

OFFICE OF THE MAYOR  
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: [www.honolulu.gov](http://www.honolulu.gov)

RICK BLANGIARDI  
MAYOR



MICHAEL D. FORMBY  
MANAGING DIRECTOR  
  
DANETTE MARUYAMA  
DEPUTY MANAGING DIRECTOR

August 25, 2021

Mr. Glen Takahashi  
City Clerk  
Office of the City Clerk  
530 South King Street  
Honolulu, Hawaii 96813

Dear Mr. Takahashi:

Subject: Approved Bills

The following bills are approved and returned herewith:

Bill 26 (2021), CD2	Relating to the Waiver of Certain City Fees for Centenarian Residents.
Bill 27 (2021)	Relating to Special Management Area Use Permits.
Bill 94 (2020), CD1	Relating to Rezoning Land Situated at Moiliili, Oahu, Hawaii.

Sincerely,

A handwritten signature in black ink that reads "Rick Blangiardi".

Rick Blangiardi  
Mayor

Attachments

**MAYOR'S MESSAGE 124**

21 AUG 25 PM 10:39 CITY CLERK



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 26 (2021), CD2

## A BILL FOR AN ORDINANCE

RELATING TO FEES.

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

SECTION 1. Purpose. The purpose of this ordinance is to exempt centenarian residents of the City from certain fees.

The Council finds that centenarians should enjoy civic benefits earned by virtue of their longevity.

SECTION 2. Chapter 6, Revised Ordinances of Honolulu 1990 ("Revolving Special Funds, Housing Mortgage Loans and Fees"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

**"Article \_\_\_\_ . Waiver of Certain City Fees for Centenarian Residents.**

**Sec. 6-\_\_\_\_.1 Definitions.**

For the purposes of this article, the following terms shall have the following meanings:

"Centenarian medallion" is a marking on a city payment card, issued pursuant to the requirements set forth in Section 6-\_\_\_\_.3, that entitles qualifying centenarians to obtain the waiver of certain city fees.

"Centenarian resident" is a resident of the city who is aged 100 years or older.

"Certain city fees" mean fees for:

- (1) The city bus system;
- (2) The city rail system;
- (3) The city special transit service;
- (4) Admission to the Honolulu Zoo and the Foster Botanical Garden;
- (5) Admission to city park facilities; and
- (6) Municipal golf courses and golf cart rentals.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 26 (2021), CD2

---

**A BILL FOR AN ORDINANCE**

---

"City payment card" means the city payment card as defined in Section 13-1.1.

**Sec. 6-\_\_\_.2 Centenarian medallion.**

Notwithstanding any law to the contrary, centenarian residents of the city with a valid centenarian medallion shall receive a waiver of certain city fees. The director of transportation services shall be responsible for the issuance of the centenarian medallion. The centenarian medallion may be renewed annually.

**Sec. 6-\_\_\_.3 Eligibility of centenarian residents for a waiver of certain city fees.**

- (a) To qualify for a centenarian medallion, a centenarian resident must:
- (1) Be 100 years of age or older;
  - (2) Provide proof of age with a government issued photographic identification; and
  - (3) Provide proof of residency in the city.
- (b) The director of transportation services shall verify the eligibility of applications for the centenarian medallion.

**Sec. 6-\_\_\_.4 Administration.**

The director of transportation services shall be responsible for the following:

- (1) Administration of the waivers of certain city fees for centenarian residents;
- (2) Registration and annual centenarian medallion issuance;
- (3) Record keeping, including usage, renewal, and terminations; and
- (4) Publicity and promotion of the centenarian medallion.

**Sec. 6-\_\_\_.5 Violation.**

It is unlawful for any person, other than the centenarian resident issued the centenarian medallion, to use the centenarian medallion to obtain a waiver of certain city fees. Any person who violates this article shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000, imprisonment for not more than 30 days, or both, for each violation."



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 26 (2021), CD2

**A BILL FOR AN ORDINANCE**

SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Radiant Cordero

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

May 12, 2021  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

  
Deputy Corporation Counsel REID YAMACHIRO

APPROVED this 25 day of August, 20 21.

  
RICK BLANGIARDI, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

BILL 26 (2021), CD2

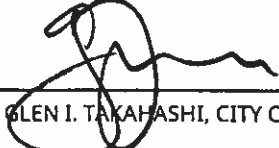
Introduced: 05/12/21 By: RADIANT CORDERO Committee: BUDGET (BUD)

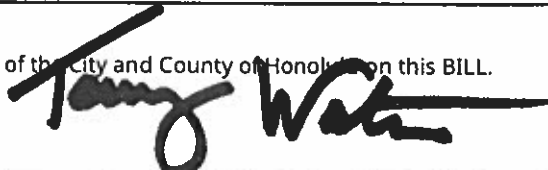
Title: RELATING TO FEES.

Voting Legend: \* = Aye w/Reservations

05/12/21	INTRO	Introduced.
06/02/21	CCL	Passed first reading.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
06/16/21	BUD	Reported out for passage on second reading and scheduling of a public hearing as amended in CD1 form.  CR-184  6 AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TUPOLA
07/07/21	CCL/PH	Committee report adopted. Bill passed second reading as amended, public hearing closed and referred to committee.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
07/12/21	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
07/21/21	BUD	Reported out for passage on third reading as amended in CD2 form.  CR-214  5 AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI  1 EXCUSED: TUPOLA
08/11/21	CCL	Committee report adopted and Bill passed third reading as amended.  8 AYES: CORDERO, ELEFANTE, FUKUNAGA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS  1 ABSENT: KIA'ĀINA

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
GLEN I. TAKAHASHI, CITY CLERK

  
TOMMY WATERS, CHAIR AND PRESIDING OFFICER



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 27(2021)

**A BILL FOR AN ORDINANCE**

RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS.

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

SECTION 1. Purpose. The purpose of this ordinance is to require 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.

SECTION 2. Section 25-5.1, Revised Ordinances of Honolulu 1990, as amended by Ordinance 20-18, is amended by amending subsection (b) to read as follows:

- "(b) When a proposed development requires a special management area use permit, an applicant for development within the special management area will be responsible for ~~[submitting]~~ the following ~~[to the agency]~~:
- (1) Prior to submitting an application to the agency, presenting the project to the neighborhood board of the district where the project is located, or, if no such neighborhood board exists, an appropriate community association. The applicant shall provide written notice of such presentation to owners of all properties adjoining the proposed project. The requirements of this subdivision will be deemed satisfied if the applicant makes a written request to present the project to the neighborhood board or community association and:
    - (A) The neighborhood board or community association fails to provide the applicant with an opportunity to present the project at a meeting held within 60 days of the date of the written request; or
    - (B) The neighborhood board or community association provides the applicant with written notice that it has no objection to the project or that no presentation of the project is necessary; and
  - (2) Submitting to the agency:
    - ~~[(4)]~~(A) A completed application form (to be obtained from the agency);
    - ~~[(2)]~~(B) The items set forth in subsections (a)(2) through (7);



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 27(2021)

---

**A BILL FOR AN ORDINANCE**

---

~~[(3)]~~(C) A written description of the affected environment which addresses the development's technical and environmental characteristics;

~~[(4)]~~(D) Additional information that may be needed by the agency for determining the impacts of the proposed development on special wetland areas; and

~~[(5)-(A)]~~(E) (i) If the director allows concurrent processing of the assessment required by Section 25-3.3(c)(1) and the application for the permit, a copy of either a draft environmental assessment or a draft environmental impact statement preparation notice.

~~[(B)]~~ (ii) If the director does not allow concurrent processing of the assessment required by Section 25-3.3(c)(1) and the application for the permit, a copy of either the final environmental assessment for which a finding of no significant impact has been issued, or a completed and accepted EIS."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New 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 bracketed and stricken material, or the underscoring.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 27(2021)

**A BILL FOR AN ORDINANCE**

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Hindi Tsunayoshi  
Esther Uliaine


DATE OF INTRODUCTION:

MAY 24 2021


Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

  
Deputy Corporation Counsel **DAWN D. M. SPURLIN**

APPROVED this 25 day of August, 20 21.

  
**RICK BLANGIARDI**, Mayor  
City and County of Honolulu



CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

**BILL 27 (2021)**

Introduced: 05/24/21 By: HEIDI TSUNEYOSHI  
ESTHER KIA'ĀINA Committee: ZONING AND PLANNING (ZP)

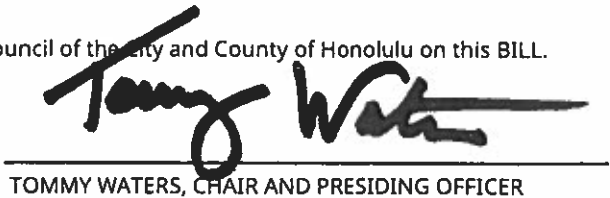
Title: RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS.

Voting Legend: \* = Aye w/Reservations

05/24/21	INTRO	Introduced.
06/02/21	CCL	Passed first reading.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
06/17/21	ZP	Reported out for passage on second reading and scheduling of a public hearing.  CR-194  4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY
06/25/21	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
07/07/21	CCL/PH	Committee report adopted. Bill passed second reading, public hearing closed and referred to committee.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
07/12/21	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
07/22/21	ZP	Reported out for passage on third reading.  CR-223  4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY
08/11/21	CCL	Committee report adopted and Bill passed third reading.  8 AYES: CORDERO, ELEFANTE, FUKUNAGA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS  1 ABSENT: KIA'ĀINA

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
\_\_\_\_\_  
GLEN I. TAKAMASHI, CITY CLERK

  
\_\_\_\_\_  
TOMMY WATERS, CHAIR AND PRESIDING OFFICER



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **94 (2020), CD1**

---

**A BILL FOR AN ORDINANCE**

---

TO REZONE LAND SITUATED AT MOILIILI, OAHU, HAWAII.

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

SECTION 1. Zoning Map No. 3 (Moiliili - Kaimuki), Ordinance No. 86-106, is hereby amended as follows: Lands situated at 2835 and 2829 Dole Street, Moiliili, Oahu, Hawaii, are hereby rezoned from the P-2 General Preservation District to the R-5 Residential District. The boundaries of said Districts shall be described as shown on the map attached hereto, marked "Exhibit A" and made a part hereof, and further identified as Tax Map Keys 2-8-030:038 and 058.

SECTION 2. A Unilateral Agreement marked "Exhibit B" is by reference incorporated herein and made a part hereof, with regard to Tax Map Keys 2-8-030:038 and 058.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 94 (2020), CD1

**A BILL FOR AN ORDINANCE**

SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ann Kobayashi (br)

DATE OF INTRODUCTION:

November 9, 2020

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

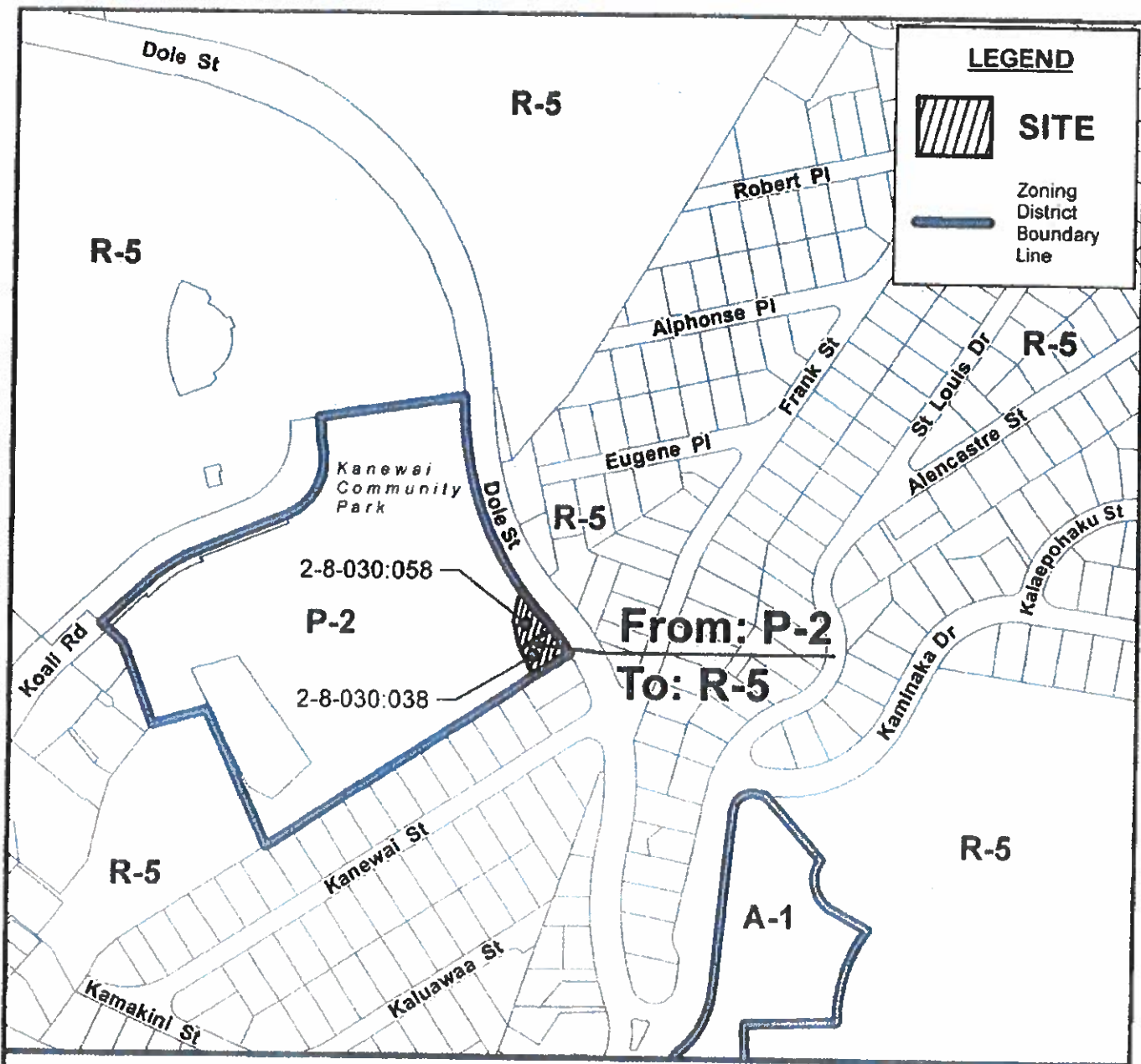
Dawn D. M. Purlin

Deputy Corporation Counsel **DAWN D. M. PURLIN**

APPROVED this 25 day of August, 20 21.

Rick Blangiardi

RICK BLANGIARDI, Mayor  
City and County of Honolulu



**PORTION OF  
ZONING MAP NO. 3  
(Moiliili - Kaimuki)**

Two land parcels situated along Dole Street in the eastern corner  
of Kanewai Community Park

**APPLICANT:** Lily Ochoco, Wayne and Ann Okubo

**TAX MAP KEY:** 2-8-030:038 and 058

**FOLDER NO.:** 2020/Z-3

**LAND AREA:** 0.226 ACRES

**PREPARED BY:** DEPARTMENT OF PLANNING & PERMITTING  
CITY AND COUNTY OF HONOLULU

**PUBLIC HEARING**

**PLANNING COMMISSION**

**CITY COUNCIL**

**ORD. NO.**  
**EFF. DATE.**

**EXHIBIT A**

**BILL**

**OFFICE OF THE  
ASSISTANT REGISTRAR, LAND COURT  
STATE OF HAWAII  
(Bureau of Conveyances)**

The original of this document was  
recorded as follows:

Doc T - 11519364  
CT 497711, 1096697  
July 16, 2021 9:26 AM

DOCUMENT

DATE/TIME

**LAND COURT**

**REGULAR SYSTEM**

**AFTER RECORDATION, RETURN BY MAIL ( ) PICKUP ( ) TO:**

Lyons Law LLC  
1110 Nuuanu Avenue  
Honolulu, Hawaii 96817

**TITLE OF DOCUMENT:** Unilateral Agreement and Declaration for  
Conditional Zoning

**PARTY(IES) TO DOCUMENT:**

Lily Katherine Hatsuko Ochoco  
Garret Isao Watanabe  
Carolyn Akemi Ochoco Watanabe  
Wayne Tetsuo Okubo, Trustee of the Wayne  
Tetsuo Okubo Revocable Living Trust dated  
April 22, 2015  
Ann Shirai Okubo, Trustee of the Ann Shirai  
Okubo Revocable Living Trust dated April 22,  
2015

**TAX MAP KEY NOS.** (1) 2-8-030:038 & (1) 2-8-030:058

**UNILATERAL AGREEMENT AND  
DECLARATION FOR CONDITIONAL ZONING**

THIS INDENTURE (hereinafter referred to as this "Unilateral Agreement" or this "Declaration"), made this 6<sup>th</sup> day of July, 2021, by LILY KATHERINE HATSUKO OCHOCO, unmarried, whose mailing address is 2835 Dole Street, Honolulu, Hawaii 96816;

GARRET ISAO WATANABE and CAROLYN AKEMI OCHOCO WATANABE, husband and wife, whose mailing address is 2835 Dole Street, Honolulu, Hawaii 96816; and WAYNE TETSUO OKUBO, Trustee of the Wayne Tetsuo Okubo Revocable Living Trust dated April 22, 2015, and ANN SHIRAI OKUBO, Trustee of the Ann Shirai Okubo Revocable Living Trust dated April 22, 2015, whose mailing address is 2829 Dole Street, Honolulu, Hawaii 96816 (hereinafter referred to as the "Declarants"),

**WITNESSETH:**

WHEREAS, Lily Katherine Hatsuko Ochoco and Garret Isao Watanabe and Carolyn Akemi Ochoco Watanabe are co-owners holding fee simple title in and to that certain real property located at 2835 Dole Street, Honolulu, Hawaii 96816, TMK No. (1) 2-8-030:038, and more particularly described in Exhibit A attached hereto and made a part hereof;

WHEREAS, Wayne Tetsuo Okubo, Trustee aforesaid, and Ann Shirai Okubo, Trustee aforesaid, hold fee simple title in and to that certain real property located at 2829 Dole Street, Honolulu, Hawaii 96816, TMK No. (1) 2-8-030:058, and more particularly described in Exhibit B attached hereto and made a part hereof;

WHEREAS, the properties located at 2835 Dole Street, Honolulu, Hawaii 96816, TMK No. (1) 2-8-030:038 and 2829 Dole Street, Honolulu, Hawaii 96816, TMK No. (1) 2-8-030:058 shall collectively be referred to as the "Land";

WHEREAS, Declarants desire to make the Land subject to this Agreement;

WHEREAS, Declarants seek a rezoning of the Land to remove the nonconforming status of the residential use and structures thereon; the Declarants are not proposing any new structures on or new uses of the Land; and

WHEREAS, the City Council (the "Council") of the City and County of Honolulu (the "City"), pursuant to the provisions of the Land Use Ordinance ("LUO"), Revised Ordinances of Honolulu 1990 ("ROH") Section 21-2.80, as amended, relating to conditional zoning, is considering a change in zoning under the LUO of the Land from the P-2 General Preservation District to the R-5 Residential District (the "zone change"); and

WHEREAS, a public hearing regarding the change in zoning, Bill 94 (2020), was held by the Council on June 2, 2021; and

WHEREAS, the Council recommended by its Zoning and Planning Committee Report No. 193 (2021) that the said zone change be approved, subject to the following conditions contained in this Declaration to be made pursuant to the provisions of ROH Section 21-2.80, as amended, relating to conditional zoning, and to become effective on the effective date of the zoning ordinance approving the change of zoning (the "Rezoning Ordinance");

NOW THEREFORE, Declarants hereby covenant and declare as follows:

1. Compliance with Conditions. The owners of the parcel identified as TMK No. (1) 2-8-030:038 shall submit to the Department of Planning and Permitting for review and approval a draft superseding Declaration of Restrictive Covenant that removes the condition set forth in the Declaration of Restrictive Covenant, recorded with the Bureau of Conveyances of the State of Hawaii on August 30, 1996, as Document No. 96-126147. Upon approval of the superseding Declaration of Restrictive Covenant by the Department of Planning and Permitting, the owners of the parcel identified as TMK No. (1) 2-8-030:038 shall record the document with the Bureau of Conveyances of the State of Hawaii and the Office of the Assistant Registrar of the Land Court of the State of Hawaii, and submit conforming copies of the recorded documents to the Department of Planning and Permitting.
2. Compliance With Other Governmental Requirements. The Declarants acknowledge that approval of the zone change does not constitute compliance with LUO or other governmental requirements. They are subject to separate review and approval. The Declarants shall be responsible for ensuring that the final plans for the Project comply with all applicable LUO and other governmental provisions and requirements.
3. Annual Reports. On an annual basis, the Declarants shall submit a written status report to the Department of Planning and Permitting documenting its satisfaction of and/or describing its progress toward complying with each condition of approval for this zone change. The status report shall be submitted to the Department of Planning and Permitting by December 31 of each year until such time as the Department of Planning and Permitting has determined that all conditions of approval have been satisfied.

4. Noncompliance With Conditions. In the event of noncompliance with any of the conditions set forth herein, the Director of Planning and Permitting shall inform the Council and may seek civil enforcement or take appropriate action to terminate or stop the Project until applicable conditions are met, including but not limited to revoking any permits issued under this zoning and withholding issuance of other permits related to the Project. Noncompliance also may be grounds for the enactment of ordinances making further zone changes, including revocation of the underlying zoning, upon initiation by the proper parties in accordance with the Revised City Charter.

NOW, THEREFORE, the Declarants hereby make the following additional Declarations:

As used herein, references to a specific City department or agency shall be deemed to include a reference to any successor department or agency.

That the conditions imposed herein are reasonably conceived to fulfill public service demands created by the requested change in zoning and are rationally related to the objective of preserving the public health, safety and general welfare and the further implementation of the General Plan of the City and County of Honolulu.

That the development of the Land shall conform to the aforesaid conditions with the understanding that, at the request of the Declarants and upon the satisfaction of the conditions set forth in this Unilateral Agreement, the Department of Planning and Permitting may fully or partially release, as applicable, any of the foregoing conditions that have been fulfilled.

That if there are any conflicts between this Unilateral Agreement and any previous unilateral agreement(s) applicable to the Land, the terms and conditions of this Unilateral Agreement shall apply.

AND IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed in this Declaration shall run with the Land and shall bind and constitute notice to all the parties hereto and subsequent lessees, grantees, assignees, mortgagees, lienors, successors, and any other persons who have or claim to have an interest in the Land, and the City and County of Honolulu shall have the right to enforce this Declaration by rezoning, appropriate action at law or suit in equity against all such persons, provided that the Declarants or their successors and assigns may file a petition with



the Department of Planning and Permitting for amendment or removal of any conditions or termination of this Declaration, such petition to be processed in the same manner as petitions for zone changes.

This Agreement may be signed in two or more counterparts and each counterpart, when executed, shall be deemed an original, and all such counterparts shall be construed as one agreement binding on all of the parties.

*[REMAINDER OF THIS PAGE LEFT BLANK; SIGNATURE PAGES TO FOLLOW]*

IN WITNESS WHEREOF, the parties hereto have executed this Unilateral Agreement and Declaration for Conditional Zoning on the day and year first above written.

DECLARANTS

  
LILY KATHERINE HATSUKO OCHOCO

  
GARRET ISAO WATANABE

  
CAROLYN AKEMI OCHOCO WATANABE

\_\_\_\_\_  
WAYNE TETSUO OKUBO, Trustee  
aforesaid

\_\_\_\_\_  
ANN SHIRAI OKUBO, Trustee  
aforesaid

IN WITNESS WHEREOF, the parties hereto have executed this Unilateral Agreement and Declaration for Conditional Zoning on the day and year first above written.

DECLARANTS

\_\_\_\_\_  
LILY KATHERINE HATSUKO OCHOCO

\_\_\_\_\_  
GARRET ISAO WATANABE

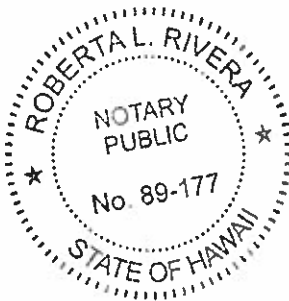
\_\_\_\_\_  
CAROLYN AKEMI OCHOCO WATANABE

*Wayne Tetsuo Okubo*  
\_\_\_\_\_  
WAYNE TETSUO OKUBO, Trustee  
aforesaid

*Ann Shirai Okubo*  
\_\_\_\_\_  
ANN SHIRAI OKUBO, Trustee  
aforesaid

STATE OF HAWAI'I )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

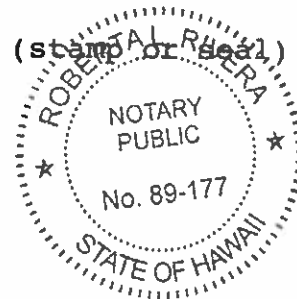
On JUL 06 2021, 2021, before me personally appeared **LILY KATHERINE HATSUKO OCHOCO**, personally known/proved to me on the basis of satisfactory evidence, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person in the capacity shown, having been duly authorized to execute such instrument in such capacity.



*Robert Rivera*

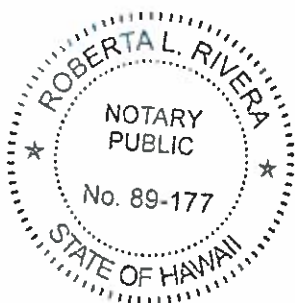
Print name: Robert Rivera  
Notary Public, State of **Hawai'i**  
My commission expires: MAR 30 2025

Date of	No. of
Doc: <u>JUL 06 2021</u>	Pages: <u>13</u>
Name of	
Notary: <u>Robert Rivera</u>	Notes: <u>-</u>
Doc.	
Description: <u>Unilateral Agreement</u>	
<u>and Declaration for Conditional</u>	
Zoning	
<u>Robert Rivera</u>	
Notary Signature	
Date: <u>JUL 06 2021</u>	
<u>First Circuit, State of Hawai'i</u>	
NOTARY CERTIFICATION	

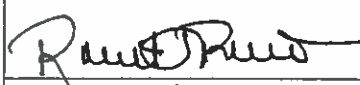


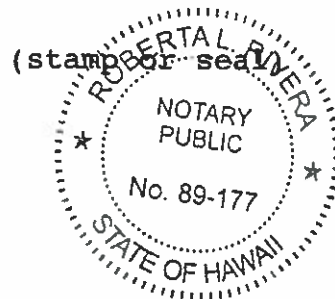
STATE OF HAWAI'I )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On JUL 06 2021, 2021, before me personally appeared **GARRET ISAO WATANABE**, to me personally known/proved to me on the basis of satisfactory evidence, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person in the capacity shown, having been duly authorized to execute such instrument in such capacity.



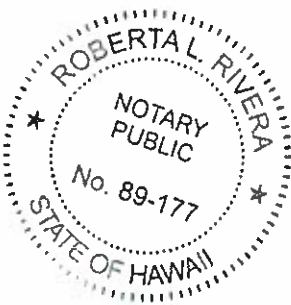
Robert L. Rivera  
Print name: Robert L. Rivera  
Notary Public, State of **Hawai'i**  
My commission expires: MAR 30 2025

Date of	No. of
Doc: <u>JUL 06 2021</u>	Pages: <u>3</u>
Name of	
Notary: <u>Robert L. Rivera</u>	Notes: <u>—</u>
Doc.	
Description: <u>Unilateral Agreement</u>	
and Declaration for Conditional	
Zoning	
 Notary Signature	
Date <u>Robert L. Rivera</u>	
First Circuit, State of Hawai'i	
NOTARY CERTIFICATION	



STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On JUL 06 2021, 2021, before me personally appeared **CAROLYN AKEMI OCHOCO WATANABE**, to me personally known/proved to me on the basis of satisfactory evidence, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Roberta L. Rivera  
Print name: Roberta L. Rivera  
Notary Public, State of **Hawaii**  
My commission expires: MAR 30 2025

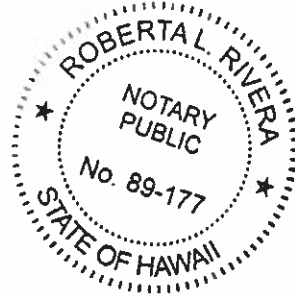
Date of	No. of
Doc: <u>JUL 06 2021</u>	Pages: <u>13</u>
Name of	
Notary: <u>Roberta L. Rivera</u>	Notes: <u>—</u>
Doc.	
Description: <u>Unilateral Agreement</u>	
and Declaration for Conditional	
Zoning	
(stamp or seal)	
A circular notary seal for Roberta L. Rivera, Notary Public, State of Hawaii. The seal includes the text "ROBERTA L. RIVERA", "NOTARY PUBLIC", "No. 89-177", and "STATE OF HAWAII" around a central star.	
<u>Roberta L. Rivera</u>	
Notary Signature	
Date <u>JUL 06 2021</u>	
First Circuit, State of Hawaii	
NOTARY CERTIFICATION	

STATE OF HAWAI'I )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On July 1, 2021, 2021, before me personally appeared **WAYNE TETSUO OKUBO**, Trustee aforesaid, to me personally known/proved to me on the basis of satisfactory evidence, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person in the capacity shown, having been duly authorized to execute such instrument in such capacity.

*Robert L. Rivera*

Print name: Robert L. Rivera  
Notary Public, State of Hawai'i  
My commission expires: MAR 30 2025

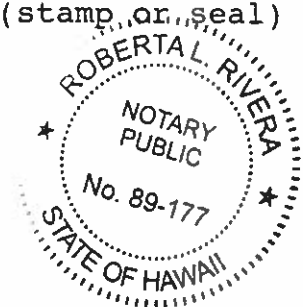
Date of <u>July 1, 2021</u>	No. of
Doc:	Pages: <u>11</u>
Name of	
Notary: <u>Robert L. Rivera</u>	Notes: <u>—</u>
Doc.	
Description: <u>Unilateral Agreement</u>	
and Declaration for Conditional	
Zoning	
(stamp or seal)	
	
<i>Robert L. Rivera</i>	
Notary Signature	<u>Robert L. Rivera</u>
Date <u>JUL 01 2021</u>	
First Circuit, State of Hawai'i	
my commission expires: <u>MAR 30 2025</u>	
NOTARY CERTIFICATION	

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

On July 1, 2021, 2021, before me personally appeared **ANN SHIRAI OKUBO**, Trustee aforesaid, to me personally known/proved to me on the basis of satisfactory evidence, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person in the capacity shown, having been duly authorized to execute such instrument in such capacity.

*Robert L. Rivera*

Print name: Robert L. Rivera  
Notary Public, State of Hawaii  
My commission expires: MAR 30 2025

Date of Doc:	<u>July 1, 2021</u>	No. of Pages:	<u>11</u>
Name of Notary:	<u>Robert L. Rivera</u>	Notes:	<u>—</u>
Doc. Description:	<u>Unilateral Agreement and Declaration for Conditional Zoning</u>		
Notary Signature		(stamp or seal)	
<u><i>Robert L. Rivera</i></u>			
Date <u>JUL 01 2021</u>			
First Circuit, State of Hawaii			
my commission expires <u>MAR 30 2025</u>			
NOTARY CERTIFICATION			



## EXHIBIT A

All of that certain parcel of land situate at Kalaepohaku, Honolulu, City and County of Honolulu, State of Hawai'i, described as follows:

LOT 5-A, area 4,912 square feet, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i with Land Court Application No. 1412 of Clarence Chuck Tan Loo and Sun Luke Loo, widow;

TOGETHER WITH Easements "R" and "S," as shown on Map 21, across Lot 82, as shown on Map 13, for a pedestrian right-of-way, as set forth by Land Court Order No. 15845.

Being the land described in Transfer Certificate of Title No. 306,048 issued to Lily Katherine Hatsuko Ochoco and Garret Isao Watanabe and Carolyn Akemi Ochoco Watanabe, and also being the premises described in Warranty Deed dated November 27, 1987, filed in said Office as Land Court Document No. 1516413.

SUBJECT, HOWEVER, to the following:

1. Any and all real property taxes assessed for the current tax year but not yet due and payable.

2. Designation of Easement "P" as shown on Map 6, as set forth by Land Court Order No. 7526, filed June 27, 1947.

3. Grant to the City and County of Honolulu dated October 4, 1947, filed in said Office as Land Court Document No. 97334, granting as easement over said Easement "P."

4. Designation of Easement "W" as show on Map 31 as set forth by Land Court Order No. 90292 filed June 24, 1988.

5. Grant to the City and County of Honolulu dated March 23, 1988, filed in said Office as Land Court Document No. 1563265, granting an easement over said Easement "W." Consent given by AMERICAN SAVINGS BANK, F.S.B., a federal savings bank by instrument dated May 4, 1988, filed in said Office as Land Court Document No. 1563266.

6. The terms and provisions, including the failure to comply with any covenants, conditions, and reservations, contained in Declaration dated August 29, 1996, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 96-126147.

**EXHIBIT B**

All of that certain parcel of land situate at Kalaepohaku, Honolulu aforesaid, described as follows:

LOT 5-B, area 4,920.0 square feet, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1412 of Clarence Chuck Tan Loo and Sun Luke Loo, widow;

TOGETHER with an easement over Lot 2 as shown on Map 1, filed with said Land Court Application No. 1412 as reserved in that certain deed to Hawaiian Trust Company, Limited, Trustee, dated July 14, 1944, filed as Document No. 74129.

Being all of the land described in Transfer Certificate of Title No. 1,094,164 issued to Wayne Tetsuo Okubo and Ann Sachiko Shirai Okubo.

SUBJECT, HOWEVER, to any and all encumbrances of record.

**END OF EXHIBIT B**

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

**BILL 94 (2020), CD1**

Introduced: 11/09/20 By: ANN KOBAYASHI - BY REQUEST Committee: ZONING AND PLANNING (ZP)

Title: TO REZONE LAND SITUATED AT MOILIILI, OAHU, HAWAII.

Voting Legend: \* = Aye w/Reservations

11/09/20	INTRO	Introduced.
12/09/20	CCL	Passed first reading.  9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS
01/02/21		NOTE: Councilmembers Cordero, Kia'aina, Say, Tulba and Tupola took office on Saturday, January 2, 2021.  CC-3(21) Waters - Standing Committee assignments.  CC-4(21) Waters - Re-referral of Bills, Resolutions and communications.
01/14/21	ZP	Extension of time reported out for adoption.  CR-15(21)  4 AYES: CORDERO, ELEFANTE, KIA'AINA, SAY
01/27/21	CCL	Committee report adopted.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
05/20/21	ZP	Reported out for passage on second reading and scheduling of a public hearing as amended in CD1 form.  CR-176(21)  4 AYES: CORDERO, ELEFANTE, KIA'AINA, SAY
05/20/21	ZP	Extension of time reported out for adoption.  CR-176(21)  4 AYES: CORDERO, ELEFANTE, KIA'AINA, SAY
05/21/21	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
06/02/21	CCL/PH	Committee report adopted. Bill passed second reading as amended, public hearing closed and referred to committee.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
06/09/21	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.

---

06/17/21 ZP

Reported out for passage on third reading.

CR-193(21)

4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY

---

08/11/21 CCL

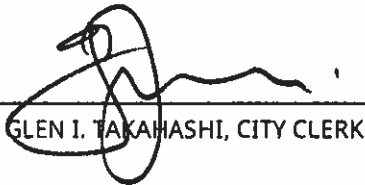
Committee report adopted and Bill passed third reading.

8 AYES: CORDERO, ELEFANTE, FUKUNAGA, SAY, TSUNEYOSHI, TULBA, TUPOLA,  
WATERS

1 ABSENT: KIA'ĀINA

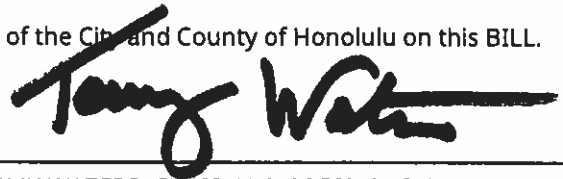
---

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.



---

GLEN I. TAKAHASHI, CITY CLERK



---

TOMMY WATERS, CHAIR AND PRESIDING OFFICER