



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, AUGUST 20, 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 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 APPROVAL

MINUTES OF THE COMMITTEE ON ZONING AND PLANNING JULY 23, 2015
MEETING

FOR ACTION

1. **RESOLUTION 15-208 – REAPPOINTMENT OF CORD D. ANDERSON TO THE PLANNING COMMISSION.** Confirming the reappointment of Cord D. Anderson to the Planning Commission for a term expiring on June 30, 2020. (Transmitted by Communication MM-103; public hearing held 8/5/15)
2. **RESOLUTION 15-209 – APPOINTMENT AND REAPPOINTMENT OF LYLE M. ISHIDA TO THE ZONING BOARD OF APPEALS.** Confirming the reappointment of Lyle M. Ishida to the Zoning Board of Appeals for a term expiring on June 30, 2020. (Transmitted by Communication MM-104; public hearing held 8/5/15)
3. **RESOLUTION 15-210 – APPOINTMENT OF THERESIA C. MCMURDO TO THE PLANNING COMMISSION.** Confirming the appointment of Theresia C. McMurdo to the Planning Commission for a term expiring on June 30, 2020. (Transmitted by Communication MM-102; public hearing held 8/5/15)
4. **RESOLUTION 15-219 – PERMITTING REQUESTS FOR THE IMPROVEMENT OF STATE PUBLIC HOUSING.** Urging the Department of Planning and Permitting to expedite all permitting requests for the improvement of State public housing and work with the Sate HPHA to ensure that unnecessary delays, if any, are minimized.
5. **RESOLUTION 15-230 – UNCODIFIED ORDINANCE RELATING TO THE RENEWAL OF CERTAIN NONCOMFORMING USE CERTIFICATES FOR BED AND BREAKFAST HOMES.** Providing one-time relief to those owners of bed and breakfast homes who lost their nonconforming use certificates after September 30, 2012, solely for failing to apply for renewal.
6. **BILL 57 (2015) – WAIKIKI ZONE CHANGE (2015/Z-2).** Rezoning land situated in the Waikiki Special District from the Apartment Precinct to the Apartment Mixed Use Subprecinct. TMK: 2-6-024: 001-004, 011, 012, 014, 016, 017, 019, 020-022, and 024. (Applicants: Various landowners) (Transmitted by Communication D-540; Bill 57 passed first reading 8/5/15) (Current deadline for Council action: 10/19/15)

PROPOSED CD1 TO BILL 57 (2015) (Submitted by Councilmember Anderson) –
The CD1 (OCS2015-0719/7/28/2015 2:17 PM) makes the following amendments:

A. Revises the description of the rezone to read as follows:

Land situated in the Waikiki Special District, hereinafter described, is hereby rezoned from the Apartment Precinct to the Apartment Mixed Use Subprecinct, and from the Public Precinct to the Apartment Mixed Use Subprecinct.

B. Makes miscellaneous technical and non-substantive amendments.

7. **BILL 58 (2015) – LUO AMENDMENT RELATING TO THE WAIKIKI SPECIAL DISTRICT.** Amending the Waikiki Special District zoning map to conform with a rezoning to Zoning Map No. 3 (Moiliili-Kaimuki, Ordinance 86-106). (Transmitted by Communication D-540; Bill 58 passed first reading 8/5/15) (Current deadline for Council action: 10/19/15)

PROPOSED CD1 TO BILL 58 (2015) (Submitted by Councilmember Anderson) –
The CD1 (OCS2015-0720/7/28/2015 4:33 PM) makes the following amendments:

A. References Bill 57 (2015) as the relevant rezone ordinance.

B. Attaches the map as “Attachment 1,” since it was not included in the body of the Bill.

C. Provides that the ordinance takes effect upon the latter of: (1) its approval, or (2) the effective date of Bill 57 (2015) in a form it is enacted.

D. Makes miscellaneous technical and non-substantive amendments.

8. **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. (Bill 20 passed second reading and public hearing held 5/6/15; deferred in Committee 7/23/15) (Current deadline for Council action: 10/1/15)

PROPOSED CD1 TO BILL 20 (2015) (Submitted by Councilmember Anderson) –
The CD1 (OCS2015-0784/8/14/2015 1:19 PM) makes the following amendments:

- A. In Section 21-2.140-1(o), corrects the reference to the section establishing maximum floor area from Section 21-8.20B(c)(2) to Section 21-5. (c)(1), and adds Section 21-5. (c)(4) as the section establishing off-street parking requirements.
- B. Adds the "Country" zoning district to the areas where accessory dwelling units (ADUs) are allowed in Table 21-3 (Master Use Table) and Section 21-5. (c), and includes the Country district in Section 21-2-.140-1 (conversion of legally established accessory structures).
- C. Adds the word "conditions" to the end of the sentence in Section 21-5. (c).
- D. In Section 21-5. (c)(2), adds a new paragraph (C) that prohibits construction of accessory dwelling units on lots that are landlocked.
- E. In Section 21-5. (c)(5), clarifies that some properties may require recordation of covenants with both the Bureau of Conveyances and Land Court.
- F. In Section 21-5. (c)(5)(B), deletes the phrase "The accessory dwelling unit or" at the beginning of the paragraph, and clarifies that the owner(s), or persons related by blood, marriage or adoption to the owner(s), or authorized representative(s) must occupy the primary residential unit or the accessory dwelling unit so long as the other unit is being rented or otherwise occupied.
- G. Redesignates Section 21-5. (c)(5)(C) as paragraph (E), and moves the latter part of the sentence to paragraph (F).
- H. Redesignates Section 21-5. (c)(5)(D) as paragraph (C), increases the minimum rental or occupation period from three months to six months and moves the latter part of the sentence to paragraph (F).
- I. In Section 21-5. (c)(5), adds a new paragraph (D) to clarify that if the property owner(s), or persons who are related by blood, marriage or adoption to the property owner(s), or designated authorized representatives, occupy the ADU while the primary residential unit is rented, the primary residential unit can only be used for long-term rental or otherwise occupied for a minimum of six months, and explicitly cannot be used as a TVU.

- J. Adds the phrase "in accordance with the provisions of Chapter 21" at the end of the sentence in Section 21-5. (c)(E).
 - K. Revises Section 21-5. (c)(5)(F) to read as follows:
 - (F) The deed restrictions lapse upon removal of the accessory dwelling unit, and all of the foregoing covenants are binding upon any and all successors and assigns of the owner or owners.
 - L. Adds the word "rail" before "transit" in Table 21-6.1.
 - M. Includes a revision to Section 21-8.20 to provide that ohana dwelling units may be attached to the first dwelling, or may be detached from the first dwelling and located on the same lot as the first dwelling.
 - N. Uses the term "primary dwelling unit" consistently throughout the ordinance.
 - O. Makes miscellaneous technical and non-substantive amendments.
9. **RESOLUTION 15-231 – HAWAII COMMUNITY DEVELOPMENT AUTHORITY GLASS RULE.** Urging the Hawaii Community Development Authority to uphold the Glass Rule with regard to the Symphony Honolulu Project.

FOR DISCUSSION

10. **ISSUES RELATING TO REFLECTIVE GLASS**
- A. Information on the Kakaako Community Development District Mauka Area Rules, "The Glass Rule," and the status of how the Kakaako Development District Mauka Area Rules apply to the Symphony Building being developed by Oliver-McMillan.
 - B. Discussion on the City's permitting process, requirements for glass, and building standards as it applies to reflectivity, and what is provided by ROH.
 - C. Discussion on the industry standard and issues with reflective glass and its effects on the health, safety, and welfare of neighboring residents and drivers in the City and County of Honolulu.

Committee on Zoning and Planning Agenda
Thursday, August 20, 2015

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.**

IKAIKA ANDERSON, Chair
Committee on Zoning and Planning