


'23MAY04 PM 1:13 CITY CLERK

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MEMORANDUM

DATE: May 4, 2023

TO: All Councilmembers

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

CC: Dawn Takeuchi-Apuna, Director, Department of Planning & Permitting

SUBJECT: Instructions for Amendments to Bill 10 (2022), CD1, for the May 25, 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 April 6, 2023. The approved CD2 version and highlighted summary may be found here: <https://hnlldoc.ehawaii.gov/hnlldoc/document-download?id=17232>. The yellow highlighted language in the summary reflects the changes that were made at the P&E Committee meeting on April 6, 2023.

I began including Bill 10 on P&E Committee meeting agendas starting on March 2, 2023. At each meeting I intend to prioritize proposed amendments to Bill 10 by use type, which started with industrial uses at the meeting on March 2, 2023, and continued with commercial uses at the meeting on April 6, 2023. At the meeting on May 25, 2023, I will continue to prioritize amendments on commercial uses. In response to a request by the Department of Planning and Permitting ("DPP"), the P&E Committee will be pausing further action on Bill 10 after this meeting. We will be working closely with the DPP to determine next steps, and plan to prioritize proposed amendments to public, civic, and institutional uses, residential uses, agricultural uses, and miscellaneous uses at future P&E Committee meetings.

For the May 25, 2023 meeting, the P&E Committee will be working from the CD2 version of Bill 10 that was approved on April 6, 2023 (OCS2023-0345/4/24/2023 10:45 AM) and will be continuing to consider 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;
- Bill SECTION 3 – ROH Section 21-5.70 *et seq.* (pages 36 to 64), 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 167 to 169;
- Bill SECTIONS 70, 71, and 72 (pages 175 to 208) – ROH Section 21-10.1, commercial uses definitions; and
- Bill SECTIONS 4 through 69 (pages 76 to 174), and 73 through 93 (pages 208 to 240) – commercial uses conforming amendments.

Amendments to sections and provisions relating to non-commercial uses will not be a priority at the P&E Committee meeting on May 25, 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 April 6, 2023 (OCS2023-0345/4/24/2023 10:45 AM), which is available on HNLDocs via the following link:
<https://hnlidoc.ehawaii.gov/hnlidoc/document-download?id=17232>
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 May 11, 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						