



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
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CAROL FUKUNAGA


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February 22, 2022

TO: Mr. Dean Uchida, Director
Department of Planning and Permitting

ATTN: Ms. Dawn Takeuchi Apana, Deputy Director
Department of Planning and Permitting

Mr. Eugene Takahashi, Deputy Director
Department of Planning and Permitting

FROM: Councilmember Carol Fukunaga 
Committee on Public Infrastructure and Technology (PIT)

RE: Follow-Up Questions regarding Implementation of **Ordinances 19-4 and 21-3**
(Fire Safety Retrofits for High-rise Condominium/Co-operative Properties)

In 2021-2022, numerous concerns have been raised about implementation timetables associated with fire sprinkler retrofits and/or associated fire safety upgrades required for high-rise condominium/co-operative properties built before 1971.

Of particular concern is the low 'passing' rate of high-rise properties subject to the **Ordinances 19-4 and 21-3** requirements, and current timetables in these ordinances for obtaining the necessary permits through Department of Planning and Permitting. Honolulu Fire Department's most current 3-month update on the status of properties required to comply with the ordinances includes:

1. Total number of high-rise condo/co-op properties required to comply with Ordinances 19-4 and 21-3: 323 properties
2. Aggregate number of high-rise condo/co-op properties that have achieved a 'passing' or 'acceptable' score as of January 31, 2022: 12 properties
3. Aggregate number of Life Safety Evaluation forms filed with Honolulu Fire Department as of January 31, 2022: 178

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PIT

4. Aggregate number of residential condo/co-op properties that have not filed an LSE with Honolulu Fire Department as of January 31, 2022: 145 properties
5. Number of residential condo/co-op properties that have not yet received a 'passing' or 'acceptable' score as of January 31, 2022: 311 properties

The first deadline applicable to condo/co-op properties required to comply with the two ordinances is May 3, 2022 – the deadline for notifying the Honolulu Department of a decision to “opt-out” from the fire sprinkler retrofit requirement.

However, the past two and one-half years of COVID-19 pandemic have resulted in construction cost increases, supply chain issues and financing issues. As such, most (roughly 90-95%) of residential condo/co-op associations seek repeal of these laws or considerable timetable modifications to the fire safety ordinances.

Office of Council Services staff have developed two charts reflecting the current timetables for installation of fire sprinklers (page 2) and for installation of alternative building fire prevention and fire safety systems (page 3); copies are attached for your review. The PIT Committee would greatly appreciate your department's written responses to the following questions:

1. What type of assistance/assurances will buildings get from Dept. of Planning and Permitting with respect to issuing building permits in a timely manner – assuming current deadlines are not extended? If deadlines are extended, what timetable recommendations does your department have regarding deadlines applicable to building permit processing?
2. What is a typical timeline for financing and undertaking building improvements through city agencies (e.g., Dept. of Planning and Permitting, Honolulu Board of Water Supply, etc.)?
3. Would special permit processing – e.g., a “fast-tracked permit process” - be needed to address the large number of older high-rise condo/co-op properties subject to the fire safety deadlines?

For example, during a 2018 Permitted-Interaction Group forum convened to respond to questions raised about the proposed laws, Honolulu Board of Water Supply reported 17 buildings in the Punchbowl, Makiki and Salt Lake areas were close to the water service limits of the Metro Low Service 180' water system (see *attached January 17, 2018 response*).

This water service limits issue is one reflection of the types of unique circumstances that may accompany the fast-tracked processing of building permit applications for a group of older high-rise residential properties, particularly in older urban neighborhoods.

4. If the answer to Question 3 is yes, what recommendations does your department have for processing roughly twice as many properties as were estimated when **Ordinance 18-14** (Bill 69) was adopted?

At that time, Honolulu Fire Department estimated that roughly 150 high-rise properties out of approximately 378 high-rise properties would be subject to the fire sprinkler/alternative building fire prevention and fire safety systems requirements.

However, in January 2022, while the total number of high-rise properties in Honolulu Fire Department's inventory of high-rise properties that must comply with the fire safety upgrades ordinances has decreased to 323 properties, the total number of individual units has increased to 38,747 units (instead of the 21,490 individual units estimated when Ordinance 18-14 was adopted).

We would appreciate your written responses **by Monday, February 28, 2022** to aid in our preparations for the next round of PIT Committee meetings on **Bill 37, CD1** issues on February 24, 2022 and March 2, 2022.

Please contact Senior Advisor Kimberly Ribellia-Collins (kribellia-collins@honolulu.gov) or at (808) 768-5045 if you have additional questions regarding the above information requests.

**Current Compliance Deadlines for Covered Buildings¹
Automatic Fire Sprinkler System**

Requirements for Covered Buildings	City Fire Code Section	Deadline
If opting to install an automatic fire sprinkler system throughout the building, apply for and obtain a building permit for the automatic fire sprinkler system	§13.3.2.26.2.2	Three years from the date of notifying the AHJ ² of its option or selecting the option on the LSE form
Be protected by an automatic fire sprinkler system	§13.3.2.26.2.6	13 years from May 3, 2018
Common areas in covered buildings with 20 floors or over must be compliant by use of an automatic fire sprinkler system or alternative fire prevention and fire safety system.	§13.3.2.26.2.7	Nine years from May 3, 2018
Common areas in covered buildings with 10 to 19 floors must be compliant by use of an automatic fire sprinkler system or alternative fire prevention and fire safety system.	§13.3.2.26.2.7	11 years from May 3, 2018
All covered buildings must be compliant by use of an automatic fire sprinkler system or an alternative fire prevention and fire safety system.	§13.3.2.26.2.7	13 years from May 3, 2018
An extension may be approved by the AHJ provided that compliance is achieved by using an automatic fire sprinkler system in common areas related to the building's egress path.	§13.3.2.26.2.7	16 years from May 3, 2018

¹ "Covered buildings" mean residential high-rise buildings addressed by Ordinances 18-14 and 19-4.

² "AHJ" means "Authority Having Jurisdiction," i.e., the Honolulu Fire Department.

**Current Compliance Deadlines for Covered Buildings³
Alternative Building Fire Prevention and Fire Safety Systems**

Requirements for Covered Buildings	City Fire Code Section	Deadline
Conduct a building fire and life safety evaluation ("LSE")	§13.3.2.26.2	Four years from May 3, 2018
Appeal LSE ⁴ score	§13.3.2.26.2.1	45 days after LSE assessment or AHJ determination of requirements
AHJ renders decision on appeal	§13.3.2.26.2.1	30 days after receipt of appeal
Pass LSE	§13.3.2.26.2	Seven years from May 3, 2018
Opt out of the automatic fire sprinkler system requirement by a majority vote of the building's owners or shareholders	§13.3.2.26.2.3	Four years from completion of the LSE
Be protected by an approved alternate fire prevention and safety system	§13.3.2.26.2.6	13 years from May 3, 2018
Common areas in covered buildings with 20 floors or over must be compliant by use of an automatic fire sprinkler system or alternative fire prevention and fire safety system.	§13.3.2.26.2.7	Nine years from May 3, 2018
Common areas in covered buildings with 10 to 19 floors must be compliant by use of an automatic fire sprinkler system or alternative fire prevention and fire safety system.	§13.3.2.26.2.7	11 years from May 3, 2018
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⁴ "AHJ" means "Authority Having Jurisdiction," i.e., the Honolulu Fire Department.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



January 17, 2018

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Deputy Manager and Chief Engineer

The Honorable Ann Kobayashi
Honolulu City Council
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Honolulu, Hawaii 96813-3065

The Honorable Carol Fukunaga
Honolulu City Council
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The Honorable Trevor Ozawa
Honolulu City Council
530 South King Street, Room. 202
Honolulu, Hawaii 96813-3065

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2018 JAN 18 A 8:30
CITY COUNCIL
HONOLULU, HAWAII

Dear Councilmember Kobayashi, Fukunaga and Ozawa:

Subject: Your Letter of December 28, 2017 Regarding Water Capacity
and Infrastructure Adequacy for High Rise Building Fire Sprinklers

Thank you for your request for water system capacity and adequacy information for 150 high-rise building fire sprinkler systems. We have the following comments:

1. The 150 high rise buildings are located in the Waikiki, Makiki, McCully, Punchbowl, Ala Moana, Salt Lake and Aiea areas. The water systems in these areas are adequate and have available water supply to accommodate the underlying apartment and resort zoning. All high rise building properties should consult with an engineering consultant firm to determine the feasibility and costs of a booster pump system to accommodate a fire sprinkler system.
2. There are approximately 17 buildings in the Punchbowl, Makiki and Salt Lake areas that are close to the water service limit of the Metro Low Service 180' water system resulting in lower static water pressures, between 40 psi and 55 psi at the water meter locations. A few of the properties also front the Metro high service system and may be able to connect a fire service without the need for a booster pump. Each property is unique and should be evaluated on a case-by-case basis. Please be advised that this information is based upon current data, and therefore, the Board of Water Supply (BWS) reserves the right to change any position or information stated herein up until the final approval of the building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval.

3. The 17 properties are as follows:

- a. 775 Kinalau Pl.
- b. 1111 Wilder Ave.
- c. 1121 Wilder Ave.
- d. 1130 Wilder Ave.
- e. 1137 Wilder Ave.
- f. 1323 Wilder Ave.
- g. 1550 Wilder Ave.
- h. 1629 Wilder Ave.
- i. 1535 Pensacola St.
- j. 1580 Thurston Ave.
- k. 1616 Liholiho St.
- l. 1805 Poki St.
- m. 1415 Punahou St.
- n. 1521 Punahou St.
- o. 1621 Dole St.
- p. 1617 Clark St.
- q. 3045 Ala Napuaa Pl.

If you have any questions, please contact Barry Usagawa, Water Resources Division, at 748-5900.

Very truly yours,


ERNEST Y.W. LAU, P.E.
Manager and Chief Engineer

APPROVED:


Roy K. Amemiya, Jr.
Managing Director