SUMMARY OF PROPOSED FLOOR DRAFT:

BILL 57 (2020), CD2
RELATING TO DETACHED DWELLINGS.

THE PROPOSED FD1 makes the following amendments to the proposed CD2:

A. In SECTION 5 of the bill, amends the effective date of the ordinance to March 1, 2021 (instead of upon approval).

B. Makes miscellaneous technical and nonsubstantive amendments.

A BILL FOR AN ORDINANCE

RELATING TO DETACHED DWELLINGS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to further address the regulations on large residential structures in residential districts.

SECTION 2. Section 21-3.70-1, Revised Ordinances Honolulu 1990 ("Residential uses and development standards"), is amended by amending subsection (c) to read as follows:

"(c) Additional Development Standards.

(1) Maximum Height. The maximum height of structures is determined by the building envelope created as the result of the intersection of two planes. The first plane is measured horizontally across the parcel at 25 feet above the high point of the buildable area boundary line. The second plane runs parallel to grade, as described in Section 21-4.60(b), measured at a height of 30 feet. If the two planes do not intersect, then the building envelope is determined by the first plane (see Figure 21-3.10).

(2) Height Setbacks.

(A) Any portion of a structure exceeding 15 feet must be set back from every side and rear buildable area boundary line one foot for each two feet of additional height over 15 feet (see Figure 21-3.10); and

(B) Any portion of a structure exceeding 20 feet must be set back from the front buildable area boundary line one foot for every two feet of additional height over 20 feet.

(3) Except for cluster housing and planned development housing developed pursuant to Section 21-8.50, for zoning lots with one-family or two-family detached dwellings or duplexes:

(A) The maximum density is a floor area ratio of 0.7

(B) The number of wet bars [~~on one zoning lot (the aggregate of the number of wet bars~~] in each dwelling unit [~~on the zoning lot)~~] must not exceed [~~the following:~~

~~Zoning lot size (square feet)~~	~~Number of wet bars cannot exceed:~~
~~Up to 9,999~~	~~1~~
~~10,000 and up~~	~~2~~]

one.

(C) The number of laundry rooms in each dwelling unit must not exceed one.

(D) The number of bathrooms [~~on one zoning lot (the aggregate of the number of bathrooms~~] in each dwelling unit [~~on the zoning lot)~~] must not exceed the following:

[~~Lot size (square feet)~~	~~Number of bathrooms cannot exceed:~~
~~Up to 5,999~~	~~4 and one 0.5 bathroom~~
~~6,000 to 6,999~~	~~5 and one 0.5 bathroom~~
~~7,000 to 7,999~~	~~6 and one 0.5 bathroom~~
~~8,000 to 8,999~~	~~7 and one 0.5 bathroom~~
~~9,000 to 9,999~~	~~8 and one 0.5 bathroom~~
~~10,000 and up~~	~~9 and one 0.5 bathroom~~

~~The number of bathrooms on one zoning lot must not under any circumstances exceed 9 and one 0.5 bathroom~~.]

Zoning lot size (square feet)	Number of bathrooms per dwelling unit must not exceed:	
	One dwelling unit on zoning lot	Two or more dwelling units on zoning lot
Up to 6,999	4	2
7,000 to 9,999	6	3
10,000 and up	8	4

If the dwelling unit is an accessory dwelling unit, this paragraph should not be construed to waive any requirement under Section 21-5.720.

(E) The conversion or alteration of a wet bar, laundry room, or bathroom is prohibited unless the conversion or alteration is specifically allowed under a valid building permit.

(F) The conversion of a portion of a structure that is excluded from the calculation of floor area pursuant to Section 21-10.1 to a portion of the structure that is included in the calculation of floor area is prohibited unless the conversion is allowed under a valid building permit and complies with the applicable standards of this subdivision.

(G) For one-family or two-family detached dwellings or duplexes constructed pursuant to building permits applied for after [~~the effective date of this ordinance~~] May 1, 2019, the impervious surface area of a zoning lot must not exceed 75 percent of the total zoning lot area.

(H) If the floor area ratio exceeds 0.6, the following additional standards apply:

(i) [~~The side~~] Side and rear yards.

(aa) In the R-3.5 district, side and rear yards must be at least eight feet[~~.~~]; and

(bb) In the R-5, R-7.5, R-10, and R-20 districts, side and rear yards must be at least 11 feet.

(ii) Each dwelling unit in the detached dwelling or duplex must be owner-occupied, and the occupant shall deliver to the department evidence of a real property tax home exemption for the subject property prior to issuance of a temporary certificate of occupancy.

(iii) Subsequent inspections.

(aa) Upon the completion of construction and the determination by the Department that the detached dwelling or duplex complies with all applicable codes and other laws, conforms to the plans and requirements of the applicable building permit, and is in a condition that is safe and suitable for occupancy, the Department may issue a temporary Certificate of Occupancy that is effective for a period of [~~one-year~~] two years after issuance;

(bb) During the [~~one-year~~] two-year period that a temporary Certificate of Occupancy is in effect, the Department may, with reasonable notice to the holder of the building permit, conduct periodic inspections of the detached dwelling or duplex to confirm that it is in the same structural form as when the temporary Certificate of Occupancy was issued; and

(cc) At the end of the [~~one-year~~] two-year period that a temporary Certificate of Occupancy is in effect, the Department may, upon final inspection, issue a Certificate of Occupancy for the detached dwelling or duplex and close the building permit."

SECTION 3. Section 21-10.1 Revised Ordinances of Honolulu 1990 ("Definitions"), as amended by Ordinance 19-3, is amended by revising the definitions of "bathroom" and "wet bar" to read as follows:

""Bathroom" means a room that contains, or a combination of adjoining rooms that provide access to one another[~~,is equipped for taking a bath or shower, and that includes either a sink or toilet, or both. A 0.5 bathroom means any room, or combination of adjoining rooms that provide access to one another, that is equipped with a sink or toilet, or both, but is not equipped with a bath or shower.~~] that contain, at least two of the following items:

(1) Bath or shower;

(2) Sink; or

(3) Toilet.

"Wet bar" means a serving counter in a dwelling or lodging unit that is equipped with small single compartment sink that is not part of a kitchen, bathroom, or laundry room. A wet bar may contain a refrigerator, but may not contain any fixture, appliance, or device for heating or cooking food, or a 220-volt outlet, which is necessary for a full sized stove."

SECTION 4. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.

A BILL FOR AN ORDINANCE

SECTION 5. This ordinance takes effect on March 1, 2021.

INTRODUCED BY:

Ikaika Anderson (br)

DATE OF INTRODUCTION:

July 20, 2020
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20_____.

Mayor
City and County of Honolulu