



CITY COUNCIL

CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII 96813-3077

COMMITTEE ON ZONING AND HOUSING

Voting Members:

Kymberly Marcos Pine, Chair
Ikaika Anderson, Vice Chair
Brandon Elefante
Ann H. Kobayashi
Joey Manahan

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
THURSDAY, AUGUST 24, 2017
9:00 A.M.

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 768-3815.

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.

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Accommodations are available upon request to persons with disabilities, please call 768-3815 or send an email to cnakazaki@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.honolulucitycouncil.tv/>. 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 JUNE 29, 2017 REGULAR MEETING AND AUGUST 2, 2017
SPECIAL MEETING

FOR EXTENSION OF TIME ONLY

1. **[BILL 74 \(2015\), CD1](#) – LUO AMENDMENT RELATING TO THE TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT.** Establishing a special district with appropriate land use standards and guidelines for those areas around the Honolulu Rail Transit Project stations. (Bill 74, CD1 passed second reading and public hearing held 1/25/17) (Current deadline for Council action: 9/8/17)
2. **[BILL 75 \(2015\), CD1](#) – LUO AMENDMENT RELATING TO MISCELLANEOUS LAND USE ORDINANCE AMENDMENTS.** Clarifying development standards for structures with integrated commercial and dwelling uses; to revise development standards for height and street setbacks in the business, business mixed use, and industrial mixed use districts; and to establish appropriate standards for bicycle parking. (Bill 75, CD1 passed second reading and public hearing held 1/25/17) (Current deadline for Council action: 9/8/17)
3. **[BILL 76 \(2015\), CD1](#) – WAIPAHU ZONE CHANGE (2014/GEN-5).** Amending Zoning Map No. 8 (Waipahu), Ordinance 86-110, by rezoning land situated near the Farrington Highway and Mokuola Street intersection (Waipahu Transit Center rail station area) and Farrington Highway and Leoku Street intersection (West Loch rail station area) in Waipahu, Oahu, Hawaii, from R-5 Residential, R-7.5 Residential, A-2 Medium-density Apartment, B-1 Neighborhood Business, B-2 Community Business, and I-2 Intensive Industrial districts; to the AMX-2 Medium-density apartment Mixed Use, BMX-3 Community Business Mixed Use, IMX-1 Industrial-Commercial Mixed Use, and P-2 General Preservation Districts. (Bill 76, CD1 passed second reading and public hearing held 1/25/17) (Current deadline for Council action: 9/8/17)

Related communication:

[D-609](#) Department of Planning and Permitting requesting extension of time for Bill 74 (2015), Bill 75 (2015), and Bill 76 (2015).

FOR ACTION

4. **BILL 63 (2017)** – **SPECIAL IMPROVEMENT DISTRICTS**. Allowing transportation management to be provided and financed by a special improvement district, to provide a higher level of maintenance and security services over the areas open to the public than would otherwise be available. (Bill 63 [2017] passed second reading and public hearing held 7/12/17)

PROPOSED CD1 TO BILL 63 (2017) (Submitted by Councilmember Pine) – The CD1 (OCS2017-0849/8/16/2017 9:06 AM) makes the following amendments:

- A. In Section 36-1.5(a)(7), clarifies that a special improvement district may be established to provide for and finance delegable transportation management services.
- B. Makes miscellaneous technical and nonsubstantive amendments

5. **BILL 64 (2017)** – **WAIKIKI TRANSPORTATION MANAGEMENT ASSOCIATION SPECIAL IMPROVEMENT DISTRICT NO. 4**. Establishing a Waikiki Transportation Management Association special improvement district to provide for and finance supplemental services and improvements in and to Waikiki as authorized by Chapter 36, Revised Ordinances of Honolulu 1990 (“ROH”). (Bill 64 [2017] passed second reading and public hearing held 7/12/17)

PROPOSED CD1 TO BILL 64 (2017) (Submitted by Councilmember Pine) – The CD1 (OCS2017-0850/8/16/2017 11:00 AM) makes the following amendments:

- A. Refers to the special improvement district as the "Waikiki Transportation Management special improvement district" (instead of the "Waikiki Transportation Management Association special improvement district.")
- B. In SECTION 1 of the bill, amends Council finding (3) to provide that since the Waikiki Transportation Management special improvement district plan attached as Exhibit A does not call for special assessments, notice is not required to be sent to owners and lessees of real property located within the district.
- C. Amends SECTION 4 of the bill to provide that the bill takes effect on the later to occur of (1) the date of approval or (2) the effective date of Bill 63 (2017), or any amended version thereof, which amends ROH Chapter 36 to allow transportation management to be provided and financed by a special improvement district.

- D. Amends Sections 5(a), 5(a)(i), and 5(d) of the Exhibit A Waikiki Transportation management special improvement district plan to clarify that the supplemental services provided and financed by the district involve of delegable transportation management services.
 - E. Amends the Exhibit A Waikiki Transportation Management Special Improvement District Plan to consistently use the defined terms "WTM District," "District Association," "District Board," and "WIA."
 - F. Makes miscellaneous technical and nonsubstantive amendments.
6. **[BILL 62 \(2017\), CD1](#)** – **RELATING TO JOINT DEVELOPMENT.** Amending certain provisions relating to the joint development of two or more subdivision lots (Bill 62 [2017], CD1 passed second reading and public hearing held 7/12/17)

[PROPOSED CD2 TO BILL 62 \(2017\), CD1](#) (Submitted by Councilmember Ozawa). The CD2 (OCS2017-0755/7/21/2017 11:37 AM) makes the following amendments:

- A. Adds a new subsection (a) to proposed new Section 25-5.380A, clarifying that the section applies to joint development of two or more adjacent subdivision lots in the Waikiki special district or in transit-oriented development special districts. Re-alphabetizes subsequent subsections.
- B. In re-alphabetized Section 25-5.380A(d), deletes a provision requiring that prior to the submission of an application for a second joint development, the applicant shall notify owners of the subdivision lots affected by the first joint development.
- C. In re-alphabetized Section 25-5.380A(g), deletes a provision requiring that the DPP, upon acceptance of an application for a second joint development, send notice of the application to owners of adjacent subdivision lots that are jointly developed under the first joint development, but are excluded from the second joint development.
- D. In re-alphabetized Section 25-5.380A(g), adds a provision that requires that the DPP, upon issuance of a conditional use permit for a second joint development, send notice of such issuance to owners of adjacent subdivision lots that are jointly developed under the first joint development, but are excluded from the second joint development. The CD1 requires such notice to be sent upon acceptance of the application for a second joint development.
- E. Makes miscellaneous technical and nonsubstantive amendments.

7. [BILL 17 \(2017\)](#) - **BUILDING INSPECTIONS**. Requiring the periodic inspection of the certain walls and appurtenances of certain buildings. (Bill 17 passed second reading and public hearing held 3/22/17) (Deferred in Committee 5/25/17)

[PROPOSED CD1 TO BILL 17 \(2017\)](#) (Submitted by Councilmember Ozawa) –
The CD1 (OCS2017-0750/7/20/2017 12:09 PM) makes the following amendments:

- A. Amends the definition of "affected building" in proposed new ROH Section 16-_.1 by adding: "This term does not include a condominium with less than 100 units if the condominium's association has prepared a reserve study pursuant to HRS Section 514B-148, adopted a budget to address upkeep, repair, and maintenance issues identified in the reserve study, and has implemented in a timely manner upkeep, repair, and maintenance measures set forth in the reserve study performed by the association."
- B. Amends proposed new ROH Section 16- .1 to add definitions of "association" and "condominium."
- C. Amends proposed new ROH Sec. 16-_.2(c) by changing from five years to 10 years, the length of the building re-inspection cycle.
- D. Amends proposed new ROH Sec. 16-_.2(d) by changing from five years to 10 years, the time period preceding the date of any required inspection for which an owner may apply for an inspection waiver due to exterior wall restoration.
- E. Amends proposed new ROH Sec.16-_.3(a) by changing from five years to 10 years, the preceding time period for which a retained professional must review reports, inspections, and evidence of repairs, including confirmation of any required remediation.
- F. Deletes proposed new ROH Sec. 16- .4(b)(9) and renumbers subsequent subdivisions.
- G. Amends proposed new ROH Sec. 16- .5(b) to provide that after an unsafe condition has been corrected, the professional must re-inspect the building and file with the building official a certification that the unsafe condition has been corrected, or a notice of deficient corrective action.
- H. Adds a new ROH Sec. 16- .5(c) to provide that if the building official does not receive a timely safety certification, or receives a notice of deficiency, the owner of the building will be subject to the violation and penalty provisions in Article 10 of the Building Code.

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- I. Amends proposed new ROH Sec. 16- .6(a) to provide that after the conditions that are designated "safe with a repair and maintenance program" have been corrected, the professional must re-inspect the building and file with the building official either a certification that the condition requiring a repair and maintenance program has been corrected, or a notice of deficient corrective action.
 - J. Adds a new ROH Sec. 16- .6(b) to provide that if the building official does not receive a timely safety certification, or receives a notice of deficiency, the owner of the building will be subject to the violation and penalty provisions in Article 10 of the Building Code.
 - K. Makes miscellaneous technical and nonsubstantive amendments.
8. **BILL 43 (2016) – PLUMBING CODE.** Updating the Plumbing Code of the City and County of Honolulu. (Bill 43 passed first reading 7/6/16) (Consecutive referral to Zoning and Housing)

Related communication:

CR-184 – Referring Bill 43 (2016) to the Committee on Zoning and Housing pursuant to the consecutive referral.

9. **RESOLUTION 17-228 – HAWAII SUBMARINE FIBER-OPTIC CABLE LANDING.** Granting a Special Management Area Use (SMA) Permit and Shoreline Setback Variance (SSV) for the Hawaiki submarine fiber-optic cable landing at Kapolei. (Applicant: Hawaiki Submarine Cable USA, LLC) (Transmitted by Communication D-607) (Current deadline for Council action: 10/11/17)

FOR DISCUSSION ONLY

10. **RESOLUTION 17-221 – IPD-T FOR THE 1500 KAPIOLANI CONDO-HOTEL AND RESIDENTIAL DEVELOPMENT PROJECT.** Approving a conceptual plan for an interim planned development-transit project (IPD-T) for the development of the 1500 Kapiolani Condo-Hotel and Residential Development Project. (Applicant: Manaolana AREP III Holdings, LLC) (Transmitted by Communication D-602) (Current deadline for Council action: 10/13/17)

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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.**

KYMBERLY MARCOS PINE, Chair
Committee on Zoning and Housing