




**CITY COUNCIL**  
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MEMORANDUM

DATE: March 17, 2023

TO: All Councilmembers

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

SUBJECT: Instructions for Amendments to Bill 10 (2022), CD1, for April 6, 2023 P&E Committee Meeting (Commercial Uses)

Bill 10 (2022), CD1 ("Bill 10"), would repeal and replace Chapter 21, Article 5, Revised Ordinances of Honolulu 2021 ("ROH"), relating to the land use regulations. The CD1 version of Bill 10 passed second reading and was the subject of a public hearing at the Council meeting on September 7, 2022. A CD2 version of Bill 10 was approved by the Planning and the Economy ("P&E") Committee on March 2, 2023. You can find the approved version and highlighted summary here: <https://hnlldoc.ehawaii.gov/hnlldoc/document-download?id=16843>. The yellow highlighted language in the summary reflects the changes that were made at the March 2, 2023 P&E Committee meeting.

I am including Bill 10 on the agenda for a series of P&E Committee meetings, which began on March 2, 2023. At each meeting, I will be prioritizing proposed amendments to Bill 10 by use type, which started with industrial uses at the meeting on March 2, 2023. At the meeting on April 6, 2023, I will be prioritizing wrapping up amendments on industrial uses and considering new amendments for commercial uses, followed at subsequent meetings by public, civic, and institutional uses, then residential uses, agricultural uses, and miscellaneous uses. The P&E Committee will be working from the CD2 version of Bill 10 that was approved on March 2, 2023 (OCS2023-0233/3/16/2023 1:33 PM), and at its meeting on April 6, 2023, will be considering amendments to the following sections and provisions relating to commercial uses:

- Bill SECTION 3 – Table 21-5.1 (Use Table), commercial uses listed on pages 6 to 8;

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**P&E**

- Bill SECTION 3 – ROH Section 21-5.70 *et seq.* (pages 35 to 74), commercial uses standards and requirements;
- Bill SECTION 64 - Table 21-9.6(A), (Waikīkī Special District Precinct Permitted Uses and Structures), commercial uses listed on pages 177 to 178;
- Bill SECTIONS 70, 71, and 72 (pages 185 to 217) – ROH Section 21-10.1, commercial uses definitions; and
- Bill SECTIONS 4 through 69 (pages 86 to 184), and 73 through 93 (pages 217 to 249) – commercial uses conforming amendments.

Amendments to sections and provisions relating to non-industrial and non-commercial uses will not be a priority at the P&E Committee meeting on April 6, 2023; however, the Committee will consider proposed amendments relating to the zoning districts in which commercial uses are permitted (for example, commercial uses permitted in the agricultural zoning districts).

Please observe the following process when proposing amendments to Bill 10:

1. As a starting point, use the CD2 version of Bill 10 that was approved by the P&E Committee on March 2, 2023 (OCS2023-0233/3/16/2023 1:33 PM), which is available on HNLDocs via the following link:  
<https://hnlidoc.ehawaii.gov/hnlidoc/document-download?id=16843>  
Proposed amendments should further amend the CD2, and references to bill SECTIONS and ROH sections should be based on the numbering scheme in the CD2.
2. Amendments should be proposed using the attached matrix form for commercial uses, which is similar to the matrix used to propose amendments to the City's General Plan and development plans. For your use, a WORD file for all of the matrices may be downloaded from the M:Drive in the Planning & the Economy folder and Bill 10 (2022) subfolder.
3. Submit your proposed amendments via memorandum directed to Irene Limos, P&E Committee Clerk. Proposed amendments will be numbered as Council Communications and uploaded to the City's HNLDocs website.
4. Proposed amendments should be submitted no later than 4:30 p.m. on March 23, 2023.

Mahalo for your assistance.

Attachment: Amendment Form, Bill 10 (2022), CD1

**AMENDMENT FORM**  
**Bill 10 (2022), CD1**  
**Relating to Use Regulations**  
**COMMERCIAL USES**

TOTAL PAGES: \_\_\_\_\_  
DATE: \_\_\_\_\_  
COUNCILMEMBER: \_\_\_\_\_

Item No.	Bill SECTION	ROH Section, Exhibit, or Figure, and Title	Page No.	Amendment Description	Amendment Text (in Ramseyer Format)	Comments or Clarification
1						
2						
3						
4						
5						
6						
7						
8						