



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

Item No. 2 Resolution 22-206 on
page 4 has been cancelled.

Item No. 3 Resolution 22-205 on
page 4 has been cancelled.

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
THURSDAY, SEPTEMBER 22, 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.

Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID 89616865134 and Passcode 587398.
2. To testify by videoconference visit: <https://hnldoc.ehawaii.gov/hnldoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

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.

Oral testimony, both remote and in-person, will be allowed:

1. For all agenda items, at the start of the agenda; and
2. For each agenda item, when the item is taken up.

Persons may choose to present their testimony either at the start of the agenda or when the item or items is/are taken up, but not both. Registered testifiers wishing to testify when an item is taken up should state their preference when their names are called during the testimony period at the start of the agenda.

WRITTEN TESTIMONY

Written testimony may be uploaded via the internet at <https://hnldoc.ehawaii.gov/hnldoc/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://hnldoc.ehawaii.gov>.

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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. **RESOLUTION 22-202 – REAPPOINTMENT OF MR. PANE MEATOGA III.** Confirming the reappointment of Mr. Pane Meatoga III to serve on Planning Commission of the City and County of Honolulu for a term expiring on June 30, 2027. (Transmitted by Communication MM-140[2022]; Public hearing held on 9/7/22)

Related communications:

CC-263 (2022) Disclosure of Interest Statement submitted by Councilmember Elefante.

MM-168 (2022) Office of the Managing Director, submitting additional information regarding Mr. Pane Meatoga III.

2. ~~**RESOLUTION 22-206 – REAPPOINTMENT OF MR. LANDON KANESHIRO.** Confirming the reappointment of Mr. Landon Kaneshiro to the Zoning Board of Appeals for a term expiring on June 30, 2027. (Transmitted by Communication MM-146 [2022]; Public hearing held on 9/7/22)~~

CANCELLED

~~PROPOSED AMENDMENTS TO RESOLUTION 22-206 (Submitted by Councilmember Elefante) – The Proposed CD1 (OCS2022-0751/9/16/2022 1:44 PM) makes the following amendments:~~

- ~~A. Amends the second WHEREAS clause by quoting language from Charter Section 6-1516 regarding the duties of the Zoning Board of Appeals.~~
- ~~B. Adds two WHEREAS clauses explaining the appointee's prior appointment to the Board.~~
- ~~C. Makes miscellaneous technical and nonsubstantive amendments.~~

Related communication:

~~MM-169 (2022) Office of the Managing Director, submitting additional information regarding Mr. Landon Kaneshiro.~~

3. ~~**RESOLUTION 22-205 – REAPPOINTMENT OF JAY HIGASHI.** Confirming the reappointment of Jay Higashi to serve on the Building Board of Appeals of the City and County of Honolulu for a term to expire on December 31, 2025. (Transmitted by Communication MM-145 [2022]; Public hearing held on 9/7/22)~~

CANCELLED

~~PROPOSED CD1 TO RESOLUTION 22-205 (Submitted by Councilmember Elefante) - The Proposed CD1 (OCS2022-0693/9/1/2022 8:32 AM) makes the following amendments:~~

CANCELLED

- ~~A. 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)).~~
 - ~~B. 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.~~
 - ~~C. In third WHEREAS clause, corrects the number of members required to be qualified on matters pertaining to fire safety.~~
 - ~~D. In the fourth WHEREAS clause, changes the reference to "Section 13-103(a)" to "Section 13-103.1(a)."~~
 - ~~E. Adds new fifth and sixth WHEREAS clauses to discuss Jay Hayashi's prior appointment to the Building Board of Appeals and his service as a holdover member.~~
 - ~~F. In the seventh WHEREAS clause, adds a reference to Mayor's Message 145 (2022), dated August 18, 2022.~~
 - ~~G. Adds the Director of Planning and Permitting as a recipient of a copy of the Resolution.~~
 - ~~H. Makes miscellaneous technical and nonsubstantive amendments.~~
4. **RESOLUTION 22-225 - REQUEST TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION.** Amending Resolution No. 20-251, CD1, FD1 to extend the deadline for commencement of construction of Hawaii Public Housing Authority (HPHA) Affordable Housing Development at Kapalama, Oahu, Hawaii, Tax Map Key 1-6-006: 003 (por). (Applicant: Retirement Housing Foundation) (Transmitted by Communication D-661 [2022])
5. **BILL 43 (2022) - ADMINISTRATIVE ENFORCEMENT OF THE BUILDING, ELECTRICAL, PLUMBING, AND SIDEWALK CODES.** Addressing the administrative enforcement of the building, electrical, plumbing, and sidewalk codes. (Bill passed Second Reading and Public hearing held on 8/10/22; Recommitted back to Committee on 9/7/22)

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PROPOSED CD1 TO BILL 43 (2022) (Submitted by Councilmember Waters) – The Proposed CD1 (OCS2022-0747/9/15/2022 1:27 PM) makes the following amendments:

- A. Clarifies in proposed new ROH Section 18-7.4(e) that the three final orders incurred within a period of three years must relate to a detached one- or two-family dwelling, as those terms are used in Chapter 16.
 - B. Makes miscellaneous technical and nonsubstantive amendments.
6. **BILL 46 (2022), CD1 – HEIGHT LIMITS FOR ROOFTOP STRUCTURES.** Increasing the proliferation of rooftop solar panels by allowing rooftop solar panels to be placed above rooftop equipment and allowing the creation of new rooftop gathering space underneath rooftop solar panels. (Bill passed Second Reading and Public hearing held on 9/7/22)
7. **BILL 51 (2022) – BUILDING PERMIT APPLICATIONS.** Addressing the requirements of a building permit application. (Bill passed First Reading on 9/7/22)
8. **BILL 39 (2022), CD1 – STATE PLUMBING CODE.** Adopting the Hawai'i State Plumbing Code, as required by HRS Sec.107-28, subject to local amendments. (Bill passed Second Reading and Public hearing held on 9/7/22)

PROPOSED CD2 TO BILL 39 (2022), CD1 (Submitted by Councilmember Elefante) – The Proposed CD2 (OCS2022-0733/9/12/2022 2:56 PM) makes the following amendments:

- A. Restores Section 102 of the State Plumbing Code (formerly Item 3 in SECTION 3 of the as-introduced Bill, but deleted in the CD1 version of the Bill) and rennumbers remaining items accordingly.
- B. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

CC-264 (2022) Disclosure of Interest Statement submitted by Councilmember Elefante.

9. **BILL 49 (2022), CD1 – TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT.** Expanding the Transit-Oriented Development ("TOD") special district to include three additional Honolulu Rail Transit Project station areas and to incorporate land use standards and guidelines for those areas based on the recommendations in the Aiea-Pearl City Neighborhood TOD Plan. (Bill passed Second Reading and Public hearing held on 9/7/22) (Current deadline for Council Action: 11/2/22)

PROPOSED CD2 TO BILL 49 (2022), CD1 (Submitted by Councilmember Elefante) – The Proposed CD2 (OCS2022-0731/9/16/2022 7:47 AM) makes the following amendments:

- A. Adds a new SECTION 2 of the Bill to amend ROH Sections 21-2.110-2(b) and 21-2.110-2(c) to delete provisions relating to situations where a neighborhood TOD plan for the area has not yet been adopted by the Council. (The Council has adopted all eight of the neighborhood TOD plans (East Kapolei, Waipahu, Aiea-Pearl City, Halawa, Airport, Kalihi, Downtown, and Ala Moana) within the City's jurisdiction. The Kakaako Neighborhood TOD Plan is under the jurisdiction of the Hawaii Community Development Authority.)

Renumbers subsequent Bill SECTIONS.

- B. In renumbered SECTION 4 of the Bill:
1. Amends ROH Section 21-9.100-2(a)(3) to refer to zoning districts or special district precincts (instead of zoning precincts).
 2. Amends ROH Section 21-9.100-2(h)(7) relating to the vision of the Halaulani (Leeward Community College) station area to refer to a college-oriented neighborhood (deletes reference to new housing, services, transportation options, and gathering spaces for students, faculty, and area residents).
- C. Makes miscellaneous technical and nonsubstantive amendments.

10. **BILL 50 (2022) – REZONE LAND SITUATED AT HALAWA – PEARL CITY AND WAIPAHAU, OAHU, HAWAII (2016/GEN2).** Rezoning land from the F-1 Military and Federal Preservation, P-2 General Preservation, AG-1 Restricted Agricultural, AG-2 General Agricultural, R-5 Residential, R-7.5 Residential, A-1 Low-density Apartment, A-2 Medium-density Apartment, B-2 Community Business, BMX-3 Community Business Mixed Use, I-2 Intensive Industrial, and IMX-1 Industrial-Commercial Mixed Use Districts to the P-2 General Preservation, AG-1 Restricted Agricultural, R-5 Residential, A-2 Medium-density Apartment, AMX-2 Medium-density Apartment Mixed Use, AMX-3 High-density Apartment Mixed Use, B-1 Neighborhood Business, BMX-3 Community Business Mixed Use, and I-2 Intensive Industrial Districts. (Bill passed Second Reading and Public hearing held on 9/7/22) (Current deadline for Council Action: 11/2/22)

PROPOSED CD1 TO BILL 50 (2022) (Submitted by Councilmember Elefante) – The Proposed CD1 (OCS2022-0730/9/15/2022 9:07 AM) makes the following amendments:

- A. Amends Exhibit B to change the zoning designation for Tax Map Keys 9-8-016:053, 054 (portion), 055, and 056 to add a maximum bonus height of 150 feet (zone change would be from B-2 60' to BMX-3 60' (150'), instead of from B-2 60' to BMX-3 60').
- B. Makes miscellaneous technical and nonsubstantive amendments.
11. **BILL 42 (2022), CD1 – SPECIAL MANAGEMENT AREA.** Updating ROH Chapter 25, relating to the special management area, and to incorporate amendments made by Act 16, Session Laws of Hawaii 2020, to HRS Chapter 205A, the State Coastal Zone Management law. (Bill passed Second Reading and Public hearing held on 9/7/22)
12. **RESOLUTION 22-220 – THE KAHALA BEACH VILLAS - 4767-B, 4767-D, 4769, AND 4775 KAHALA AVENUE – KAHALA (2022/SMA-37).** Granting a Special Management Area (SMA) Use Permit to A'YIA LLC to allow the demolition of seven existing single-family dwellings, redevelopment of six single-family dwellings, and construction of six single-family dwellings for a total of twelve dwelling units; widen an existing driveway; improve supporting infrastructure; and install open fencing within the shoreline setback area on approximately 80,245 square feet of land zoned R-5 Residential District, located at 4767-B, 4767-D, 4769, and 4775 Kahala Avenue in Kahala and identified as Tax Map Keys (TMKs) 3-5-006: 007, 009, 014, and 025 (the Project). (Applicant: A'YIA LLC) (Transmitted by Communication D-656 [2022]) (Current deadline for Council action: 11/8/22)

Related communication:

M-390 (2022) G70 submitting presentation titled “The Kahala Beach Villas” for Resolution 22-220.

13. **RESOLUTION 22-226 – WEST LOCH AFFORDABLE RENTAL HOUSING 201H PROJECT (2022/GEN-6)**. Authorizing exemptions from certain requirements to Komohale West Loch, LLC (the “Applicant”) to develop an affordable rental housing Project on approximately 3.7 acres of land zoned AG-1 Restricted Agricultural District, owned by the City and County of Honolulu, located at 91-1666 Fort Weaver Road in Ewa Beach, and identified as Tax Map Key 9-1-122: 004, as shown on the attached Exhibits A, B-1 through B-7, C-1 and C-2, D, E-1, and E-2, F, and G, (the “Project”). (Applicant: Komohale West Loch, LLC) (Transmitted by Communication D-663[2022]) (Current deadline for Council action: 10/30/22)

INFORMATIONAL BRIEFING

14. **UPDATE ON THE STATUS OF THE BUILDING PERMIT PROCESSES AND TIMELINES FOR APPROVAL.**
15. **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