

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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DEPUTY DIRECTOR

2017/ELOG-2206(SA)

November 9, 2017

Mr. Christopher Shea Goodwin  
Christopher Shea Goodwin,  
Attorney at Law LLLC  
Mauka Tower  
737 Bishop Street, Suite 164  
Honolulu, Hawaii 96813

Dear Mr. Goodwin:

SUBJECT: Zoning Verification Request  
2452 Tusitala Street - Waikiki  
TMK: 2-6-024: 069

This is in response to your letter, received by our Department on October 26, 2017, requesting zoning confirmation on the subject property and information regarding short term rentals and nonconforming use certificates (NUCs). Our records indicate the site was developed as a multifamily dwelling, and based on its location in the Apartment Precinct, no transient vacation units (TVUs) are allowed to operate on the site without an active NUC.

The 30,235-square-foot property is located within the Apartment Precinct of the Waikiki Special District. Building Permit No. 29957, issued on September 22, 1965, allowed an 11-story multi-family dwelling unit (apartment building). At that time, the subject lot was in the Hotel and Apartment District. Our records indicate that the property has historically been used as a multi-family dwelling unit.

For purposes of the Land Use Ordinance (LUO), Chapter 21, Revised Ordinances of Honolulu, short term rentals are TVUs. Pursuant to LUO Section 21-9.80-5 and Table 21-9.6(A), TVUs are not a permitted use in the Apartment Precinct. Although certain units within the multi-family dwelling appear to have previously held NUCs, there are no active NUCs on the site at this time. We emphasize that classifications for purposes of real property taxation are different than zoning

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designations and allowances. As such, despite the designation of the building as "Hotel and Resort" by the Real Property Division, the allowable uses on the site are regulated by the LUO, which specifies that short term rentals are not allowed in the Apartment Precinct without an active NUC.

This letter is not a disclosure statement nor is it intended to substitute for mandatory disclosures in real estate transactions regarding the subject parcel. The City is under no obligation to investigate, research, or participate in the preparation of disclosure statements other than providing available public records. This letter does not create liability on the part of the City, or any officer or employee thereof, if used in or as a disclosure statement. The seller, buyer, lender, or their agent, not the City, is solely responsible for the use of any public record information in the preparation of a disclosure statement.

Should you have any further questions, please contact Sarah Afong of our staff, at 768-8026.

Very truly yours,



*PKR*: Kathy K. Sokugawa  
Acting Director

Enclosure: Receipt No. 115264