



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

Ron Menor, Chair
Tommy Waters, Vice Chair
Brandon Elefante
Ann Kobayashi
Joey Manahan

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
THURSDAY, MAY 23, 2019
9:00 A.M.

Item No. 6 -
Resolution 19-43 has been
cancelled.

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 will be 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, will be available to the public on the City Council's pilot website: www.honolulucitycouncil.com as well as the City's legacy 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 www.honolulucitycouncil.com and 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 EXTENSION OF TIME ONLY

1. **BILL 89 (2018), CD1 – LAND USE ORDINANCE (LUO) AMENDMENT RELATING TO SHORT-TERM RENTALS.** Amending the LUO to regulate short-term rentals and protect residential neighborhoods from impacts of illegal transient vacation rentals. (Bill recommitted back to Committee on Planning 5/8/19) (Current deadline for Council action 6/6/19)

FOR ACTION

2. **RESOLUTION 19-102 – GIFT FROM THE AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP).** Accepting a gift from the AARP of travel, lodging, and meals valued at \$2,550 for staff to attend and present at the AARP National Rural Livability Workshop from June 19 to 21, 2019 in Portland, Maine. (Transmitted by Communication D-294)
3. **RESOLUTION 19-103 – GIFT FROM THE FEDERAL TRANSIT ADMINISTRATION (FTA) THROUGH ITS CONTRACTOR, SMART GROWTH AMERICA (SGA).** Accepting a gift from the FTA, through its contractor, SGA, of conference registration, reception and dinner, one-night lodging, and travel costs valued at \$1,195 for staff attendance at the 2019 LOCUS National Leadership Summit and FTA TOD Peer Network Convening being held from June 23 to 24, 2019 in Washington, DC. (Transmitted by Communication D-295)
4. **RESOLUTION 19-87 – APPROVING PLAN REVIEW USE (PRU) PERMIT FOR BRIGHAM YOUNG UNIVERSITY-HAWAII (BYU-H) CAMPUS EXPANSION (2018/PRU-1).** Approving an application for a PRU Permit for the BYU-H campus expansion, which is on land zoned R-5 Residential and AG-1 Restricted Agriculture District, located in Laie, Koolauloa, and identified as Tax Map Keys 5-5-006: 005, 032, and 035. (Applicant: Brigham Young University-Hawaii; Agent: R.M. Towill Corporation [Jim Niermann]) (Transmitted by Communication D-235) (Current deadline for Council action 6/7/19)

PROPOSED CD1 TO RESOLUTION 19-87 – The CD1 (OCS2019-0541/5/16/2019 3:47 PM) makes the following amendments:

- A. Revises the first and second WHEREAS clauses, and adds a third WHEREAS clause to clarify the description of the Project.
- B. In the last WHEREAS clause, specifies that the Council received the findings and recommendation of the DPP Director by Departmental Communication 235 on April 8, 2019.

- C. Adds a new Condition 5.b to provide for TIAR update requirements, and moves the post TIAR requirements from Condition 5.e to Condition 5.b. Re-alphabetizes subsequent Condition 5 subsections accordingly.
- D. In re-alphabetized Condition 5.c, requires the CMP to be submitted prior to the issuance of demolition or building permits for major construction work.
- E. In re-alphabetized Condition 5.d, requires the TMP and any subsequent updates to be submitted to and approved by the DPP prior to the issuance of the temporary certificate of occupancy.
- F. In Condition 7, provides that except for the intramural field lighting, any new or replacement exterior lighting that visually impacts the surrounding area must be a color temperature of 3,000K or less, and if it is determined that the exterior lighting significantly impacts the visual resources, the Applicant shall reduce the color temperature of its exterior lighting.
- G. Conforms Condition 8 to the standard PRU language relating to compliance with LUO and other governmental requirements.
- H. Makes miscellaneous technical and nonsubstantive amendments.

5. **RESOLUTION 19-42 – LAND USE ORDINANCE (LUO) AMENDMENT RELATING TO GROUP LIVING FACILITIES.** Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), relating to group living facilities. (Resolution was recommitted back to the Committee on Planning 3/8/19; Committee on Planning postponed action 3/25/19)

PROPOSED CD1 TO RESOLUTION 19-42 – The CD1 (OCS2019-0548/5/17/2019 4:16 PM) makes the following amendments:

- A. Throughout the resolution, clarifies that the subject group living facilities relate to dormitories and residences that provide housing for more than five unrelated students or staff of a public educational institution.
- B. In the fourth WHEREAS clause, clarifies that group living facilities provide for communal accommodations, such as a cafeteria or common kitchen.
- C. In the seventh WHEREAS clause, provides that off-campus student and staff housing is typically located within one-half mile of a related educational institution, and for public educational institutions with large student enrollments, the prohibition against having group living facilities located within 1,000 feet of each other may severely limit the amount of student and staff housing available.

- D. Adds a new ninth WHEREAS clause, which provides that notwithstanding the outstanding community support for public educational institutions, these neighborhoods are also concerned about the proliferation of large detached dwellings.
- E. Adds a new tenth WHEREAS clause, which provides that while multifamily dwelling group living facilities that serve a large number of students and staff are generally well-designed and well-managed, large detached dwelling group living facilities that serve a smaller number of students and staff have not always complied with applicable development standards and have often negatively impacted surrounding neighborhoods.
- F. In the fourth to the last WHEREAS clause, clarifies that the Council believes the close proximity of multifamily dwelling group living facilities that serve a large number of students and staff, and are located in the apartment, apartment mixed use, or business mixed use zoning districts within one-half mile of a public educational institution, would not adversely impact the surrounding community.
- G. Makes miscellaneous technical and nonsubstantive amendments.

The proposed CD1 also makes the following amendments to the proposed Exhibit A bill:

- 1. In Section 21-5.290(a), provides for an exception from the 1,000-foot restriction for multifamily dwellings that provide housing for students or staff of a public educational institution, and are located in the apartment, apartment mixed use, or business mixed use zoning districts within a one-half-mile radius of the public educational institution.
- 2. Makes miscellaneous technical and nonsubstantive amendments.

- 6. ~~**RESOLUTION 19-43 – SPECIAL MANAGEMENT AREA USE PERMIT (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 SMP to renovate two existing single-family dwellings, construct a new single-family dwelling, 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.) (Committee on Zoning and Housing postponed action on the Resolution 3/28/19) (Current deadline for Council action 8/20/19)

CANCELLED

~~PROPOSED CD1 TO RESOLUTION 19-43 – The CD1 (OCS2019-0514/5/13/2019 2:34 PM) makes the following amendments:~~

- ~~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.~~

RON MENOR, Chair
Committee on Zoning, Planning
and Housing