



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
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'22AUG05 PM 4:45 CITY CLERK

MEMORANDUM

August 5, 2022

TO: Gail Uehara, Committee Clerk
Committee on Zoning and Planning

FROM: Tommy Waters, Chair and Presiding Officer

SUBJECT: Proposed Amendments to Bill 10 (2022), CD1

A handwritten signature in black ink that reads "Tommy Waters". The signature is written in a cursive style and is positioned to the right of the "FROM:" line.

Attached for your consideration by the Committee on Zoning and Planning are my amendments to Bill 10 (2022), CD1 relating to the regulation of uses throughout Chapter 21, Revised Ordinances of Honolulu 1990 ("Land Use Ordinance").

Mahalo.

COUNCIL COM. 241
ZP

AMENDMENT FORM

Bill 10 – Land Use Ordinances

TOTAL PAGES: 5
 DATE: August 5, 2022
 COUNCILMEMBER: Waters
 STAFF & PHONE EXT: Davin Aoyagi x85044

MEASURE NO.	SECTION or EXHIBIT or FIGURE	SECTION or EXHIBIT TITLE	PG NO.	AMENDMENT DESCRIPTION/ DETAILS	AMENDMENT TEXT (RAMSEYER NEW LANGUAGE)	CLARIFICATION/ COMMENTS
Bill 10 (2022)	Sec. 21-5.30	Use table	5	Amends multi-unit dwelling uses in various zoned properties.	Amend the Use Table to permit multi-unit dwellings as "P*" in the I-1, I-2, I-3, IMX-1, R-20, R-10, R-7.5, R-5, and R-3.5 Districts.	
Bill 10 (2022)	Sec. 21-5.30	Use table	5	Adds teacher and workforce housing use under the accessory residential category.	Amend the Use Table to add and permit teacher and workforce housing under accessory residential as "P*" in the A-2 and B-2 Districts.	
Bill 10 (2022)	Sec. 21-5.50-3(c)	Use Table	5	Permits home occupation uses in the B-1 and B-2 Districts, in accordance with changes allowing multi-unit dwellings in the B-1 and B-2 Districts.	Amend the Use Table to permit home occupation as "P*" in the B-1 and B-2 Districts.	
Bill 10 (2022)	Sec. 21-5.50-1(e)(2)	Residential uses, multi-unit dwelling standards.	27	Amends standards for multi-unit dwellings.	(2) Standards: (A) In the B-1 and B-2 zoning districts, multi-unit dwellings are permitted if located above the first floor of a building occupied by a permitted principal non-residential use. A residential lobby of up to 1,500 square feet of floor area and other necessary points of ingress or egress may be located on the ground floor. All other residential uses must be located above the non-residential use.	

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					<p>(B) <u>In the B-1 and B-2 zoning districts, multi-unit dwellings are permitted on within neighborhood transit-oriented development plan areas; provided that the following requirements are satisfied:</u></p> <ul style="list-style-type: none"> (i) [Zoning] <u>For zoning lots larger than 4 acres, but smaller than 7 acres, with a minimum of 10,000 square feet of nonresidential floor area <u>must be</u> developed on the lot;</u> (ii) [Zoning] <u>For zoning lots larger than 7 acres with, a minimum of 40,000 square feet of nonresidential floor area <u>must be</u> developed on the lot; or</u> (iii) [Zoning] <u>For zoning lots with a minimum nonresidential floor area ratio of 0.3; provided that, a pedestrian and bicycle access path a minimum of 8 feet in width is <u>must be</u> provided from adjacent rights-of-way to both residential and nonresidential uses on the zoning lot.</u> <p>(C) <u>In the I-1, I-2, and IMX-1 zoning districts, multi-unit dwellings are permitted within neighborhood transit-oriented development plan areas; provided that the following requirements are satisfied:</u></p> <ul style="list-style-type: none"> (i) <u>For zoning lots larger than 4 acres, but smaller than 7 acres, a minimum of 10,000 square feet of nonresidential floor area <u>must be</u> developed on the lot;</u> (ii) <u>For zoning lots larger than 7 acres, a minimum of 40,000 square feet of nonresidential floor area <u>must be</u> developed on the lot; or</u> (iii) <u>For zoning lots with a minimum nonresidential floor area ratio of 0.3, a pedestrian and bicycle access path a minimum of 8 feet in width <u>must be</u> provided from adjacent rights-of-way to both residential and nonresidential uses on the zoning lot.</u> 	

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					(D) <u>In the R-20, R-10, R-7.5, R-5, and R-3.5 zoning districts, multi-unit dwellings are permitted within neighborhood transit-oriented development plan areas.</u>	
Bill 10 (2022)	Sec. 21-5.50-3	Accessory residential	30	Adds a definition and use standards for teacher and workforce housing as an accessory residential use.	<p>(g) <u>Teacher and workforce housing.</u></p> <p>(1) <u>Defined: Accessory affordable housing rented to households earning 80 percent and below the area median income for Honolulu, located on a zoning lot previously or currently used as a State Department of Education public school that is currently owned by the city.</u></p> <p>(2) <u>Standards:</u></p> <p>(A) <u>The zoning lot must be located within the Primary Urban Center Development Plan area.</u></p> <p>(B) <u>The city will partner with qualified entities to plan, design, finance, construct, manage, operate, and maintain the teacher and workforce housing under a long-term leasehold interest; provided that the dwelling units must rented to eligible households using the following priorities:</u></p> <p>(i) <u>First to households earning 80 percent and below of the area median income for Honolulu, with at least one household member employed as a public school teacher within the Primary Urban Center Development Plan area;</u></p> <p>(ii) <u>Second to households earning 80 percent and below of the area median income for Honolulu, with at least</u></p>	

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					<p><u>one household member employed in that geographic zip code ; and</u></p> <p><u>(iii) Third to households earning 80 percent and below of the area median income for Honolulu.</u></p> <p><u>(C) The city shall prioritize teacher and workforce housing as an accessory use over other accessory uses on the zoning lot, including but not limited to storage space.</u></p> <p><u>(D) Teacher and workforce housing must not displace any current public education operations.</u></p> <p><u>(3) The development contract and lease for the teacher and workforce housing project must be submitted to the Council for approval by resolution pursuant to Section 28-3.4(g).</u></p>	
Bill 10 (2022)	Sec. 21-6.30	Adjustments and exceptions to parking requirements	154	Amends off-street parking requirement exception for accessory dwelling units within the Primary Urban Center Development Plan area.	(b) For accessory dwelling units, one off-street parking space must be provided in addition to the required off-street parking for the primary dwelling unit, except for accessory dwelling units located within one-half mile of a rail transit station. <u>For accessory dwelling units located within the Primary Urban Center Development Plan area, the off-street parking space requirement will be waived if the accessory dwelling unit is within 800 feet of a city bus-stop.</u>	

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Bill 10 (2022)	Sec. 21-7.50	Special regulations for certain uses	164	Adding special regulations for multi-unit dwellings.	(g) <u>Multi-unit dwellings shall be subject to the following conditions: contractors conducting work shall register in a publicly accessible database with the department of planning and permitting, documenting and certifying that: (1) health and welfare coverage plans for their employees include medical, dental, vision, and life insurance for all eligible employees, their spouses, domestic partners, and dependents; (2) participation in a state-approved apprenticeship program; (3) paid time off on sick days, vacation and holidays, or payments into ERISA funds which accumulate vacation pay for the employee's benefit; (4) retirement savings plan; and (5) contractors shall not have a history of illegal, fraudulent, willful or grossly negligent business practices. Contractors are exempt from the aforementioned conditions upon providing the department with a copy of a signed collective bargaining agreement.</u>	