



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, APRIL 21, 2022
9:00 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, in order to allow public participation in a manner consistent with safe COVID-19 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

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings> or [olelo.org](https://www.olelo.org); (2) by televised live broadcast on 'Olelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. Viewers who experience a loss of viewing signal should try switching to another viewing option.

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:

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

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Remote Testimony

1. Persons may submit oral testimony remotely through the Zoom video conferencing platform. To participate, persons should visit <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>. Videoconference access information will be provided upon submission of testimony/registration. Zoom testifiers are strongly encouraged to register at least 24 hours before the start of the meeting.
2. To submit oral testimony by phone only, please contact the Council Information Section at (808) 768-5822 to register and obtain telephone access information.

In-Person Testimony in the Council Chamber

Persons may also submit oral testimony in the Council Chamber.

Persons wishing to testify are requested to register by 9:00 a.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

Members of the public entering the Council Chamber are requested to spread themselves out. If the Chamber becomes crowded, members of the public may be requested to wait outside the Chamber until called to testify.

All oral testimony, both remote and in-person, will be taken at the start of the agenda and then closed, in the following order:

1. **Remote testimony will be taken first and then closed;**
2. **In-person testimony in the Council Chamber will be taken second and then closed.**

WRITTEN TESTIMONY

Written testimony may be uploaded via the internet at <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>, 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, e-mail address, and phone number, will be available to the public at <https://hnlidoc.ehawaii.gov>.

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

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MATERIALS AVAILABLE FOR INSPECTION

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

Accommodations are available upon request to persons with disabilities. Please call (808) 768-3801 or send an email to guehara@honolulu.gov at least three working days prior to the meeting.

FOR ACTION

1. **BILL 8 (2022), CD1 – ADMINISTRATIVE ENFORCEMENT OF CERTAIN CODES.** Addressing the administrative enforcement of certain codes in the Revised Ordinances of Honolulu 1990. (Bill passed Second Reading and public hearing held on 3/16/22)

PROPOSED CD2 TO BILL 8 (2022), CD1 (Submitted by Councilmember Elefante)
– The CD2 (OCS2022-0212/3/16/2022 10:49 AM) makes the following amendments:

- A. Clarifies that a permit application will be accepted and processed if it is to correct a violation on the property.
- B. Makes miscellaneous technical and nonsubstantive amendments.

2. **RESOLUTION 22-61 – 4439 KAHALA AVENUE IN KAHALA (2021/SMA-77).** Granting a Special Management Area (SMA) Use Permit to allow for the development of two single-family dwelling units and a garage on a shoreline lot, located in the R-7.5 Residential District at 4439 Kahala Avenue in Kahala, and identified as TMK 3-5-003: 007. (Applicant: 4439 Kahala LLC) (Transmitted by Communication **D-185 [2022]**) (Current deadline for Council action: 5/7/22)

PROPOSED CD1 TO RESOLUTION 22-61 (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0320/4/14/2022 1:52 PM) makes the following amendments:

- A. Amends the title of the resolution to read as follows:

"GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW THE CONSTRUCTION OF TWO NEW SINGLE-FAMILY DWELLING UNITS AND A GARAGE AT TAX MAP KEY 3-5-003:007 IN KAHALA, OAHU."
- B. Clarifies in the second WHEREAS clause that no public testimony was offered.
- C. In the third WHEREAS clause, changes "March 10, 2021" to "March 3, 2022," which is the date of Departmental Communication 185 (2022).

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D. In Condition B:

1. Clarifies that the purpose of the condition is to, among other things, minimize potential for adverse impacts related to development on potential sea level rise exposure areas (as opposed to underlying beach sands and coastal dunes);
2. Specifies that all structures must be set back a minimum of 61 feet from the certified shoreline (as opposed to relocated mauka of the 3.2-foot sea level rise exposure area coastal erosion line); and
3. Specifies that any structures proposed outside of the 61-foot shoreline setback (as opposed to outside of the 3.2-foot sea level rise exposure area coastal erosion line), but within the combined 3.2-foot sea level rise exposure area, must incorporate certain foundation or adaptation/design measures.

E. Clarifies in Condition C that the purpose of the condition is to preserve coastal ecosystems (as opposed to preserving underlying beach sands and coastal dunes).

F. Clarifies in Condition E that if unidentified archaeological sites or remains are encountered, the Applicant must also protect the find from further disturbance.

G. Combines Conditions F and G, since they are related; rennumbers remaining conditions accordingly.

H. Makes miscellaneous technical and nonsubstantive amendments.

Related communications:

[CC-130 \(2022\)](#) Disclosure of Interest Statement, submitted by Councilmember Elefante.

[CC-131 \(2022\)](#) Disclosure of Interest Statement, submitted by Councilmember Elefante.

[M-136 \(2022\)](#) G70, submitting request for 60-day extension of time for Resolution 22-61.

3. **RESOLUTION 22-66 – THE KALAUAO (PEARLRIDGE) BUS TRANSIT CENTER PROJECT (2021/SMA-80).** Granting a Special Management Area (SMA) Use Permit to construct a new bus transit center, on approximately 3.7 acres of land zoned I-2 Intensive Industrial and IMX-1 Industrial-Commercial Mixed Use Districts, located within Tax Map Keys 9-8-009: 005; 011, 014, 015, and 016. (Applicant: City and County of Honolulu, Department of Transportation Services) (Transmitted by Communication [D-210 \[2022\]](#)) (Current deadline for Council action: 5/15/22)

PROPOSED CD1 TO RESOLUTION 22-66 (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0263/3/31/2022 4:24 PM) 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 March 15, 2022 (as opposed to March 10, 2022), within 23 (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. Amends the following proposed conditions to conform to the standard form of such conditions for SMA Use Permit resolutions:
1. Condition A (relating to requiring construction to be in general conformity with the Project as described in the DPP's findings and recommendations, and as described in the attached exhibits);
 2. Condition C (relating to requirements when encountering during construction previously unidentified archaeological sites or remains); and
 3. Condition F (relating to approval of this SMA Use Permit does not constitute compliance with the Land Use Ordinance or other governmental approvals).
- C. Makes miscellaneous technical and nonsubstantive amendments.

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Related communication:

[D-272 \(2022\)](#) Department of Transportation Services, submitting presentation titled "Kalauao Bus Transit Center & Mobility Hub".

4. **[RESOLUTION 22-62 – THE QUEEN’S MEDICAL CENTER \(QMC\) – HONOLULU \(2021/PRU-4\)](#)**. Approving an application for a Plan Review Use (PRU) Permit to implement a 15-Year Master Plan ("Master Plan") for the redevelopment of the QMC on 18.77 acres of land zoned A-2 Medium Density Apartment District and B-2 Community Business District, located at 1301 Punchbowl Street and identified as Tax Map Keys 2-1-018: 048, 2-1-035: 001, 003 through 010, and 2-1-037: 002. (Applicant: The Queen's Health Systems) (Transmitted by Communication [D-197\[2022\]](#)) (Current deadline for Council Action: 5/9/22)

[PROPOSED CD1 TO RESOLUTION 22-62](#) (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0227/4/12/2022 9:23 AM) makes the following amendments:

- A. In the fourth WHEREAS clause, clarifies that the Council received the findings and recommendations of the DPP Director on March 10, 2022, as opposed to March 7, 2022.
- B. Renumbers Conditions A through Q as Conditions 1 through 17.
- C. In renumbered Condition 2:
 - 1. Adds "[e]xcept as required to comply with Condition 6" to the requirement that construction be in general conformance with the plans, since Condition 6 prohibits additional parking levels at the Miller Parking Structure; and
 - 2. Adds a reference to Land Use Ordinance Section 21-2.20(k)(2) to the second sentence.
- D. Specifies in renumbered Condition 3 that except as provided in the resolution, the PRU permit will supersede PRU Permit No. 2011/PRU-1, since Condition 10 continues Condition 5 of that resolution, as amended.
- E. Clarifies in renumbered Condition 9 that the Applicant shall obtain a Conditional Use Permit for joint development of the parcels comprising the main portion of the QMC Main Campus, which excludes the site of the Physician's Office Building II (TMK 2-1-037:002) and the Miller Triangle (TMK 2-1-018:048).

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- F. Incorporates renumbered Conditions 5 (relating to a parking/assessment/management plan) and 7 (relating to an assessment and analysis in the traffic impact analysis report of the H-1 east on-ramp from Lusitana Street) into renumbered Conditions 11.C (relating to the traffic impact analysis report) and 11.D (relating to the traffic management plan) for clarity.
- G. Clarifies in renumbered Condition 15 that the Applicant must also protect the find if any previously unidentified archaeological sites or remains are encountered.
- H. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

[M-124 \(2022\)](#) R.M. Towill Corporation, submitting request for 90-day extension of time for Resolution 22-62.

- 5. **[RESOLUTION 22-96](#) – PROCEDURES FOR PROPOSED REVISIONS TO THE PUBLIC INFRASTRUCTURE MAPS.** Urging the City Administration to revise and improve its procedures for notifying the public about proposed revisions to the Public Infrastructure Maps.
- 6. **[RESOLUTION 22-38](#) – USE OF ELECTRONIC SIGNATURES AND STAMPS ON PROJECT PLAN SUBMISSIONS.** Requesting the Department of Planning and Permitting to submit an update to the Council on its discussions with the State Department of Commerce and Consumer Affairs regarding the use of electronic signatures and stamps on project plan submissions.

FOR DISCUSSION

- 7. **[RESOLUTION 22-37](#) – DELAYS BETWEEN BUILDING PERMIT APPROVAL AND ACTUAL ISSUANCE OF THE PERMIT.** Requesting the City Administration to report on the reasons for delays between building permit approval and actual issuance of the permit, and on measures to address such delays.
- 8. **[BILL 10 \(2022\)](#) – LUO AMENDMENT RELATING TO USE REGULATIONS.** Addressing the regulation of uses throughout Chapter 21, Revised Ordinances of Honolulu 1990 (“Land Use Ordinance”). (Transmitted by Communication [D-74 \[2022\]](#); Bill passed First Reading on 2/23/22) (Current deadline for Council action: 10/9/22)

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Related communications:

[D-269 \(2022\)](#) Department of Planning and Permitting, submitting additional Summary Information for Bill 10 (2022)

[D-273 \(2022\)](#) Department of Planning and Permitting, submitting presentation titled "Land Use ordinance (LUO Update, ROH Chapter 21".

INFORMATIONAL BRIEFING

9. **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