

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kia'āina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

Committee Meeting Held
October 20, 2022

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, which considered Resolution 22-205 entitled:

"RESOLUTION CONFIRMING THE REAPPOINTMENT OF JAY HIGASHI TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU,"

introduced on August 23, 2022, reports as follows:

The purpose of the Resolution is to confirm the reappointment of Mr. Higashi to serve on the Building Board of Appeals of the City and County of Honolulu for a term to expire December 31, 2025. The Mayor has requested Council confirmation of the reappointment of Mr. Higashi through Mayor's Message 145 (2022) with additional information transmitted through Mayor's Message 197 (2022).

A public hearing on Mr. Higashi's reappointment was held at the City Council meeting on September 7, 2022.

At your Committee meeting on October 20, 2022, Mr. Higashi provided information on his background, expressed his willingness to continue serving on the Building Board of Appeals, and responded to questions from Councilmembers.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

NOV 02 2022

COMMITTEE REPORT NO. **289**

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kia'āina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

Committee Meeting Held
October 20, 2022
Page 2

The Acting Director of Planning and Permitting testified in support of the Resolution.

Your Committee received no oral or written public testimony on the Resolution.

Your Committee has prepared a CD1 version of the Resolution that makes the following amendments:

- A. Throughout the Resolution, updates the references to the ROH provision establishing the Building Board of Appeals, its membership, and duties (currently ROH Section 16-1.1 (14)).
- B. In Item (1) of the second WHEREAS clause, clarifies that the Building Board of Appeals also hears and determines appeals of decisions regarding the administration of the Energy Code.
- C. In third WHEREAS clause, corrects the number of members required to be qualified on matters pertaining to fire safety.
- D. In the fourth WHEREAS clause, changes the reference Section 13-103(a)" to "Section 13-103.1(a)."
- E. Adds new fifth and sixth WHEREAS clauses to discuss Jay Hayashi's prior appointment to the Building Board of Appeals and his service as a holdover member.
- F. In the seventh WHEREAS clause, adds a reference to Mayor's Message 145 (2022), dated August 18, 2022.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

NOV 02 2022

COMMITTEE REPORT NO. **289**

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kia'aina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

Committee Meeting Held
October 20, 2022
Page 3

- G. Adds the Director of Planning and Permitting as a recipient of a copy of the Resolution.
- H. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee finds that Mr. Higashi meets all qualifications required to serve as a member on the Building Board of Appeals.

Your Committee on Zoning and Planning is in accord with the intent and purpose of Resolution 22-205, as amended herein, and recommends its adoption in the form attached hereto as Resolution 22-205, CD1. (Ayes: Cordero, Elefante, Kia'aina, Say – 4; Noes: None.)

Respectfully submitted,


Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON **NOV 02 2022**

COMMITTEE REPORT NO. **289**



RESOLUTION

CONFIRMING THE REAPPOINTMENT OF JAY HIGASHI TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

WHEREAS, Section 16-1.1(14), Revised Ordinances of Honolulu 1990 ("ROH"), establishes the Building Board of Appeals ("Board") consisting of nine members who are appointed by the Mayor and confirmed by the City Council ("Council") to five-year terms; and

WHEREAS, ROH Section 16-1.1(14) provides that the Board has the duties of hearing and determining the following:

- (1) Appeals of decisions regarding the administration of the Building Code, Electrical Code, Plumbing Code, Housing Code, Fire Code, Energy Code, Building Energy Efficiency Standards, and the building permit ordinance;
- (2) Petitions for variances from the Building Code, Electrical Code, Plumbing Code, Fire Code, and Building Energy Efficiency Standards;
- (3) Appeals of decisions regarding the administrative enforcement of the litter control ordinance; and
- (4) Appeals concerning the summary removal of unlawful signs from street rights-of-way and public malls; and

WHEREAS, ROH Section 16-1.1(14) establishes a general qualification requiring that two members of the Board shall be qualified by experience and training to pass on matters pertaining to fire safety; and

WHEREAS, Section 13-103.1(a), Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, which applies to the Board, requires a member to be a registered voter of the City and County of Honolulu ("City"); and

WHEREAS, Resolution 17-152 confirmed the appointment of Jay Higashi to be a member of the Board with experience and training in fire safety, for a term expiring on December 31, 2020; and

WHEREAS, since January 1, 2021, Jay Higashi has been serving as a holdover member of the Board; and



RESOLUTION

WHEREAS, by Mayor's Message 145 (2022), dated August 18, 2022, the Mayor has reappointed Jay Higashi to the Board; and

WHEREAS, if confirmed by the Council, Jay Higashi will be reappointed as a Fire Safety member on the Board and serve for a term to expire on December 31, 2025; and

WHEREAS, the Council has reviewed Jay Higashi's qualifications and finds that he qualifies to serve on the Board and deserves confirmation; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it confirms the reappointment of Jay Higashi to the Building Board of Appeals for a term to expire on December 31, 2025; and

BE IT FURTHER RESOLVED that the Council expresses its gratitude and appreciation to Jay Higashi for his willingness to continue his public service and actively participate in City government; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Chair of the Building Board of Appeals, the Director of Planning and Permitting, and Jay Higashi.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

August 23, 2022
Honolulu, Hawaii

Councilmembers