



## RESOLUTION

---

URGING THE DIRECTOR OF PLANNING AND PERMITTING TO INCREASE ENFORCEMENT AND PROPOSE ANY MODIFICATIONS TO THE DEPARTMENT'S ADMINISTRATIVE RULES OR LEGISLATION THE DIRECTOR DEEMS NECESSARY TO ADDRESS THE PROBLEM OF THE ILLEGAL USE OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL ZONING DISTRICTS.

WHEREAS, the City's zoning maps and the Land Use Ordinance ("LUO") establish zoning districts and zoning district regulations for the utilization of land in the City pursuant to Section 6-1514 of the Revised Charter of the City and County of Honolulu (2017 Edition); and

WHEREAS, each zoning district is designated for certain uses and restricted for other uses in order to encourage orderly development in accordance with adopted land use policies, including the Oahu general plan, and the applicable development plans or sustainable community plans, and to promote and protect the public health, safety, and welfare; and

WHEREAS, the residential districts are generally intended for development of one- and two-family dwelling units; and

WHEREAS, the apartment districts are generally intended for development of multifamily dwelling units, including walk-up and high-rise apartments; and

WHEREAS, communities located in residential districts throughout the City have reported development of large residential structures, some with upwards of 20 bedrooms and multiple kitchens, that appear to be intended for use as apartment dwellings in violation of the LUO; and

WHEREAS, in most cases where large residential structures have been built, the Department of Planning and Permitting (DPP) has approved building permits and certificates of occupancy for such structures based on compliance with zoning regulations, which do not restrict the number of rooms allowed in certain districts; and

WHEREAS, in cases reported by the community and in news reports, these large residential structures are later converted to use as long-term rental apartment buildings, housing multiple families in violation of law; and

WHEREAS, reports have also indicated that some of these large residential structures are used illegally as short-term transient vacation rentals; and



**RESOLUTION**

WHEREAS, the DPP, upon receiving complaints from the community, has cited landowners for violations in cases where the department was able to determine that a violation occurred, however the rate of development of large residential structures in residential districts appears to be increasing; and

WHEREAS, the DPP could address this issue by increasing inspections and enforcement, making changes to its administrative rules, and/or by proposing appropriate amendments to the LUO, in order to maintain the intent of the residential zoning districts; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting is urged to increase enforcement, consider modifying the Department's administrative rules, and propose to the Council any legislation the Director deems necessary to address the problem of the illegal use of large residential structures in residential zoning districts; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director and the Director of Planning and Permitting.

INTRODUCED BY:

*[Handwritten Signature]*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

**JUL 20 2017**

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
C E R T I F I C A T E

**RESOLUTION 17-198**

Introduced: 07/20/17 By: TREVOR OZAWA

Committee: ZONING AND HOUSING

Title: RESOLUTION URGING THE DIRECTOR OF PLANNING AND PERMITTING TO INCREASE ENFORCEMENT AND PROPOSE ANY MODIFICATIONS TO THE DEPARTMENT'S ADMINISTRATIVE RULES OR LEGISLATION THE DIRECTOR DEEMS NECESSARY TO ADDRESS THE PROBLEM OF THE ILLEGAL USE OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL ZONING DISTRICTS.

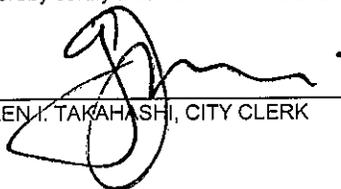
Voting Legend: \* = Aye w/Reservations

---

08/24/17	ZONING AND HOUSING	CR-337 - RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
09/06/17	COUNCIL	CR-337 AND RESOLUTION 17-198 WERE ADOPTED. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE. 1 ABSENT: OZAWA.

---

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.

  
\_\_\_\_\_  
GLEN I. TAKAHASHI, CITY CLERK

  
\_\_\_\_\_  
RON MENOR, CHAIR AND PRESIDING OFFICER