

**CITY COUNCIL**  
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'23FEB23 PM 12:03 CITY CLERK

**ESTHER KIA'ĀINA**  
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**MEMORANDUM**

DATE: February 23, 2023

TO: Irene Limos  
Clerk, Committee on Planning & the Economy

FROM: Esther Kia'āina, Chair   
Committee on Planning & the Economy

SUBJECT: Committee on Planning & the Economy Chair's Recommendations on  
Proposed Additional Amendments to Industrial Uses in Bill 10 (2022), CD1

Attached for consideration by the Committee on Planning & the Economy are proposed recommendations by the Committee on Planning & the Economy Chair to the amendments offered for Industrial Uses in Bill 10 (2022), CD1 relating to the Land Use Ordinance. The recommendations, if adopted by the Committee, will be incorporated into the posted proposed CD2 (OCS2022-085011 1/3/2022 3:01PM) approved on October 20, 2022 by the Committee on Zoning and Planning.

Thank you!

Attachments: CC-43 (Council Chair Water's Proposed Amendments)

**COUNCIL COM. 47**  
**P&E**

**PLANNING AND THE ECONOMY CHAIR'S RECOMMENDATIONS ON CC-43 (2023)**  
**Proposed Amendments to the CD2 Version of Bill 10 (2022) Adopted by the**  
**Zoning and Planning Committee at its Meeting on October 20, 2022**  
**Relating to Use Regulations**  
**INDUSTRIAL USES**

TOTAL PAGES: 1  
DATE: February 17, 2023  
COUNCILMEMBER: Waters

| Item No. | Bill SECTION | ROH Section, Exhibit, or Figure, and Title                           | Page No.                                      | Amendment Description  | Amendment Text (in Ramseyer Format)  | P&E Chair's Recommendation   |    |   |   |    |    |    |  |    |  |  |  |  |  |  |  |  |  |  |  |  |  |                   |        |
|----------|--------------|--|---|--|--|--|----|---|---|----|----|----|--|----|--|--|--|--|--|--|--|--|--|--|--|--|--|-------------------|--------|
| 1        | SECTION 3    | § 21-5.30 Use Table Legend   | 4   | Amend Use Table legend to add "Ac" to indicate accessory use.<br>Add footnote 2 to clarify that if there is more than one symbol, all symbols apply. | <p>P = Permitted Use<sup>2</sup>   C = Major Conditional Use<sup>2</sup>   Cm = Minor Conditional Use<sup>2</sup>   PRU = Plan Review Use<sup>2</sup>   * = Use Standards Apply<sup>2</sup><br/>+ = Special Use Permit<sup>1,2</sup>   <u>Ac = Special Accessory Use<sup>2</sup></u></p> <p><sup>1</sup> Pursuant to HRS Chapter 205, a special use permit approved by the Planning Commission is required prior to seeking permits or approvals from the director or the City Council.</p> <p><sup>2</sup> If there is more than one symbol, all symbols apply.</p>   | Accept with modification to "Ac" symbol description.<br><u>Ac = Accessory Use subject to standards<sup>2</sup></u> |    |   |   |    |    |    |  |    |  |  |  |  |  |  |  |  |  |  |  |  |  |                   |        |
| 2        | SECTION 3    | § 21-5.30 Use Table Industrial Uses<br>Accessory Industrial Helistop | 9   | Amend helistop entry to indicate it is an accessory use.   | <table><tr><td>Helistop</td><td>--</td><td><math>\frac{[C^{*+}]}{Ac^{*+}} \frac{[C^{*+}]}{C}</math></td><td><math>\frac{[C^{*+}]}{Ac^{*+}} \frac{[C^{*+}]}{C}</math></td><td>--</td><td>--</td><td>--</td><td>--</td><td>--</td><td>--</td><td>--</td><td>--</td><td>--</td><td><math>\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}</math></td><td>--</td><td><math>\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}</math></td><td><math>\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}</math></td><td><math>\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}</math></td><td><math>\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}</math></td><td><math>\frac{[P^{*}]}{Ac^{*}} \frac{[P^{*}]}{C}</math></td><td><math>\frac{[P^{*}]}{Ac^{*}} \frac{[P^{*}]}{C}</math></td><td><math>\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}</math></td><td>Sec. 21-5.80-8(a)</td></tr></table> | Helistop   | -- | $\frac{[C^{*+}]}{Ac^{*+}} \frac{[C^{*+}]}{C}$ | $\frac{[C^{*+}]}{Ac^{*+}} \frac{[C^{*+}]}{C}$ | -- | -- | -- | --   | -- | --   | --   | --   | --   | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | --   | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[P^{*}]}{Ac^{*}} \frac{[P^{*}]}{C}$ | $\frac{[P^{*}]}{Ac^{*}} \frac{[P^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | Sec. 21-5.80-8(a) | Accept |
| Helistop | --           | $\frac{[C^{*+}]}{Ac^{*+}} \frac{[C^{*+}]}{C}$                        | $\frac{[C^{*+}]}{Ac^{*+}} \frac{[C^{*+}]}{C}$ | --   | --   | --   | -- | --  | --  | -- | -- | -- | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | -- | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | $\frac{[P^{*}]}{Ac^{*}} \frac{[P^{*}]}{C}$ | $\frac{[P^{*}]}{Ac^{*}} \frac{[P^{*}]}{C}$ | $\frac{[C^{*}]}{Ac^{*}} \frac{[C^{*}]}{C}$ | Sec. 21-5.80-8(a)                          |  |  |  |  |  |                   |        |
| 3        | SECTION 65   | § 21-10.1 Definitions  | 179   | Amend the current definition of "accessory use."   | <p><b><i>Accessory [Use].</i></b> A [use which meets the following conditions:</p> <p>(1) <del>Is a use which is conducted on the same zoning lot as the principal use to which it is related whether located within the same building or an accessory building or structure, or as an accessory use of land;</del></p> <p>(2) <del>Is clearly incidental to and customarily found in connection with the principal use; and</del></p> <p>(3) <del>Is operated and maintained substantially for the benefit or convenience of the owners, occupants, employees, customers, or visitors of the zoning lot with the principal use.]</del> <u>building or use subordinate to the principal building or use on a zoning lot that is used for purposes incidental to the main or principal building or use located on the same zoning lot.</u></p>  | Accept   |    |   |   |    |    |    |  |    |  |  |  |  |  |  |  |  |  |  |  |  |  |                   |        |
| 4        | SECTION 66   | § 21-10.1 Definitions  | 196   | Delete the new definition of "accessory" (the definition of "accessory use" is amended in SECTION 65 of the bill).                                   | <p><b><i>[Accessory.</i></b> A building or use subordinate to the principal building or use on a zoning lot that is used for purposes incidental to the main or principal building or use located on the same zoning lot.]</p>   | Accept   |    |   |   |    |    |    |  |    |  |  |  |  |  |  |  |  |  |  |  |  |  |                   |        |