



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON ZONING AND PLANNING

Voting Members:

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

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
THURSDAY, FEBRUARY 10, 2022
9:00 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, and Governor David Ige's Emergency Proclamation Related to COVID-19 (Omicron Variant), issued on January 26, 2022, in order to allow public participation in a manner consistent with safe practices, this meeting will be conducted as a remote meeting by interactive conference technology, with the following procedures 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 olelo.org and (2) by televised live broadcast on 'Ōlelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 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 Zoom video conferencing platform. To participate, persons should visit www.zoom.us, click "Join," enter meeting ID **94548788905**, 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. Zoom 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.

Committee on Zoning and Planning Meeting Agenda
Thursday, February 10, 2022

2. To audio conference on the day of the meeting, call **+1-253-215-8782**, enter ID **94548788905**, and Passcode **917922**.
3. 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 (808) 768-3826, transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html>, or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, email address, and phone number, will be available to the public at <https://hnlidoc.ehawaii.gov>. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call (808) 768-3801 or send an email to quehara@honolulu.gov.

* * * * *

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 (808) 768-3801 or send an email to quehara@honolulu.gov at least three working days prior to the meeting.

FOR ACTION

1. **RESOLUTION 21-273 – APPOINTMENT AND REAPPOINTMENT OF MR. BRENT TOKITA.** Confirming the appointment and reappointment of Mr. Brent Tokita to serve on the Building Board of Appeals of the City and County of Honolulu for an initial term to expire on December 31, 2021 and a second term to expire on December 31, 2026. (Transmitted by Communication [MM-173 \[2021\]](#); Public hearing held on 1/26/22)

PROPOSED CD1 TO RESOLUTION 21-273 (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0029/1/18/2022 11:24 AM) makes the following amendments:

- A. Amends the title by deleting the phrase "AND REAPPOINTMENT."
- B. Moves the fifth WHEREAS clause to be the third WHEREAS clause to set out the requirement that four members of the Board must be licensed architects or engineers prior to the WHEREAS clause noting Mr. Tokita's appointment as an Engineer/Architect member of the Board.
- C. Clarifies in the renumbered fourth and fifth WHEREAS clauses and in the BE IT RESOLVED clause that Mr. Brent Tokita is only being appointed (as opposed to being appointed and reappointed) to the Building Board of Appeals for a term to expire on December 31, 2026.
- D. Throughout the Resolution, corrects the references to the ROH provision establishing the Building Board of Appeals, its membership, and duties (ROH Section 16-1.1(14)).
- E. 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.
- F. In the renumbered fourth WHEREAS clause:
 1. Adds a reference to Mayor's Message 173 (2021); and
 2. Clarifies that the Mayor has appointed Mr. Brent Tokita to replace Ms. Cheryl Palesh, whose term expired on December 31, 2021.
- G. Makes miscellaneous technical and nonsubstantive amendments.

2. **RESOLUTION 22-8** – **REAPPOINTMENT OF CHRISTOPHER T. HONG.** Confirming the reappointment of Christopher T. Hong to serve on the Building Board of Appeals of the City and County of Honolulu for a term expiring on December 31, 2023. (Transmitted by Communication [MM-6](#) [2022]; Public hearing held on 1/26/22)

PROPOSED CD1 TO RESOLUTION 22-8 (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0044/1/22/2022 2:13 PM) makes the following amendments:

- A. Moves the fifth WHEREAS clause, regarding engineer and architect license qualifications for four members of the Building Board of Appeals, to be the third WHEREAS clause.
 - B. 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)).
 - C. 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.
 - D. In the renumbered fourth WHEREAS clause, adds a reference to Mayor's Message 6 (2022), dated January 10, 2022.
 - E. Adds the Director of Planning and Permitting as a recipient of a copy of the Resolution.
 - F. Makes miscellaneous technical and nonsubstantive amendments.
3. **RESOLUTION 21-279** – **APPOINTMENT OF MR. SCOTT INATSUKA.** Confirming the appointment of Mr. Scott Inatsuka to serve on the Building Board of Appeals of the City and County of Honolulu for a term expiring on December 31, 2026. (Transmitted by Communication [MM-181](#) [2021]; Public hearing held on 1/26/22)

Committee on Zoning and Planning Meeting Agenda
Thursday, February 10, 2022

[PROPOSED CD1 TO RESOLUTION 21-279](#) (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0064/1/25/2022 9:08 AM) makes the following amendments:

- A. Moves the fifth WHEREAS clause, regarding engineer and architect license qualifications for four members of the Building Board of Appeals, to be the third WHEREAS clause.
 - B. Throughout the Resolution, updates references to the ROH provision establishing the Building Board of Appeals, its membership, and duties (currently ROH Section 16-1.1(14)).
 - C. 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.
 - D. In the renumbered fourth WHEREAS clause:
 - 1. Adds a reference to Mayor's Message 181 (2021), dated December 9, 2021; and
 - 2. Clarifies that the Mayor has appointed Mr. Scott Inatsuka to replace Mr. Randolph Tamayo, whose term expired on December 31, 2016, and who served as a holdover member until December 31, 2021.
 - E. Makes miscellaneous technical and nonsubstantive amendments.
- 4. [RESOLUTION 21-274](#) – **APPOINTMENT OF MARGARET CANNELL.** Appointment of Margaret Cannell to the Zoning Board of Appeals for a term expiring on June 30, 2025. (Transmitted by Communication [MM-174 \[2021\]](#); Public hearing held on 1/26/22)
 - 5. [RESOLUTION 21-271](#) – **APPOINTMENT OF MS. MELISSA MAY.** Appointment of Ms. Melissa May to serve on the Planning Commission of the City and County of Honolulu for a term expiring on June 30, 2026. (Transmitted by Communication [MM-171 \[2021\]](#); Public hearing held on 1/26/22)
 - 6. [RESOLUTION 22-15](#) – **ENHANCE REGULATION OF LARGE DETACHED DWELLINGS.** Requesting the Department of Planning and Permitting to recommend legislation to enhance regulation of large detached dwellings.

Committee on Zoning and Planning Meeting Agenda
Thursday, February 10, 2022

7. **BILL 8 (2022) – ADMINISTRATIVE ENFORCEMENT OF CERTAIN CODES.**
Addressing the administrative enforcement of certain codes in the Revised Ordinances of Honolulu 1990. (Bill passed First Reading on 1/26/22)
8. **RESOLUTION 22-13 – HEEIA WASTEWATER PUMP STATION IMPROVEMENT PROJECT (SMA 2021/SMA-56).** Granting a Special Management Area (“SMA”) Use Permit to the City and County of Honolulu, Department of Environmental Services for the Heeia Wastewater Pump Station Improvements consisting of the expansion of the pump building, the replacement of pumps, valves, meters, monitoring and ventilation systems, a new emergency generator with an under-ground fuel storage tank, parking area revisions and relocation of the entrance driveway, a new concrete masonry unit wall, chain link perimeter fencing, electric transformers, and related improvements on approximately 4,408 square feet of land zoned R-7.5 Residential District, located at 46-195 Yacht Club Street and identified as Tax Map Key 4-6-023: 041. (Applicant: City and County of Honolulu, Department of Environmental Services) (Transmitted by Communication D-10 [2022]) (Current deadline for Council action: 3/12/22)

PROPOSED CD1 TO RESOLUTION 22-13 (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0085/2/4/2022 11:31 AM) makes the following amendments:

- A. In the third WHEREAS clause, clarifies that:
 1. The DPP transmitted its findings and recommendation of approval to the City Council on January 10, 2022 (as opposed to December 17, 2021), within 32 (as opposed to 20) working days after the close of the public hearing; and
 2. The Applicant had agreed to an extension of the 20-working-day administrative deadline pursuant to ROH Section 25-5.4.
- B. In the fourth WHEREAS clause, specifies the date of receipt and the communication number of the departmental communication from the DPP that transmitted the Resolution to the Council.
- C. Deletes Condition F because a deadline to obtain development permits is generally not imposed on projects by government agencies due to possible funding uncertainties.
- D. Makes miscellaneous technical and nonsubstantive amendments.

Committee on Zoning and Planning Meeting Agenda
Thursday, February 10, 2022

9. **[RESOLUTION 22-1](#) – AIRPORT AREA NEIGHBORHOOD TOD PLAN.** Approving the Airport Area Neighborhood Transit-Oriented Development (TOD) plan. (Transmitted by Communication [D-1 \[2022\]](#))

Related communication:

[CC-21 \(2022\)](#) Councilmember Elefante, submitting proposed amendments to the Airport Area Neighborhood Transit-Oriented Development Plan attached to Resolution 22-1.

10. **[BILL 2 \(2022\)](#) – SHORT-TERM RENTALS.** Requiring an owner of residential real property to disclose to a potential buyer, prior to the sale of the property, certain information relating to the property's eligibility for use as a short-term rental. (Bill passed First Reading on 1/26/22)

11. **REVIEW AND EVALUATION OF ZONING BOARD OF APPEALS PURSUANT TO ORDINANCE 17-44.** The Committee will review and evaluate the Zoning Board of Appeals and make recommendations to the Council on whether the Charter provisions establishing the Zoning Board of Appeals should be retained, amended, or repealed.

Related communication:

[D-80 \(2022\)](#) Report submitted by the Zoning Board of Appeals pursuant to Ordinance 17-44.

INFORMATIONAL BRIEFING

12. **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