



CITY COUNCIL

CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII 96813-3077

COMMITTEE ON ZONING AND HOUSING

Voting Members:

Kymberly Marcos Pine, Chair
Carol Fukunaga, Vice Chair
Ikaika Anderson
Michael Formby
Ron Menor
Heidi Tsuneyoshi

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
THURSDAY, MARCH 28, 2019
9:00 A.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register to speak 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 768-3825.

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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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3825 or send an email to potto1@honolulu.gov at least three working days prior to the meeting.

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 FEBRUARY 28, 2019 REGULAR MEETING

FOR ACTION

1. **BILL 79 (2018), CD1 – RELATING TO DETACHED DWELLINGS.** Addressing the problem of the illegal use of large residential structures in residential districts. (Bill passed second reading and public hearing held 12/5/18; Committee postponed action on the Bill 1/24/19)

PROPOSED CD2 TO BILL 79 (2018), CD1 (Submitted by Councilmember Pine) – The CD2 (OCS2019-0274/3/19/2019 3:46 PM) makes the following amendments:

- A. Deletes SECTION 2 of the Bill, which amended Table 21-3.2 (“Residential Districts Development Standards”) to increase the minimum lot area required for two-family detached dwellings and duplexes in the R-5 District. Renumbers subsequent SECTIONS.
- B. In Section 21-3.70-1(c)(3)(A), increases the proposed maximum density (FAR) from 0.6 to 0.7.
- C. In Section 21-3.70-1(c)(3)(D), relating to the number of bathrooms allowed:
 1. Removes the lot size category of “up to 4,999” square feet; and
 2. Clarifies the number of bathrooms to make clear that two 0.5 bathrooms cannot be substituted for one bathroom.
- D. Adds a new Section 21-3.70-1(c)(3)(E), which provides that the conversion or alteration of a wet bar, laundry room, or bathroom is prohibited unless it is specifically allowed under a valid building permit.
- E. Adds a new Section 21-3.70-1(c)(3)(F), which provides that the conversion of a portion of a structure that is excluded from the floor area calculation to a portion of a structure that is included in the floor area calculation is prohibited unless it is specifically allowed under a valid building permit and complies with the applicable standards of Section 21-3.70(c)(3).

- F. Adds a new Section 21-3.70-1(c)(3)(H), which provides that when the FAR exceeds 0.6, the following additional standards apply:
 - 1. Eight-foot side and rear yards;
 - 2. Each dwelling unit must be owner-occupied;
 - 3. Issuance of a temporary certificate of occupancy, effective for a period of one year after issuance, during which period additional inspections may be conducted by the department.
 - G. In Table 21-6.1 relating to off-street parking, requires 2 off-street parking stalls per unit plus 1 per 750 (instead of 500) square feet over 2,500 square feet (excluding carport or garage). Revises the way the requirements are presented to list the number of parking spaces required based on floor area.
 - H. Deletes amendments to Section 21-6.40(b), relating to the design and arrangement of off-street parking where four or more parking spaces are required, which would have removed an exception for one-family or two-family detached dwellings.
 - I. Amends the definition of “bathroom” to mean a room that is equipped for taking a bath or shower, and that includes either a sink or toilet, or both (instead of a sink and toilet).
 - J. Makes miscellaneous technical and nonsubstantive amendments.
2. **RESOLUTION 19-43 – SMP FOR THE RENOVATION OF TWO EXISTING SINGLE-FAMILY DWELLING UNITS, CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING UNIT AND VARIOUS IMPROVEMENTS IN MAUNALUA (2018/SMA-58).** Granting a Special Management Area (“SMA”) Use Permit to renovate two existing single-family dwellings, construct a new single-family dwelling with an attached three-car garage and ancillary structures, including two swimming pools, wine storage, a detached multiple-car garage and two cabanas, and repair existing structures within the shoreline setback area within the R-10 Residential District, identified as Tax Map Keys 3-9-026: 044 through 048. (Applicant: Evershine II L.P.) (Transmitted by Communication D-112) (Current deadline for Council action: 4/22/19)

PROPOSED CD1 TO RESOLUTION 19-43 (Submitted by Councilmember Pine)
– The CD1 (OCS2019-0278/3/20/2019 10:22 AM) makes the following amendments:

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- A. Revises the Resolution title and first WHEREAS clause to clarify the description of the Project.
 - B. Adds February 14, 2019 as the date the DPP completed its report and transmitted its findings and recommendation of approval to the Council.
 - C. Adds February 21, 2019 as the date the Council received the DPP's findings and recommendation by Departmental Communication 112 (2019).
 - D. Conforms Condition A (relating to general conformity of the Project) and Condition E (relating to the Hawaiian hoary bat habitat) to the standard language used in SMA Use Permit resolutions.
 - E. In Condition B.2, clarifies that the ILS is intended to expedite future reviews by the SHPD Architecture Branch, and assist in determining whether buildings on the Project site may qualify for dedication as a historic residential property for purposes of a real property tax exemption pursuant to ROH Section 8-10.22.
 - F. In Condition C.1, clarifies that the lowest livable floor at the Harbor Villa residence must be above the base flood elevation, as determined on the submission date of the building permit application.
 - G. In Condition C.2, clarifies that all walls, fences and gates within the required yards, particularly with respect to the Harbor Villa residence and Portlock residence, must not exceed six feet in height.
 - H. In Condition G, adds that all outdoor light fixtures must be fully shielded with the light directed downward so that the light bulb is only visible from below the light fixture.
 - I. Makes miscellaneous technical and nonsubstantive amendments.
3. **RESOLUTION 19-61 – ILILANI AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT.** Authorizing exemptions from certain requirements relating to Ililani Affordable and Market Rate Condominium Project located at 615 Keawe Street and 690 Halekauwila Street, Honolulu, Hawaii, Tax Map Keys: (1)2-1-051:011 and 012. (Developer: Ililani, LLC) (Transmitted by Communication M-84) (Current deadline for Council action: 4/18/19)

4. **RESOLUTION 19-67 – EXTENSION OF TIME FOR OBTAINING A PERMIT FOR PD-R PROJECT LOCATED IN WAIKIKI.** Approving an extension for obtaining a development permit for the proposed Planned Development-Resort Project located in the Waikiki Special District, Tax Map Key 2-6-23: 29, 37, and 76. (Applicant: Hilton Resorts Corporation) (Agent: R. M. Towill Corporation) (Transmitted by Communication D-184 [2019])

PROPOSED CD1 TO RESOLUTION 19-67 (Submitted by Councilmember Pine)
– The CD1 (OCS2019-0295/3/22/2019 2:56 PM) makes the following amendments:

- A. Amends the title to provide that the Resolution approves an extension of time to obtain a building permit for a proposed PD-R project conceptually approved by Resolution 16-52, CD1, FD1.
- B. In the first WHEREAS clause, adds the file number for the special district permit issued for the Project by the DPP.
- C. Replaces the second WHEREAS clause to detail the condition in Resolution 16-52, CD1, FD1 that required the Project to receive a building permit within two years after the effective date of Resolution 16-52, CD1, FD1, and the procedures to obtain an extension of this period.
- D. Adds a fifth WHEREAS clause to detail the minor modifications to the Project, and provide that the Applicant plans to obtain the DPP Director's approval of these minor modifications.
- E. Adds a final WHEREAS clause to provide that the Council finds good cause has been demonstrated for the extension.
- F. Amends the BE IT RESOLVED clause to provide that the deadline to obtain a building permit under Resolution 16-52, CD1, FD1 is extended to April 20, 2020. Deletes all extension conditions.
- G. Adds a BE IT FURTHER RESOLVED clause to provide that any further extensions of the April 20, 2020 deadline require approval of the Council pursuant to the procedures set forth in Resolution 16-52, CD1, FD1.
- H. Adds a second BE IT FURTHER RESOLVED clause to provide that all other provisions of Resolution 16-52, CD1, FD1 are ratified and confirmed, and remain in full force and effect.
- I. Makes miscellaneous technical and nonsubstantive amendments.

5. **RESOLUTION 19-76 – EXTENSION OF TIME FOR OHANA HALE AFFORDABLE HOUSING PROJECT.** Amending Resolution 15-89, CD1, as amended by Resolution 17-92, to extend the deadline for commencement of construction of the Ohana Hale affordable housing project at 929 Pumehana Street, McCully, Honolulu, Oahu, identified as Tax Map Key 2-3-028: 004. (Applicant: MJF Development Corporation)

Related communication:

M-123 MJF Development Corporation, submitting request for an extension of time.

6. **BILL 94 (2018), CD1 – AMENDING THE STATE LAND USE DISTRICT BOUNDARY MAP (KAHUKU QUADRANGLE).** Amending 14.85 acres of the State Land Use District Boundary Map (Kahuku Quadrangle) from the Agricultural District to the Urban District and 0.03 acres from the Urban District to the Agricultural District for certain lands situated at Brigham Young University - Hawaii, Laie, Oahu, Hawaii. (Applicant: Brigham Young University – Hawaii) (Bill passed Second Reading and Public Hearing 3/8/19)

PROPOSED CD2 TO BILL 94 (2018), CD1 (Submitted by Councilmember Pine) – The CD2 (OCS2019-0246/3/12/2019 8:53 AM) makes the following amendments:

- A. Adds a new SECTION 2 of the Bill, which adds conditions of approval required by Section 205-3.5 of the Hawaii Revised Statutes, relating to the reclassification of land contiguous to an agricultural district. Renumbers the subsequent SECTION.
- B. Makes miscellaneous technical and non-substantive amendments.

Related communications:

M-82 R. M. Towill Corporation, submitting PowerPoint presentation and Ka Pa‘akai Analysis dated February 27, 2019

M-106 Brigham Young University-Hawaii, Ka Pa‘akai Analysis dated March 6, 2019

D-204 Department of Planning and Permitting, submitting recommendation and supplemental report to accept the Ka Pa‘akai Analysis dated March 6, 2019.

7. **BILL 6 (2019) – DEVELOPMENT OF LOW-RISE MULTIFAMILY DWELLINGS.** Increasing development opportunities for affordable rental units in low-rise multifamily dwellings in the apartment, apartment mixed use, and business mixed use districts, and reduce the proliferation of monster homes in the residential districts. (Bill passed First Reading 3/8/19) (Transmitted by Communication D-120 [2019])
8. **BILL 7 (2019) – AFFORDABLE RENTAL HOUSING.** Creating a temporary program to accelerate the construction of affordable rental housing on apartment and business mixed use-zoned properties by relaxing zoning and building code standards, and offering financial incentives. (Bill passed First Reading 3/8/19) (Transmitted by Communication D-120 [2019])

KYMBERLY MARCOS PINE, Chair
Committee on Zoning and Housing