change would conform the parcel's use to surrounding uses and allow the LDS Church to accommodate its growing membership.

Bill 7 (2015) reported out for passage on third reading subject to the execution and recordation of the unilateral agreement.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Related communication:

M-1716 Carol Tano (support)

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Committee Chair Anderson took Items 4 through 10 – Bills 66 (2014), CD1; 67 (2014), CD1; 68 (2014), CD1; 69 (2014), CD1; 71 (2014), CD1; 72 (2014), CD1 and 73 (2014) – up together.

4. BILL 66 (2014), CD1 – COMMITTEE REPORT 215

PUBLIC WORKS INFRASTRUCTURE REQUIREMENTS INCLUDING FEES AND SERVICES. Amending Section 14-16.4 of the Revised Ordinances of Honolulu 1990, as amended, the Grading, Grubbing and Stockpiling Ordinance.

5. BILL 67 (2014), CD1 – COMMITTEE REPORT 216

BUILDING CODE. Amending Section 16-10.4 of the Revised Ordinances of Honolulu 1990, as amended, the Building Code Ordinance.

6. BILL 68 (2014), CD1 – COMMITTEE REPORT 217

ELECTRICAL CODE. Amending Section 17-3.6(d) of the Revised Ordinances of Honolulu 1990, as amended, the Electrical Code Ordinance.

7. BILL 69 (2014), CD1 – COMMITTEE REPORT 218

FEES AND PERMITS FOR BUILDING, ELECTRICAL, PLUMBING AND SIDEWALK. Amending Section 18-7.4 of the Revised Ordinances of Honolulu 1990, as amended, the Building Code Ordinance

8. BILL 71 (2014), CD1 – COMMITTEE REPORT 219

SPECIAL MANAGEMENT AREA. Amending Section 25-9.1 of the Revised Ordinances of Honolulu 1990, as amended, the Special Management Area Ordinance.

9. BILL 72 (2014), CD1 – COMMITTEE REPORT 220

STREETS, SIDEWALKS, MALLS AND OTHER PUBLIC PLACES. Amending Section 29-4.8 of the Revised Ordinances of Honolulu 1990, as amended, the Streets, Sidewalks, Malls and other Public Places Ordinance.

10. BILL 73 (2014), CD1 – COMMITTEE REPORT 221

REGULATED ACTIVITIES WITHIN THE CITY. Amending Section 41-10.5 of the Revised Ordinances of Honolulu 1990, as amended, the Regulated Activities within the City Ordinance.

Administration/Others

George Atta, Director, Department of Planning and Permitting (DPP)
Arthur Challacombe, Deputy Director, DPP

There was no public testimony.

Deputy Director Challacombe testified that the bills are house-keeping measures that would help the DPP with enforcement. Specifically, the bills would allow the DPP to publish a Notice of Order in a periodical of general circulation when a violator's address is unavailable or when a violator is intentionally avoiding service. The Deputy Director noted that the Revised Ordinances currently allows publication in lieu of personal service in other sections in the Land Use Ordinance and requested Council's support.

Director Atta noted that, without service of the Notice of Order, the DPP cannot officially assess any fines for violations.

Bill 66 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Bill 67 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Bill 68 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Bill 69 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Bill 71 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Bill 72 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Bill 73 (2014), CD1 reported out for passage on third reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

11. RESOLUTION 15-117 – COMMITTEE REPORT 226

SMP FOR THE RENOVATION OF THE EXISTING WAIKIKI PARC HOTEL (2014/SMA-62). Granting a Special Management Area Use Permit (SMP) to allow renovation, including revised pedestrian hotel entrance and drop-off fronting Kalia Road; create a new eighth floor roof top terrace and garden with a new restaurant, bar and lounge, fitness center, and restrooms; renovate the existing swimming pool and deck; construct a new swimming pool and outdoor showers, landscape wind screen, new stairs and service room; and new landscape improvements along Kalia and Helumoa Roads, of the existing Waikiki Parc Hotel at 2233 Helumoa Road, Honolulu Oahu, identified as Tax Map Key 2-6-2: 11, 12 and 13. (Applicant: Halekulani Corporation)

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 15-117 (Submitted by Councilmember Anderson) – The CD1 (OCS2015-0472/5/20/2015 2:54 PM) makes the following amendments:

- A. Clarifies the description of the proposed renovation.
- B. Corrects an erroneous reference to May 1, 2015 as the date the DPP completed its report.
- C. Makes miscellaneous technical and non-substantive amendments.

Administration/Others

George Atta, Director, Department of Planning and Permitting (DPP)
Keith Kurahashi, Kusao & Kurahashi, Inc. (Agent)
Ken Mizuno, Director of Projects, Halekulani Corporation

There was no public testimony.

Mr. Kurahashi presented an overview of the proposed Waikiki Parc Hotel renovation project as detailed in Communication M-1717:

- The applicant received a finding of No Significant Impact on its final Environmental Assessment.
- The project will also require a Waikiki Special District Permit (Minor) and a variance for a canopy along Kalia Road.
- The proposed renovation includes the conversion of the existing 297 studio hotel units to 126 one- and two-bedroom units.
- Additional changes include interior renovations to the ground floor; refurbishment of the existing swimming pool; construction of a new swimming pool; renovation to the eighth floor roof top terrace to include a new restaurant, bar and lounge, fitness center and restrooms; and landscaping improvements along Kalia and Helumoa roads.
- The cost of all improvements is approximately \$50 - \$60 million.

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

In response to Committee Chair Anderson's question regarding the hotel room conversion, Mr. Kurahashi stated that none of the rooms would be converted to time shares.

Mr. Kurahashi further noted that Councilmember Ozawa, the councilmember of the district, has indicated his support for the project.

In response to Committee Member Fukunaga's question regarding the eighth floor restaurant, Mr. Mizuno stated that the new restaurant is projected to be a small restaurant for hotel guest use only.

Director Atta testified in support of the Resolution.

Resolution 15-117 amended to CD1 (OCS2015-0472/5/20/2015 2:54 PM) and reported out for adoption.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Related communications:

D-241 Department of Planning and Permitting, transmitting Resolution 15-117.
M-1717 Keith Kurahashi, Kusao & Kurahashi, PowerPoint presentation on the Waikiki Parc Hotel renovation.

12. RESOLUTION 15-63 – COMMITTEE REPORT 225

LUO AMENDMENT RELATING TO PUBLIC HOUSING IN TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICTS. Amending the provisions of the City's Land Use Ordinance pertaining to transit-oriented development Special Districts and Interim Planned-Transit permits.

Administration/Others

George Atta, Director, Department of Planning and Permitting (DPP)
Arthur Challacombe, Deputy Director, DPP
Harrison Rue, TOD Administrator, DPP
Kathy Sokugawa, Chief Planner, Planning Division, DPP
James Peirson, Chief Planner, Land Use Permits Division, DPP
Benjamin Park, Hawaii Public Housing Authority (HPHA)

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Committee Member Fukunaga stated that the Resolution is intended to allow developers of public sector projects to be more competitive in attracting private sector financing and partnerships to develop affordable housing projects near transit stations.

Director Atta testified that, while the Department has no specific concerns with the proposal, the DPP feels that the incentives proposed by the Bill are already available to public housing projects.

The Director also expressed a minor concern with regard to the proposal to increase the radius for projects eligible for Interim Planned Development-Transit (IPD-T) Permits. He noted that one of the main purposes of Transit-Oriented Development (TOD) Special Districts is to focus development close to transit stations.

Deputy Director Challacombe further noted that using the already-available 201H process for public housing would allow development in less time than the IPD-T Permit process.

Committee Member Fukunaga stated that the broader intention is to eventually seek financing and tax incentives in addition to zoning incentives.

Administrator Rue and Chief Planner Sokugawa provided additional information regarding the coordination between the State and the City on TOD developments.

Mr. Park testified that the HPHA supports the Resolution and considers the proposed legislation to be another tool in the toolbox to address affordable housing needs.

In response to Councilmember Elefante's question, Director Atta stated that the DPP has, to date, not received any applications for IPD-T Permits.

In response to Councilmember Elefante's question regarding the time needed for a proposed development to go through the 201H process versus an IPD-T Permit process, Chief Planner Peirson stated that, although each project is different, an average 201H application can be processed in less time. He further noted that a public projects can go directly to the DPP for a permit.

Committee Member Fukunaga noted that, with the recent growth in the homeless population, the Council should be aggressively exploring every opportunity to address housing needs.

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Resolution 15-63 reported out for adoption.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, ANDERSON – 4.
NOES: None.
EXCUSED: OZAWA – 1.

Related communications:

CC-82 Acting City Clerk, notifying DPP of the introduction of the Council proposal.
D-151 Department of Planning and Permitting, confirming receipt of Resolution 15-63.
M-1718 Hakim Ouansafi, Executive Director, Hawaii Public Housing Authority (support)

Items 13 and 14 – Resolution 15-131 and Resolution 15-137 – were discussed together.

13. RESOLUTION 15-131 – COMMITTEE REPORT 227

REVISING THE PIM FOR THE PRIMARY URBAN CENTER. Adopting a revision to the Public Infrastructure Map (PIM) for the Primary Urban Center Development Plan Area, Honolulu, Oahu, Hawaii, to add a government building (GB) symbol for a community or multicultural center in or near Pawa In-Ha Park.

14. RESOLUTION 15-137 – COMMITTEE REPORT 228

REVISING THE PIM FOR THE PRIMARY URBAN CENTER. Adopting a revision to the Public Infrastructure Map (PIM) for the Primary Urban Center Development Plan Area, Honolulu, Oahu, Hawaii, to add a Park (P) symbol for the Pearlridge Neighborhood Park in Aiea.

Administration/Others

George Atta, Director, Department of Planning and Permitting (DPP)

There was no public testimony.

Prior to the start of discussion, Committee Chair Anderson announced that the two resolutions were placed on the Committee's agenda for consideration because the Revised Ordinances of Honolulu required that symbols for publicly funded facilities be shown on the Public Infrastructure Maps (PIM) prior to the appropriation of land acquisition or construction funds.

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Council Chair Martin commented that the PIM amendments would reflect the appropriations in the current version of the FY2016 Executive Capital (CIP) budget.

Director Atta stated that the DPP recognized the purpose and intent of the resolutions and had no objections to the passage of either resolution.

Resolution 15-131 reported out for adoption.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, OZAWA, ANDERSON – 5.
NOES: None.

In response to Councilmember Elefante's question regarding the City's plan for the area surrounding the proposed Pearlridge Neighborhood Park, Director Atta stated that the park has always been a part of the conceptual plan for the proposed transit station area and the Pearl Harbor Historic Trail.

Resolution 15-137 reported out for adoption.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, OZAWA, ANDERSON – 5.
NOES: None.

Related communications:

- CC-203 Acting City Clerk, notifying the DPP of a Council-proposed revision to the Public Infrastructure Map.
- CC-207 Acting City Clerk, notifying the DPP of a Council-proposed revision to the Public Infrastructure Map.

INFORMATIONAL BRIEFING

11. 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.

Administration/Others

George Atta, Director, Department of Planning and Permitting

There was no public testimony.

Director Atta provided the Committee with the Department's update.

Committee on Zoning and Planning Minutes
Thursday, May 28, 2015

Related communication:

D-373 Department of Planning and Permitting, transmitting DEVELOPMENT PLAN UPDATED SCHEDULE and STATUS OF LUO AMENDMENTS SENT TO DPP VIA CITY COUNCIL RESOLUTIONS.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,



GLENTAKAHASHI
Acting City Clerk

gym

DATE APPROVED

June 18, 2015