



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON ZONING AND PLANNING

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### Voting Members:

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

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## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
THURSDAY, JULY 22, 2021  
9:00 A.M.

### PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Twenty-First Proclamation issued by Governor David Ige on June 7, 2021, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

### VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

**Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast.** The meeting will be viewable: (1) by internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822; charges may apply.

Some Councilmembers and presenters may be participating in the meeting by interactive conference technology from remote locations.

### ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex video conferencing platform. To participate, persons should visit [www.webex.com](http://www.webex.com), click "Join," enter meeting number **146 053 7034** and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

2. Each speaker may not have anyone else read their statement and is limited to a **one-minute** presentation.

### **WRITTEN TESTIMONY**

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting. If submitted, written testimonies, including the testifier's address, e-mail address and phone number, will be available to the public on both the City Council's pilot website: [www.honolulu.gov/citycouncil.com](http://www.honolulu.gov/citycouncil.com) as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call 768-3801 or send an email to [quehara@honolulu.gov](mailto:quehara@honolulu.gov).

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### **MATERIALS AVAILABLE FOR INSPECTION**

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at <https://hnlidoc.ehawaii.gov/hnlidoc/browse/agendas> by clicking on the appropriate Committee meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3801 or send an email to [quehara@honolulu.gov](mailto:quehara@honolulu.gov) at least three working days prior to the meeting.

**FOR ACTION**

1. **BILL 27 (2021) – RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS.** Requiring an applicant for a special management area use permit to present the proposed project to the applicable neighborhood board or appropriate community association prior to submitting an application to the Department of Planning and Permitting. (Bill passed Second Reading and Public hearing held on 7/7/21)
2. **BILL 17 (2021) – RELATING TO THE HOUSING CODE.** Strengthening the mechanisms for enforcement of the Housing Code. (Bill passed first reading on 4/14/21; Committee postponed action on 4/22/21)

**PROPOSED CD1 TO BILL 17 (2021)** (Submitted by Councilmember Waters) – The CD1 (OCS2021-0577/6/18/2021 2:57 PM) makes the following amendments:

- A. In SECTION 2, inserts a new subsection (4) under Section 27-10.5(d) to specify that Corporation Counsel may take action to foreclose upon a lien imposed under subsection (c)(4) and subdivision (d)(3) as provided for in HRS Chapter 667. Renumbers the remaining subsection accordingly.
  - B. In SECTION 2, inserts a new subdivision (6) under Section 27-10.5(d) to specify that Corporation Counsel is not precluded from seeking any other remedy or enforcement action available by law.
  - C. Makes miscellaneous technical and nonsubstantive amendments.
3. **RESOLUTION 21-127 – MAJOR MODIFICATION TO PRU PERMIT NO. 2009/PRU-3 AND REVISIONS TO THE MASTER PLAN FOR UHM (2021/PRU-1).** Approving an application for a major modification to the Plan Review Use (PRU) Permit No. 2009/PRU-3 and revisions to the Master Plan to expand the boundaries of the University of Hawaii Manoa (UHM) campus and construct the Atherton Mixed-Use Student Housing Innovation and Entrepreneurship Center on land zoned R-5 Residential District, located at 2840 Metcalf Street, Manoa, Oahu. (Public hearing held on the Resolution and the proposed CD1 on 7/7/21) (Current deadline for Council action: 10/17/21)

[CD1 TO RESOLUTION 21-127](#) (Approved by the Committee at its meeting on June 17, 2021) (Submitted by Councilmember Elefante) – The CD1 (OCS2021-0605/6/16/2021 1:16 PM) makes the following amendments:

- A. Revises the resolution title to read as follows:  
  
"APPROVING AN APPLICATION FOR A MAJOR MODIFICATION TO PLAN REVIEW USE PERMIT NO. 2009/PRU-3 TO ALLOW FOR THE EXPANSION OF THE UNIVERSITY OF HAWAII MANOA CAMPUS BOUNDARIES AND CONSTRUCTION OF THE ATHERTON MIXED-USE STUDENT HOUSING INNOVATION AND ENTREPRENEURSHIP CENTER."
- B. Revises the first WHEREAS clause and adds second and third WHEREAS clauses to clarify the description of the PRU application and Project.
- C. In the last WHEREAS clause, references the DPP's report dated May 20, 2021, transmitted to the Council by Departmental Communication 326 (2021).
- D. Conforms Condition 2 to the standard PRU language relating to general conformance with the Five-Year Master Plan.
- E. Deletes Condition 5 (because it is duplicative of renumbered Condition 5.h) and renumbers subsequent conditions.
- F. Conforms renumbered Conditions 5.a, 5.b, and 5.c to the standard PRU language relating to transportation improvements and mitigative measures.
- G. In renumbered Condition 5.e, adds reference to spaces for taxi and rideshare vehicles.
- H. In renumbered Condition 5.g, adds reference to plans showing the layout of vehicle parking spaces within the ground floor and basement level parking areas.
- I. In renumbered Condition 7, clarifies that outdoor lighting fixtures must be shielded so no light is emitted above the horizontal plane of the light fixture.
- J. Adds a new Condition 8 to add landscaping guidelines, as recommended in the DPP report.

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- K. Adds a new Condition 9 to require that the Hawaiian Electric Company transformer located on the Project site along Seaview Avenue be enclosed by a minimum five-foot high solid wall or fence (with a screening hedge), except for access openings, as recommended in the DPP report.
- L. Adds a new Condition 10 to require that historic basalt curbstones located on the Project site be preserved and protected, or if it is not possible to preserve and protect the curbstones in place, procedures for the temporary removal of the curbstones must be developed prior to the commencement of construction activities (the curbstones must be reinstalled in a similar design and pattern using the original materials).
- M. In renumbered Condition 11, adds a reference to the minor modifications to the 2009 PRU that were approved by the DPP Director.
- N. Conforms renumbered Condition 12 to the standard PRU language relating to compliance with the LUO and applicable laws.
- O. Redesignates Exhibits A-1.1, A-1.2, and A-2.1 as Exhibits A-2, A-3, and A-4, respectively. Redesignates Exhibits B-1 and C-1 as Exhibits B and C, respectively.
- P. Makes miscellaneous technical and nonsubstantive amendments.

Related communications:

<a href="#">CC-237 (2021)</a>	Disclosure of Interest Statement submitted by Councilmember Elefante.
<a href="#">CC-238 (2021)</a>	Disclosure of Interest Statement submitted by Councilmember Elefante.
<a href="#">CC-250 (2021)</a>	Disclosure of Interest Statement submitted by Councilmember Elefante.
<a href="#">CC-270 (2021)</a>	Disclosure of Interest Statement submitted by Councilmember Elefante.

[CC-271 \(2021\)](#) Disclosure of Interest Statement submitted by Councilmember Elefante.

[CC-272 \(2021\)](#) Disclosure of Interest Statement submitted by Councilmember Elefante.

4. **[BILL 32 \(2021\)](#) – LUO AMENDMENT RELATING TO NONCONFORMING USES.** Amending certain provisions relating to nonconforming uses. (Transmitted by Communication [D-332](#)) (Bill passed First Reading on 6/30/21)

**[PROPOSED CD1 TO BILL 32 \(2021\)](#)** (Submitted by Councilmember Waters) – The CD1 (OCS2021-0678/7/14/2021 10:50 AM) makes the following amendments:

A. In Section 21-4.110(c)(3):

1. Provides that the 10 percent of the current replacement cost limitation does not apply to work involving that portion of a structure devoted to nonconforming hotel use in the Diamond Head special district (instead of all nonconforming hotel uses).
2. Pursuant to comments from the DPP, deletes the proposed exception from the 10 percent of the current replacement cost limitation for work required to comply with government mandates.

B. Makes miscellaneous technical and nonsubstantive amendments.

5. **[RESOLUTION 21-136](#) – PROPOSING LUO AMENDMENT RELATING TO HEIGHT LIMITS FOR ROOFTOP STRUCTURES.** Amending Chapter 21, Revised Ordinances of Honolulu 1990 (the Land Use Ordinance), relating to height limits for rooftop structures.

Related communications:

[CC-239 \(2021\)](#) City Clerk, notifying the Department of Planning and Permitting of the introduction of the Resolution.

[D-524 \(2021\)](#) Department of Planning and Permitting, submitting confirmation receipt of Resolution 21-136 and requesting additional information.

**INFORMATIONAL BRIEFING**

6. **OVERVIEW OF ZONING AND LAND USE PERMITS AND ENFORCEMENT PROCESS.**
7. **UPDATE BY THE DEPARTMENT OF PLANNING AND PERMITTING REGARDING THE STATUS OF ALL PENDING LAND USE ORDINANCE AMENDMENTS, DEVELOPMENT PLANS AND SUSTAINABLE COMMUNITIES PLAN REVISION BILLS; AND ALL NEIGHBORHOOD TRANSIT-ORIENTED DEVELOPMENT PLANS AND REGULATIONS.**

BRANDON J.C. ELEFANTE, Chair  
Committee on Zoning and Planning