



A BILL FOR AN ORDINANCE

RELATING TO TRANSIT-ORIENTED DEVELOPMENT.

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

SECTION 1. Findings and Purpose.

The council finds that Honolulu has initiated a major mass transit project that has the potential to fundamentally reshape the form and character of Honolulu. The council has selected a fixed guideway system and the Locally Preferred Alternative ("LPA") for the project under Ordinance 07-01.

Appropriate transit-oriented development ("TOD") land use regulations along the alignment and around the rapid transit stations will be crucial.

It has been consistently noted about successful TOD programs of other cities that community-based input is a necessary element of TOD programs, and that one set of regulations cannot adequately address TOD needs and opportunities across all transit stations. Therefore, to assure that Honolulu will have a successful TOD program, a deliberate, inclusive process to plan for TOD is necessary so that well-defined, meaningful, and appropriate regulatory and incentive programs can be adopted for each area around a transit station or type of station.

This TOD planning and implementation process will implement the Oahu General Plan and applicable regional development plans. Specifically, it will help stem urban sprawl across the city's agricultural and open space lands; encourage the development of livable, walkable communities; and increase transit ridership, thereby promoting the economic, social, and environmental well-being of the city.

With the potential for such a significant and positive change in development patterns, it is crucial that proper planning guidance be given, well before the transit stations are constructed. This will allow for timely community input and to put into place appropriate regulations for TOD before redevelopment occurs.

The council, therefore, finds that to protect the public interest and welfare, the Land Use Ordinance is to be amended to provide guidance on how to determine zoning regulations for areas around each transit station. The planning process shall be open, inclusive and visionary, and shall strive to increase the quality of life through rejuvenated community character (including "place-making" opportunities), preservation and enhancement of historic, cultural, scenic, natural and other community resources



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and landmarks, while understanding the relationship between zoning, financing, and real estate market dynamics.

SECTION 2. Section 13-9.3, Revised Ordinances of Honolulu 1990, is repealed.

"[Sec. 13-9.3 Transit oriented development ordinance.

As used in this article, "transit oriented development ordinance" ("TOD ordinance") means an amendment to the land use ordinance regulating development at and around transit stations. The TOD ordinance shall:

- (1) Enable a mix of land uses;
- (2) Enable higher densities;
- (3) Eliminate or reduce minimum off-street parking requirements for such development;
- (4) Encourage travel by rail transit, buses, walking, bicycling, and other nonautomobile forms of transport;
- (5) Encourage development of a mixture of market-rate and affordable housing;
- (6) Encourage public-private partnerships in such development;
- (7) Utilize form-based zoning, exemptions, or other alternatives from existing development regulations, and utilize other incentives to encourage such development;
- (8) Encourage activity at a defined community center; and
- (9) Encourage public input in the design of each transit station so each station reflects unique community design themes, history, or landmarks.]"

SECTION 3. Chapter 21, Article 9, Revised Ordinances of Honolulu 1990, is amended by adding a new Section 21-9.100 to read as follows:



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"Sec. 21-9.100 Transit-oriented development (TOD) special districts.

The council by ordinance shall establish special districts around rapid transit stations to foster more livable communities that take advantage of the benefits of transit; specifically, reducing transportation costs for residents, businesses, and workers. While taking advantage of more efficient use of land, TOD can provide more walkable, healthier, economically vibrant communities, safe bicycling environments, convenient access to daily household needs as well as special events, and enhancement of neighborhood character, while increasing transit ridership.

Prior to January 1, 2011, each special district shall be based on a neighborhood plan that addresses transit-oriented development. The plans may include more than one station, and may address other community concerns and opportunities. On or after January 1, 2011, the council may establish a special district where no neighborhood plan has been adopted.

Where a transit station is located within or adjacent to an existing special district, provisions for TOD shall be added to the existing special district provisions, as recommended by the neighborhood TOD plan."

SECTION 4. Chapter 21, Article 9, Revised Ordinances of Honolulu 1990, is amended by adding a new Section 21-9.100-1 to read as follows:

"Sec. 21-9.100-1 Neighborhood TOD plans.

- (a) Prior to the adoption of any TOD special district occurring before January 1, 2011, the department shall prepare a Neighborhood TOD Plan which serves as the basis for specific special district regulations. Each plan shall address, at minimum, the following:
- (1) The general objectives for the particular TOD special district in terms of overall economic revitalization, neighborhood character, reflecting unique community historic and other design themes. Objectives shall summarize the desired neighborhood mix of land uses, general land use intensities, circulation strategies, general urban design forms, and cultural and historic resources that form the context for TOD.
 - (2) Recommended special district boundaries around each transit station that take into account natural topographic barriers, extent of market interest in redevelopment, and the benefits of transit including the potential to increase transit ridership; typically these boundaries are from ¼ mile to ½



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mile from each station. When appropriate, recommendations may define a "core area" and transition boundaries.

- (3) Recommended zoning controls, including architectural and community design principles, open space requirements, parking standards, and other modifications to existing zoning requirements, or the establishment of new zoning precincts, as appropriate, including density incentives. Form-based zoning may be considered. Prohibition of specific uses shall be considered.
- (4) Potential opportunities for affordable housing, and as appropriate, with supportive services.
- (5) General direction on implementation of the recommendations, including the phasing, timing and approximate cost of each recommendation, as appropriate, and new financing opportunities that should be pursued.
- (b) The planning process shall be inclusive, open to residents, businesses, landowners, community organizations, government agencies, and others.
- (c) The planning process shall consider population, economic, and market analyses and infrastructure analyses, including capacities of water, wastewater, and roadway systems. Where appropriate, public-private partnership opportunities shall be investigated.
- (d) The plan shall be consistent with the applicable regional development plan.
- (e) The plan shall be consistent with any applicable special area plan or community master plan, or make recommendations for revisions to these plans.
- (f) The plan shall be submitted to the applicable neighborhood boards at least forty-five (45) days prior to submittal to the city planning commission. The city planning commission shall hold a public hearing and transmit its recommendations to the city council. The city council shall adopt the plan by resolution within sixty (60) days of receipt, or it shall be deemed adopted."

SECTION 5. Chapter 21, Article 9, Revised Ordinances of Honolulu 1990, is amended by adding a new Section 21-9.100-2 to read as follows:



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"Sec. 21-9.100-2 TOD special district minimum requirements.

Based on the adopted neighborhood TOD plan, each special district shall include, but not be limited to the following provisions:

- (a) Allowances for a mix of land uses, both vertically and horizontally.
- (b) Density and building height limits that may be tied to the provision of community amenities, such as public open space, affordable housing, and community meeting space.
- (c) Elimination or reduction of the number of required off-street parking spaces, including expanded allowances for joint use of parking spaces.
- (d) Design provisions that encourage use of rapid transit, buses, bicycling, walking, and other non-automobile forms of transport that are safe and convenient.
- (e) Guidelines on building orientation and parking location, including bicycling parking.
- (f) Identification of important neighborhood historic, scenic, and cultural landmarks, and controls to protect and enhance these resources.
- (g) Design controls that require human-scale architectural elements at the ground and lower levels of buildings.
- (h) Landscaping requirements that enhance the pedestrian experience, support station identity, and complement adjacent structures."

SECTION 6. 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 materials, or the underscoring.



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SECTION 7. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Barbara Marshall (BR)

DATE OF INTRODUCTION:

February 14, 2008
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 2008.

MUFU HANNEMANN, Mayor
City and County of Honolulu