



# 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 ADDENDUM

REGULAR MEETING  
CITY COUNCIL CHAMBER  
THURSDAY, OCTOBER 20, 2022  
9:00 A.M.

### **PUBLIC PARTICIPATION AND TESTIMONY**

Pursuant to Act 220, Session Laws of Hawaii 2021, 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. 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. For direct access to submit oral testimony call: +1-253-215-8782, enter ID 81994891427 and Passcode 935336.
2. To testify by videoconference visit: <https://hnlidoc.ehawaii.gov/hnlidoc/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 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.

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

**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 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 [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 Council meeting.

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

**THIS ADDENDUM PROVIDES RELATED COMMUNICATIONS FOR AGENDA ITEMS NO. 1 – RESOLUTION 22-205, NO. 4 – RESOLUTION 22-240 AND NO. 8 – BILL 10 (20220, CD1; AND PROPOSED CD1 AMENDMENTS TO AGENDA ITEMS NO. 3 – BILL 51 (2022) AND NO. 4 – RESOLUTION 22-240.**

**FOR ACTION**

1. **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; Committee postponed action on 9/26/22)

Related communication:

MM-197 (2022) Office of the Managing Director, submitting additional information regarding Mr. Jay Higashi.

3. **BILL 51 (2022) – BUILDING PERMIT APPLICATIONS.** Addressing the requirements of a building permit application. (Bill passed Second Reading and Public hearing held on 10/5/22)

PROPOSED CD1 TO BILL 51 (2022) (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0833/10/18/2022 8:55 AM) makes the following amendments:

- A. In SECTION 2 of the bill, which amends ROH Section 18-4.1, replaces references to "applicant" with the phrase "owner of the zoning lots to which the building permit application pertains."
  - B. Makes miscellaneous technical, nonsubstantive, and conforming amendments.
4. **RESOLUTION 22- 240 – KUHIO PARK TERRACE LOW-RISES AND KUHIO HOMES REDEVELOPMENT 201H PROJECT (2022/GEN-7).** Granting exemptions from certain requirements relating to the Kuhio Park Terrace Low-Rises and Kuhio Homes Redevelopment on about 9.78 acres of land owned by the State of Hawaii located at 1430 Ahonui Street, 1449 Ahonui Street, and 1474 Linapuni Street, Kalihi, Oahu, Hawaii, Tax Map Keys (TMK) 1-3-039: 003, 006, and 008. (Applicant: Michaels Development) (Transmitted by Communication D-724 [2022] - A and D-724[2022] - B) (Current deadline for Council action: 11/24/22)

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PROPOSED CD1 TO RESOLUTION 22-240 (Submitted by Councilmember Elefante) – The CD1 (OCS2022-0830/10/18/2022 3:09 PM) makes the following amendments:

- A. Amends the resolution title to read as follows:  
  
"AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KUHIO PARK TERRACE LOW-RISES AND KUHIO HOMES REDEVELOPMENT IN KALIHI."
- B. In the first, second, and third WHEREAS clauses, clarifies the description of the Project, as proposed.
- C. Adds a new fourth WHEREAS clause to provide that the Applicant has requested that the Project's affordable units be available for rent to households earning 80 percent (instead of 60 percent) and below of the AMI.
- D. Adds a new fifth WHEREAS clause to provide that the Project is eligible to receive consideration under the City's rules implementing HRS Section 201H-38.
- E. In the seventh WHEREAS clause, provides that the Council received the Project's preliminary plans and specifications by Departmental Communication 724 (2022).
- F. Adds a new 10th WHEREAS clause to provide that the Project does not contravene any safety standards, tariffs, or rates and fees approved by the Public Utilities Commission or the Board of Water Supply.
- G. In the BE IT RESOLVED clause:
  - 1. Separates the exemptions for "infrastructure and public work fees and charges" from the exemptions for "application fees."
  - 2. Removes all letter designations from the categories of exemptions and renumbers all of the exemptions consecutively, regardless of the category of exemption.

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3. In renumbered Exemption 8, provides for an exemption from the payment of wastewater system facility charges attributed to the Project's affordable units (instead of all Project units), estimated at \$1,984,006.08 for 585 affordable units, or \$2,197,668.27 for 648 affordable units; and the deferral of payment of wastewater system facility charges attributed to the Project's market-rate units until issuance of a certificate of occupancy for Phase 1 of the Project, estimated at \$220,445.12 for 65 market-rate units, or \$6,782.83 for two market-rate units (instead of an exemption from the payment of wastewater charges for all 650 of the Project's units, estimated at \$2,204,451.20).
4. Sets forth exemptions formerly in Exemption C.1 in new Exemptions 11 (relating to maximum height), 12 (relating to maximum density), 13 (relating to front, side, and rear yards), and 14 (relating to the landscaping of yards and parking setbacks); references the applicable LUO section requirements; and describes the extent of the exemptions, as stated in the DPP's report (Departmental Communication 724 (2022)). Renumbers subsequent exemptions accordingly.
5. In renumbered Exemption 16, relating to the joint development of two or more adjacent zoning lots, clarifies that the three zoning lots composing the Project site may be jointly developed and treated as one zoning lot without a minor conditional use permit.
6. In renumbered Exemption 17, relating to off-street loading space dimensions, clarifies that the Project will provide nine loading spaces measuring 19 feet by 8.2 feet (instead of one loading space measuring 35 feet by 12 feet, and three loading spaces measuring 19 feet by 8.2 feet).
7. In renumbered Exemption 18, relating to electric vehicle charger ready requirements, adds that the Project will provide four electric vehicle charger ready parking spaces (instead of the required 50 electric vehicle charger ready parking spaces).

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8. In renumbered Exemption 19, relating to Honolulu Fire Department apparatus access road dimension requirements, provides that the Project's fire apparatus access road may have an unobstructed clearance width of 18 feet (instead of 20 feet); provided that all Project buildings must be equipped with a current NFPA 13-compliant automatic sprinkler system.
9. In renumbered Exemption 20, relating to the deferral of the Board of Water Supply Rules and Regulations, provides that the deferral is subject to all Board of Water Supply requirements being satisfied.
10. In renumbered Exemption 21, relating to park dedication requirements, provides for an exemption from the payment of park dedication in-lieu fees attributed to the Project's affordable units (instead of all Project units), estimated at \$6,670,521 for 585 affordable units, or \$7,388,884.80 for 648 affordable units (instead of an exemption from the payment of park in-lieu fees for all 650 of the Project's units, estimated at \$7,411,690).

H. In the first BE IT FURTHER RESOLVED clause:

1. Adds a new Condition B to provide that Project affordable units must be available for rent to households earning 80 percent and below of the area median income ("AMI") for Honolulu; provided that all affordable units must comply with the final U.S. Department of the Treasury rules (October 2022) relating to the income averaging test ("IAT") for the low-income housing tax credit ("LIHTC") program, including the requirement that the average of the designated imputed income limitations for the rent-restricted units must not exceed 60 percent of the AMI. Renumbers subsequent conditions accordingly.
2. In realphabetized Condition C, provides that prior to issuance of any building permits for buildings in Phase 3 (instead of Phase 2) of the Project, plans must be updated to show that the Linapuni Street and Ahonui Street satisfy City roadway standards, including parking standards, or the Hawaii Public Housing Authority shall obtain ownership of the streets from the City via a quitclaim deed. Adds that if the HPHA elects to obtain ownership of Linapuni Street and Ahonui Street, or any portion thereof, the HPHA shall be responsible for the maintenance and repair of the portions of the streets that it owns.

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3. Moves realphabetized Condition D.4 to Condition D.2, which relates to the construction management plan.
  4. In realphabetized Condition E, clarifies that the Project's parking management plan must address how the limited onsite parking for Project residents will be managed and enforced.
  5. In realphabetized Condition G, conforms to the standard 201H resolution language requiring the Applicant to execute a 201H Agreement with the DPP Director prior to the issuance of any building permit for the Project.
- I. Adds a new second BE IT FURTHER RESOLVED clause to provide that references to specific statutes, ordinances, or regulations include respective successor statutes, ordinances, or regulations.
- J. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

M-453 (2022) PBR Hawaii & Associates Inc., submitting presentation titled “Kūhiō Park Terrace Low-Rises and Kūhiō Homes Redevelopment” for Resolution 22-240.

8. **BILL 10 (2022), CD1 – LUO AMENDMENT RELATING TO USE REGULATIONS.**  
Addressing the regulation of uses throughout Chapter 21, Revised Ordinances of Honolulu 1990 (“Land Use Ordinance” or “LUO”). (Bill passed Second Reading and Public hearing held on 9/7/22; Committee amended to CD2 and postponed action on 9/26/22) (Current deadline for Council action: 2/26/23)

CD2 TO BILL 10 (2022), CD1 (Approved CD2 [OCS2022-0792/10/6/2022 1:36 PM] by the Committee at its September 26, 2022 special meeting).

Related communications:

CC-313 (2022) Council Chair Water, submitting proposed further amendments to Bill 10 (2022), CD2.

CC-316 (2022) Councilmember Elefante, submitting recommendations on proposed additional amendments to Bill 10 (2022), CD2.



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EXECUTIVE SESSION

If necessary, the committee may convene into an executive meeting closed to the public, pursuant to Hawaii Revised Statutes, Sections 92-4 and 92-5(a)(4), to consult with its attorneys on questions and issues pertaining to the powers, duties, privileges, immunities and/or liabilities of the city, the council, and its committees relating to Bill 10 (2022), CD1, and any amendments thereto.

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