

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Trevor Ozawa, Chair; Ron Menor, Vice-Chair;
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 25, 2016

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, to which was referred Bill 28 (2016) entitled:

"A BILL FOR AN ORDINANCE RELATING TO PUBLIC HOUSING IN TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICTS,"

which passed Second Reading on, and was the subject of a Public Hearing held at the Council's meeting of May 4, 2016, reports as follows:

The purpose of Bill 28 (2016) is to amend the provisions of the Land Use Ordinance (LUO), Chapter 21, Revised Ordinances of Honolulu 1990, pertaining to transit-oriented development (TOD) Special districts to allow public housing projects to seek an IPD-T Permit as far as one mile from a planned Honolulu Rail Transit Project station and waive permit processing fees. The Council initiated this LUO amendment proposal pursuant to Resolution 15-63.

Your Committee finds that the Planning Commission, after a public hearing held on March 16, 2016 at which one letter of testimony from the Hawaii Public Housing Authority was received in support of the proposed LUO amendment, voted to recommend approval of the proposal in concurrence with the recommendation of the Department of Planning and Permitting (DPP) in the Attachment to Departmental Communication 190 (2016).

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

SEP 07 2016

COMMITTEE REPORT NO.

275

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

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Trevor Ozawa, Chair; Ron Menor, Vice-Chair;
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 25, 2016
Page 2

Your Committee finds that at a public hearing held on May 4, 2016 by the City Council, one individual testified in support of the proposed LUO amendment.

In Committee Report No. 147, which the Council adopted at its meeting on May 4, 2016, your Committee set forth background information on the subject bill.

Your Committee received public testimony in support from Hawaii Habitat for Humanity and one individual. Testimony in support was received from PBR Hawaii and Hawaii Public Housing Authority.

Your Committee has prepared a CD1 version of the bill that makes the following amendments:

A. Amends Sec. 21-9.100-5(a)(5) to read as follows:

"(5) Upon the enactment of a TOD special district and its related development regulations, all zoning lots within that TOD special district shall no longer be eligible for this interim permit, but shall henceforth comply with all applicable TOD special district regulations and requirements enumerated by this chapter. All projects with a Council-approved Conceptual Plan will be grandfathered in under this Section including all phases of a multiphase project."

B. Amends the first paragraph of Sec. 21-9.100-5(b)(1)(D) to read as follows:

"(D) An appropriate mix of housing and unit types, including a range of affordable and market rate housing, particularly affordable or rental housing, or both[;], or public housing projects; with qualifying affordable housing being located

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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Trevor Ozawa, Chair; Ron Menor, Vice-Chair;
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Committee Meeting Held
August 25, 2016
Page 3

on the project site or within one-half mile of an identified H RTP transit station, or within one mile of an identified H RTP transit station for public housing projects, subject to the requirements set forth below. For purposes of this section, "affordable housing" shall mean housing that is affordable to households with incomes not exceeding 120 percent of the annual median income for Oahu. Off-site affordable housing is only allowed subject to the following requirements:..."

C. Amends Sec. 21-9.100-5(b)(2) to read as follows:

"(2) Unless specified in Section 21-9.100-5, IPD-T projects shall be generally consistent with:

- (A) The approved neighborhood TOD plan for the affected area; or
- (B) If the neighborhood TOD plan has not yet been approved, the draft neighborhood TOD plan. As used in this section, "draft neighborhood TOD plan" means the most current version of the plan then under consideration by the department or the council, commencing with the first public review draft released by the director to the community for review and comment."

D. Amends Sec. 21-9.100-5(c)(1) to read as follows:

"(1) Permitted uses and structures may be any of those uses permitted in the BMX-4 central business mixed use district; except that hotels [shall] are not [be] permitted on any zoning lot in an [apartment, apartment mixed use,] industrial, or industrial-commercial mixed use district, unless it is otherwise

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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COMMITTEE REPORT NO. **275**

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Trevor Ozawa, Chair; Ron Menor, Vice-Chair;
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 25, 2016
Page 4

in compliance with the standards enumerated by Section 21-5.360(b) (provided that this subdivision does not preclude hotels in the 1-2 intensive industrial district and the IMX-1 industrial-commercial mixed use district from qualifying as a conditional use under Section 21-5.30(a)); and"

E. Amends Sec. 21-9.100-5(d) to read as follows:

"(d) Site Development and Design Standards. The standards set forth by this subsection are general requirements for IPD-T projects. When, in the paragraphs below, the standards are stated to be subject to modification or reduction, such modification or reduction shall be for the purpose of accomplishing a project design consistent with the goals and objectives of Section 21-9.100-4 and this subsection. Also, pursuant to Section 21-9.100-5(b), the modification or reduction in the following standards shall be commensurate with the contributions provided in the project plan, and the project shall be generally consistent with the draft or approved neighborhood TOD plan for the area[.], unless otherwise specified below."

F. Amends Sec. 21-9.100-5(d)(1)(A) to read as follows:

"(A) The maximum floor area ratio (FAR) may be up to twice that allowed by the underlying zoning district or 7.5, whichever is lower; provided that where a draft or approved neighborhood TOD plan identifies greater density for the site, a project on that site shall be consistent with the specified density contained in the plan and may be considered for that density; or where the maximum FAR under the draft or approved neighborhood TOD plan is equal to or less than that allowed by the underlying zoning district, the maximum

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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SEP 07 2016

COMMITTEE REPORT NO. 275

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Trevor Ozawa, Chair; Ron Menor, Vice-Chair;
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 25, 2016
Page 5

FAR may be up to twice that allowed by the underlying zoning district or 7.5, whichever is lower; and"

G. Amends Sec. 21-9.100-5(d)(2) to read as follows:

"(2) Height

[(A) For project sites where there is no draft neighborhood TOD plan, the maximum building height may be up to twice that allowed by the underlying zoning district, or 450 feet, whichever is lower; and

(B) Where there is a draft or approved neighborhood TOD plan, the maximum height shall not exceed the maximum height specified in the plan, provided that where existing height limits exceed those in the plans, the existing height limit shall prevail.]

The maximum building height may be up to twice that allowed by the underlying zoning district, or 450 feet, whichever is lower: unless the maximum height specified in the draft or approved neighborhood TOD plan is higher in which case the maximum height in the TOD plan shall prevail."

H. Amends Sec. 21-9.100-5(d)(4) to read as follows:

"(4) Yards [shall] must be as specified by the approved conceptual project plan, provided that building placement will not cause adverse noise, [sunlight blockage,] privacy and/or wind affects to adjacent uses, and street character will not be adversely affected."

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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COMMITTEE REPORT NO. 275

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Trevor Ozawa, Chair; Ron Menor, Vice-Chair;
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 25, 2016
Page 6

I. Amends Sec. 21-9.100-5(d)(7)(C) to read as follows:

"(C) Vehicular access [shall] must be provided from an existing access or driveway, or from a secondary street wherever possible and placed in the location least likely to impede pedestrian circulation; and"

J. Amends Sec. 21-9.100-5(h)(1) to read as follows:

"(1) Requested project boundaries and requested flexibility with respect to development standards and use regulations are consistent with the objectives of TOD and the provisions enumerated in Sec. 21-9.100-4 and Sec. 21-9.100-5 while in effect; and"

K. Amends Sec. 21-9.100-5(i)(1) to read as follows:

"(1) A council resolution of approval for a conceptual plan for an IPD-T project shall establish a deadline within which the building permit for the project shall be obtained. For multiphase projects, deadlines [shall] must be established for obtaining building permits for each phase of the project. The resolution shall provide that the failure to obtain any building permit within the prescribed period shall render null and void the council's approval of the conceptual plan and all approvals issued thereunder; provided that in multiphase projects, any prior phase that has complied with the deadline applicable to that phase shall not be affected. The reordering of phases is permitted with the Director's approval as long as the overall completion deadline for multiphase projects has not passed. A revocation of a building permit pursuant to Section 18-5.4 after the deadline shall be deemed a failure to comply with the deadline."

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

SEP 07 2016

COMMITTEE REPORT NO. 275

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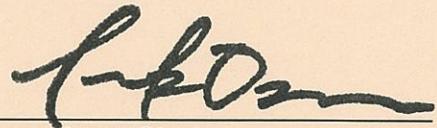
Committee Meeting Held
August 25, 2016
Page 7

- L. Makes miscellaneous technical and non-substantive amendments.

Your Committee finds that the bill, as amended herein, carries out the purpose of the General Plan and Development Plans of the City and is in the best interest of the people of the City and County of Honolulu.

Your Committee on Zoning and Planning is in accord with the intent and purpose of Bill 28 (2016), as amended herein, and recommends that it pass Third Reading in the form attached hereto, as Bill 28 (2016), CD1. (Ayes: Ozawa, Fukunaga, Kobayashi, Menor – 4; Noes: None; Excused: Manahan – 1.)

Respectfully submitted,



Committee Chair

At the 9/7/16 Council meeting, the Bill was further amended and subsequently passed third reading as Bill 28, CD1, FD1.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

SEP 07 2016

COMMITTEE REPORT NO. **275**



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC HOUSING IN TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICTS.

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

SECTION 1. Findings and Purpose. The Council finds that the City has a critical shortage of affordable housing units and that public housing projects near rail transit stations can provide a catalyst for further development. The purpose of this ordinance is to amend the provisions of the Land Use Ordinance (LUO) pertaining to Transit-Oriented Development (TOD) Special Districts and Interim Planned Development-Transit (IPD-T) permits.

SECTION 2. Section 21-9.100-5, Revised Ordinances Honolulu 1990, as amended ("Interim planned development-transit (IPD-T) projects"), is amended to read as follows:

"Sec. 21-9.100-5 Interim planned development – transit (IPD-T) projects.

The purpose of the IPD-T permit is to provide opportunities for creative, catalytic redevelopment projects and public housing projects within the rail corridor that would not be possible under a strict adherence to the development standards of this chapter prior to the adoption of the TOD neighborhood plans or amendments to this chapter relating to the future TOD zones (special districts), or both. Qualifying projects must demonstrably exhibit those kinds of attributes that are capable of promoting highly effective transit-enhanced neighborhoods, including diverse employment opportunities, an appropriate mix of housing types, support for multi-modal circulation, and well-designed publicly accessible and [useable] usable spaces. Flexibility may be provided for project uses, density, height and height setbacks, yards, open space, landscaping, streetscape improvements, parking and loading, and signage when timely, demonstrable contributions are incorporated into the project benefiting the community, supporting transit ridership, and implementing the vision established in Section 21-9.100-4. Reflective of the significance of the flexibility represented by this option, it is appropriate to approve projects conceptually by legislative review and approval prior to a more detailed administrative review and approval by the department. For the purpose of this section, "public housing project" means a residential or mixed-use development with a significant affordable housing component undertaken by the Hawaii Public Housing Authority or other state or city agency, or their designated developer pursuant to a partnership or development agreement.



A BILL FOR AN ORDINANCE

- (4) All eligible zoning lots shall be in the apartment, apartment mixed use, business, business mixed use, resort, industrial, or industrial-commercial mixed use districts; except that this subdivision shall not apply to landscape lots, right-of-way lots, or other lots utilized for similar utilitarian (infrastructure) purposes; and
- (5) Upon the enactment of a TOD special district and its related development regulations, all zoning lots within that TOD special district shall no longer be eligible for this interim permit, but shall henceforth comply with all applicable TOD special district regulations and requirements enumerated by this chapter. All projects with a Council-approved Conceptual Plan will be grandfathered in under this Section including all phases of a multiphase project.
- (b) Standards for review.
- (1) Significant flexibility and the possibility of increased development potential are being made available to eligible IPD-T projects. The degree of flexibility must be commensurate with the contributions that these projects can provide towards the enhancement of highly effective transit-enhanced neighborhoods, particularly as these contributions relate to the success of TOD. The highest degree of flexibility may be authorized by this permit for those projects which demonstrate:
- (A) The ability to contribute positively to the economic enhancement of the affected area, particularly with regard to providing a broad mix of uses and diverse housing or employment opportunities;
- (B) The provision of measures or facilities, or both, to promote a highly functioning, safe, interconnected, multi-modal circulation system, supporting easy access to, and effective use of the transit system on a pedestrian scale;
- (C) The provision of usable, safe, and highly accessible public accommodations, gathering spaces, pedestrian ways, bicycle facilities, or parks; and
- (D) An appropriate mix of housing and unit types, including a range of affordable and market rate housing, particularly affordable or rental housing, or both[;], or public housing projects; with qualifying affordable housing being located on the project site or within one-half mile of an identified H RTP transit station, or within one mile of



A BILL FOR AN ORDINANCE

an identified H RTP transit station for public housing projects, subject to the requirements set forth below. For purposes of this section, "affordable housing" shall mean housing that is affordable to households with incomes not exceeding 120 percent of the annual median income for Oahu. Off-site affordable housing is only allowed subject to the following requirements:

- (i) At least 50 percent of the total affordable housing requirement for the project, as satisfied pursuant to rules adopted by the department in accordance with HRS Chapter 91 (the "department's affordable housing rules"), must be within the project site;
- (ii) Up to 50 percent of the total affordable housing requirement for the project, as satisfied pursuant to the department's affordable housing rules, may be provided on lands that are within one-half mile of an identified H RTP transit station, if:
 - (aa) The units are rental (as opposed to for sale) housing;
 - (bb) The rentals meet the affordable housing guidelines for households with incomes not exceeding 60 percent of the "area median income" as defined in the department's affordable housing rules; and
 - (cc) The rentals remain affordable for a period of not less than sixty (60) years; and
- (iii) Up to 35 percent of the total affordable housing requirement for the project, as satisfied pursuant to the department's affordable housing rules, may be provided on lands within one-half mile of an identified H RTP transit station, if:
 - (aa) The units are rental housing;
 - (bb) The rentals meet the affordable housing guidelines for households with incomes not exceeding 80 percent of the "area median income" as defined in the department's affordable housing rules; and
 - (cc) The rentals remain affordable for a period of not less than twenty (20) years.



A BILL FOR AN ORDINANCE

If the department's affordable housing rules establish separate factors for determining the satisfaction of affordable housing requirements for transit-oriented developments, then satisfaction of the above percentages will be based on those factors.

The IPD-T option offers developers opportunities to increase development potential, provided equitable contributions that benefit the general public, the transit system, and TOD are demonstrated.

- (2) Unless specified in Section 21-9.100-5, IPD-T projects shall be generally consistent with:
- (A) The approved neighborhood TOD plan for the affected area; or
 - (B) If the neighborhood TOD plan has not yet been approved, the draft neighborhood TOD plan. As used in this section, "draft neighborhood TOD plan" means the most current version of the plan then under consideration by the department or the council, commencing with the first public review draft released by the director to the community for review and comment.
- (c) Use Regulations.
- (1) Permitted uses and structures may be any of those uses permitted in the BMX-4 central business mixed use district; except that hotels [shall] are not [be] permitted on any zoning lot in an [apartment, apartment mixed use,] industrial, or industrial-commercial mixed use district, unless it is otherwise in compliance with the standards enumerated by Section 21-5.360(b) (provided that this subdivision does not preclude hotels in the I-2 intensive industrial district and the IMX-1 industrial-commercial mixed use district from qualifying as a conditional use under Section 21-5.30(a)); and
 - (2) Ground floors and pedestrian-accessible spaces should be utilized to the extent feasible for active uses, such as, but not necessarily limited to outdoor dining, retail, gathering places, and pedestrian-oriented commercial activity. These spaces should also provide public accommodations such as, but not necessarily limited to, benches and publicly accessible seating, shaded areas through either trees or built structures, publicly accessible restrooms, trash and recycling receptacles, facilities for recharging electronic devices, publicly accessible telecommunications facilities, and Wi-Fi service.



A BILL FOR AN ORDINANCE

- (d) Site Development and Design Standards. The standards set forth by this subsection are general requirements for IPD-T projects. When, in the paragraphs below, the standards are stated to be subject to modification or reduction, such modification or reduction shall be for the purpose of accomplishing a project design consistent with the goals and objectives of Section 21-9.100-4 and this subsection. Also, pursuant to Section 21-9.100-5(b), the modification or reduction in the following standards shall be commensurate with the contributions provided in the project plan, and the project shall be generally consistent with the draft or approved neighborhood TOD plan for the area[.], unless otherwise specified below.
- (1) Density.
- (A) The maximum floor area ratio (FAR) may be up to twice that allowed by the underlying zoning district or 7.5, whichever is lower; provided that where a draft or approved neighborhood TOD plan identifies greater density for the site, a project on that site shall be consistent with the specified density contained in the plan and may be considered for that density; or where the maximum FAR under the draft or approved neighborhood TOD plan is equal to or less than that allowed by the underlying zoning district, the maximum FAR may be up to twice that allowed by the underlying zoning district or 7.5, whichever is lower; and
- (B) For lots in the B-2, BMX-3, BMX-4, and IMX-1 districts, the maximum increase shall apply in addition to any eligible density bonuses for the underlying zoning district; that is, the increase shall apply to the zoning lot plus any applicable floor area bonuses.
- (2) Height.
- [(A) For project sites where there is no draft neighborhood TOD plan, the maximum building height may be up to twice that allowed by the underlying zoning district, or 450 feet, whichever is lower; and



A BILL FOR AN ORDINANCE

- (B) Where there is a draft or approved neighborhood TOD plan, the maximum height shall not exceed the maximum height specified in the plan, provided that where existing height limits exceed those in the plans, the existing height limit shall prevail.]

The maximum building height may be up to twice that allowed by the underlying zoning district, or 450 feet, whichever is lower; unless the maximum height specified in the draft or approved neighborhood TOD plan is higher in which case the maximum height in the TOD plan shall prevail.

- (3) Transitional height and/or street setbacks may be modified where adjacent uses and street character will not be adversely affected.
- (4) Yards [shall] must be as specified by the approved conceptual project plan, provided that building placement will not cause adverse noise, [sunlight blockage,] privacy and/or wind [affects] effects to adjacent uses, and street character will not be adversely affected.
- (5) Open Space.
- (A) Project open space shall be as specified in the approved conceptual project plan, with a preference for publicly accessible, highly usable parks and gathering spaces rather than buffering or unusable landscaped areas.
- (B) Where appropriate, usable open space may be:
- (i) Transferred to another accessible site within the vicinity of the project that shall be utilized as a public park, plaza or gathering place for the affected community; or
- (ii) Provided in the form of connections or improvements, or both, to nearby open spaces, pedestrian ways or trails, such as, but not necessarily limited to streetscape and intersection improvements, pedestrian walkways or bridges, arcades, or promenades;

or both.



A BILL FOR AN ORDINANCE

- (6) Landscaping and screening standards shall be as specified in the approved conceptual project plan and project landscaping shall include adjacent rights-of-way. Streetscape landscaping, including street trees or planting strips, or both, should be provided near the edge of the street, rather than adjacent to the building, unless infeasible.
- (7) Parking and loading standards shall be as follows:
- (A) The number of parking and loading spaces provided shall be as specified in the approved conceptual project plan;
 - (B) Service areas and loading spaces shall be located at the side or rear of the site, unless the size and configuration of the lot renders this infeasible;
 - (C) Vehicular access [shall] must be provided from an existing access or driveway, or from a secondary street wherever possible and placed in the location least likely to impede pedestrian circulation; and
 - (D) The provision of car-sharing programs and vehicle charging stations is encouraged.
- (8) Bicycle parking shall be accommodated on the project site, subject to the following:
- (A) The number of bicycle parking spaces provided shall be as specified in the approved conceptual project plan;
 - (B) Long-term bicycle parking shall be provided for residents of on-site dwelling units in the form of enclosed bicycle lockers or easily accessible, secure and covered bicycle storage;
 - (C) Bicycle parking within enclosed parking structures shall be located as close as is feasible to an entrance of the facility so that it is visible from the street or sidewalk. The provision of a fenced and gated area for secure bicycle parking within the structure is encouraged;



A BILL FOR AN ORDINANCE

- (D) Each bicycle parking space shall be a minimum of 15 inches in width and six feet in length, with at least five feet of clearance between bicycle and vehicle parking spaces. Each bicycle must be easily reached and movable without moving another bicycle; and
 - (E) The provision of space for bicycle-sharing stations is encouraged either on the exterior of the building or within a parking structure, provided the area is visible and accessible from the street.
- (9) Signs.
- (A) Sign standards and requirements shall be as specified in the approved conceptual project plan. The sign standards and requirements may deviate from the strict sign regulations of this chapter, provided the flexibility is used to achieve good design, compatibility, creativity, consistency, and continuity in the utilization of signs on a pedestrian scale;
 - (B) All projects shall include appropriate measures to accommodate TOD-related way-finding signage, which shall be considered "public signs" for purposes of Article 7; and
 - (C) Where signage is not otherwise specified by the approved conceptual plan for the project, the project signage shall comply with the underlying sign regulations of this chapter.
- (e) Application Requirements. An application for approval of an IPD-T project shall contain:
- (1) A project name;
 - (2) A location map showing the project in relation to the future rail station area and the surrounding area;
 - (3) A site plan showing property lines, the locations of buildings and other major structures, building access and activity zones, the proposed open space and landscaping system, access and circulation for vehicles, bicycles, and pedestrians, bus or trolley stops, and other major activities;



A BILL FOR AN ORDINANCE

- (4) A narrative description of the overall development and urban design concept; the general mix of uses; the basic form and number of structures; the relationship of buildings to each other and to the streets, and how that is used to create active public space; the estimated number of proposed public and private dwelling or lodging units, affordability restrictions to be observed, and the proposed mix of housing types; general building height and density; how the project achieves and positively contributes to TOD and transit-enhanced neighborhoods; proposed public amenities and community benefits; the planned development of usable, publicly accessible spaces, accommodations and landscaping; how the project supports walking, bicycling, and active living; proposals to enhance multimodal circulation and access; proposed off-street parking and loading; and possible impacts on security, public health and safety, infrastructure and public utilities;
- (5) An open space plan, showing the reservation of land for public, semi-public, and private open space, including parks, plazas, and playgrounds, an integrated circulation system indicating proposed movement of vehicles, goods, pedestrians, and bicyclists within both the project area and adjacent areas, including streets and driveways, sidewalks and pedestrian ways, bicycle lanes, bicycle tracks, and multi-use paths, off-street parking, and loading areas;
- (6) A narrative explanation of the project's architectural and urban design relating the various design elements to support pedestrian- and transit-oriented development, and a discussion of any impacts to any cultural or historic resources, as well as any public views protected by law or ordinance;
- (7) Details of the project, including proposed floor area, open space, open space bonuses, and maximum FAR;
- (8) A parking and loading management plan or transportation demand management plan, or both;
- (9) A wind and shadow study to analyze the effects of mid-rise and high-rise structures, particularly anticipated effects at the ground level. Where adverse effects are anticipated, mitigative measures shall be included in the proposal; and
- (10) Any other information deemed necessary by the director to ascertain whether the project meets the requirements of this section.



A BILL FOR AN ORDINANCE

- (f) Procedures. Applications for approval of IPD-T projects shall be processed in accordance with Section 21-2.110-2. Fees shall be as enumerated for Planned Development applications in Section 6-41.1(a)(19)[.], provided that the fee shall be waived for public housing projects.
- (g) Conceptual Plan for a Project. No project shall be eligible for IPD-T status unless the council has first approved a conceptual plan for the project. The approved conceptual plan must set forth the allowable uses and the site development and design standards for density, height, transitional height and/or street setbacks, yards, open space, landscaping and screening, parking and loading, bicycle parking, and signs, if the uses and standards depart from the uses and standards applicable in the underlying zoning district. If uses and standards are not otherwise specified, the uses and standards applicable to the underlying zoning district apply.
- (h) Guidelines for Review and Approval of the Conceptual Plan for a Project. Prior to or concurrently with its approval of a conceptual plan for an IPD-T project, the council shall find that the project concept, as a unified plan, is in the general interest of the public, and that:
- (1) Requested project boundaries and requested flexibility with respect to development standards and use regulations are consistent with the objectives of TOD and the provisions enumerated in Sec. 21-9.100-4 and Sec. 21-9.100-5 while in effect; and
 - (2) Requested flexibility with respect to development standards and use regulations is commensurate with the public amenities and community benefits proposed.
- (i) Deadline for Obtaining Building Permit for Project.
- (1) A council resolution of approval for a conceptual plan for an IPD-T project shall establish a deadline within which the building permit for the project shall be obtained. For multiphase projects, deadlines [shall] must be established for obtaining building permits for each phase of the project. The resolution shall provide that the failure to obtain any building permit within the prescribed period shall render null and void the council's approval of the conceptual plan and all approvals issued thereunder; provided that in multiphase projects, any prior phase that has complied with the deadline applicable to that phase shall not be affected. The reordering of phases is permitted with the director's approval as long as the overall completion deadline for multiphase projects has not passed. A



A BILL FOR AN ORDINANCE

revocation of a building permit pursuant to Section 18-5.4 after the deadline shall be deemed a failure to comply with the deadline.

- (2) The resolution shall further provide that a deadline may be extended as follows:
- (A) The director may extend the deadline if the applicant demonstrates good cause, but the deadline shall not be extended beyond one year from the initial deadline without the approval of the council, which may grant or deny the approval in its complete discretion.
 - (B) If the applicant requests an extension beyond one year from the initial deadline and the director finds that the applicant has demonstrated good cause for the extension, the director shall prepare and submit to the council a report on the proposed extension, which report shall include the director's findings and recommendations thereon and a proposed resolution approving the extension.
 - (C) The council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by resolution.
 - (D) If the council fails to take final action on the proposed extension within the first to occur of (i) 60 days after the receipt of the director's report or (ii) the applicant's then-existing deadline for obtaining a building permit, the extension shall be deemed to be denied.
 - (E) The director shall notify the council in writing of any extensions granted by the director that do not require council approval.
- (j) Further Processing by Director. If the council approves the conceptual plan for the IPD-T project, the application, as approved in concept by the council, shall continue to be processed by the director as provided under Section 21-2.110-2. Additional documentation may be required by the director as necessary. The following criteria shall be used by the director to review applications:



A BILL FOR AN ORDINANCE

- (1) The project shall conform to the approved conceptual plan and any conditions established by the council in its resolution of approval. Any change to the conceptual plan will require a new application and approval by the council. The director may approve changes to the project that do not significantly alter the size or nature of the project, if the changes remain in conformance with the conceptual plan and any conditions established by the council. Any increase in the height or density of the project will be considered a significant alteration and a change to the conceptual plan;
- (2) The project also shall implement the objectives, guidelines, and standards of Section 21-9.100-4 and this section;
- (3) The project shall contribute significantly to the overall desired urban design of TOD areas;
- (4) The project shall demonstrate a pedestrian system, publicly accessible spaces and accommodations, landscaping and other amenities which shall be integrated into the overall design of the project, and shall enhance the pedestrian experience between the project and surrounding TOD areas;
- (5) The project shall involve a broad mix of uses or other characteristics, or both, which support the economic development and vitality of the affected TOD enhanced neighborhood; or include an appropriate mix of housing types, particularly affordable housing and rental housing[;], or both, or public housing; and
- (6) The parking management plan or transportation demand management plan shall support transit ridership and alternative modes of travel and minimize impacts upon public streets where possible."

SECTION 3. In Section 2 of this Ordinance, ordinance material to be repealed is bracketed. New 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 brackets, the bracketed material, or the underscoring.



A BILL FOR AN ORDINANCE

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Carol Fukunaga

Joey Manahan

DATE OF INTRODUCTION:

March 31, 2016
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