HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 24-255

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW PHASED IMPROVEMENTS FOR THE WAIMĀNALO BEACH PARK IN WAIMĀNALO, O'AHU.

WHEREAS, on July 8, 2024, the Department of Planning and Permitting ("DPP") accepted the application (DPP File No. 2024/SMA-72) from James T. Hayes ("Agent") on behalf of the Department of Design and Construction ("Applicant") for a Special Management Area ("SMA") Major Permit to allow for the construction of phased improvements, including the replacement of the two comfort stations, a former pavilion, and restoration of the crafts building, on approximately 29.56 acres of land zoned P-2 General Preservation District, located at 41-741 Kalaniana'ole Highway, and identified as Tax Map Keys ("TMK") 4-1-003: 016, 019, 020, and 040 (the "Project"); and

WHEREAS, on September 5, 2024, the DPP held a public hearing at the Fasi Municipal Building 6th Floor Conference Room, which was attended by the Applicant, the Applicant's Agent, DPP staff, Department of Parks and Recreation ("DPR") staff: three members of the public were in attendance and provided comments; and

WHEREAS, on October 14, 2024, within 45 calendar days after the close of the public hearing, the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in the Revised Ordinances of Honolulu 2021 ("ROH") §§ 25-3.1 and 25-4.1 and the Hawai'i Revised Statutes ("HRS") §§ 205A-2 and 205A-26, completed its report and transmitted its findings and recommendation of approval to the City Council ("Council"); and

WHEREAS, the Council, having received the findings and recommendation of the DPP on 10/14/2024, by Departmental Communication No. 735 (2024), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Major Permit, with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu ("City") that an SMA Major Permit be issued to the Applicant for the Project, subject to the following conditions:

A. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A through E, F-1 through F-4, and G through K, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that may have a significant effect on coastal resources as addressed in ROH Chapter 25, HRS Chapter 205A, or both, will require a new application and SMA

Use Permit. Any new application for an SMA Use Permit for the Project will be processed in accordance with the ordinance in effect at the time the application is accepted by the DPP. Any change that does not have a significant effect on coastal resources will be considered a minor modification and may be permitted under this resolution, upon review and approval by the Director of the DPP.

B. To account for the potential future shift of land from the State Land Use Urban District to the State Land Use Conservation District in response to coastal erosion, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> "*In choosing to implement construction activities at TMKs 4-1-003: 016, 019, 020, and 040, the Landowner hereby acknowledges that land makai of the regulatory shoreline is State public land, falls within the State Land Use Conservation District, and must remain available for public use and recreational activities. The landowner further acknowledges that should any portion of a structure encroach into State public land, the State Board of Land and Natural Resources may require the removal of the structure or a lease for encroachments extending into the State public land. As a result of this acknowledgement, successor owners and interested parties are hereby notified of this same information and the land owner shall hold harmless and indemnify the City of any responsibility that may result from adverse impacts associated with sea level rise and coastal erosion.*"

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

C. To minimize the potential for adverse impacts related to coastal hazards, including but not limited to sea level rise, coastal erosion, flooding, wave action, and storm surge, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

> a. *In choosing to undertake development at TMKs 4-1-003: 016, 019, 020, and 040, the landowner hereby acknowledges that no claim of hardship may be asserted in order to obtain approval for a shoreline setback variance for a shoreline protection structure.*

b. The landowner hereby acknowledges that TMKs 4-1-003: 016, 019, 020, and 040 are susceptible to coastal hazards, which may result in harm to or loss of life and property."

This statement must be clearly stated under "Landowner Acknowledgements" on all Project building permit plans.

D. To minimize impacts to known and unknown archaeological, historic, and cultural resources that may be present at the Project site, the Applicant shall comply with the following measures:

1. Prior to the issuance of any construction permit or building permit for the Project, the Applicant shall submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD") stating that SHPD has completed its review of the impact of the Project on historic properties pursuant to HRS § 6E-42, and has determined whether any mitigative actions and protocols are required.

2. If applicable, the Applicant shall implement all mitigative actions and protocols required or recommended by SHPD in its written determination; and

3. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work, protect the find from further disturbance, and contact the SHPD immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.

The requirements enumerated in this condition, and all mitigation protocols approved or otherwise required by SHPD, must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

E. To minimize impacts to avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:

1. All new and replacement outdoor light fixtures must not exceed a color temperature of 3,000 degrees kelvin;

2. Artificial light from exterior lighting fixtures, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is prohibited if the light directly illuminates, or is directed across property boundaries toward, the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS § 205A-71(b);

3. Exterior lighting fixtures on the Project site must be fully shielded, using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture;

4. All Project site work and construction activities are limited to daylight hours;

5. Barbless fencing must be used for all fence construction to avoid the entanglement of Hawaiian Hoary Bats;

6. Woody plants greater than 15 ft. in height may not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season (June 1 through September 15); and

7. All Project-related activities must cease if a Hawaiian monk seal, Green Sea Turtle, or Hawksbill Turtle is on land within 150 ft. of the work area, or as recommended by State or Federal regulations. Project activities may only recommence after the animal voluntarily leaves the area. If a monk seal pup is present on land, a 300-ft. buffer must be observed. Any Project-related debris that may pose an entanglement threat to monk seals or turtles must be removed from the work area at the end of each day and at the conclusion of Project-related activities.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

F. To minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:

1. The Applicant shall minimize the importation of fill material to the extent possible. No importation of fill soil is proposed for the imminent project components;

2. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and leaving a Project worksite, in accordance with the current recommendations from the O'ahu Invasive Species Committee ("OISC").

3. Prior to the commencement of any ground-disturbing or construction activities, and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" ("Protocols") must be distributed to all workers who will be present at the site, or the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors, or both the distribution and posting of the Protocols is required. All on-site Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities; and

4. If, at any time, species on the OISC invasive species target list website at https://www.oahuisc.org/current-targets/, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under 'Environmental Notes' on all Project construction permit plans and building permit plans."

G. Approval of this SMA Use Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance ("LUO") and building and construction codes, or other governmental requirements, including but not limited to LUO-related approvals, and building, grading, and grubbing permit approvals, which are subject to separate review and approval. The

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 24-255

RESOLUTION

Applicant shall be responsible for ensuring that the final plans for the Project approved under this SMA Use Permit comply with all applicable City ordinances and other governmental provisions and requirements.

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to Laura H. Thielen, Director of the Department of Parks and Recreation, 1000 Uluohia Street, Suite 309, Kapolei, Hawai'i 96707; Haku Miles, Director of the Department of Design and Construction, 650 South King Street, 11th Floor, Honolulu, Hawai'i 96813; James T. Hayes, Planning Solutions, Inc., 711 Kapi'olani Boulevard, Suite 950, Honolulu Hawai'i 96813; Dawn Takeuchi Apuna, Director of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

INTRODUCED BY:

(br)

DATE OF INTRODUCTION:

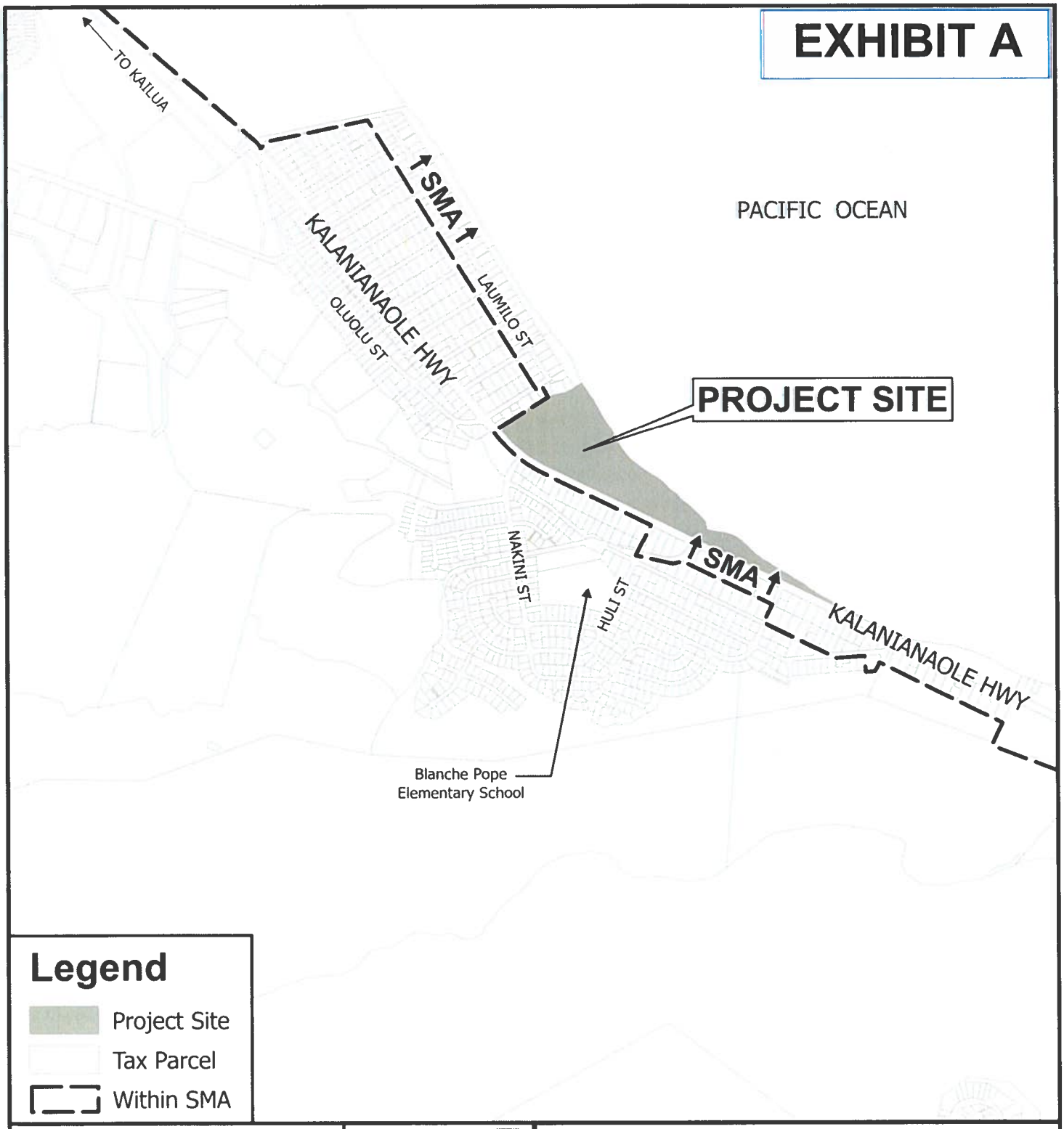
OCT 16 2024

Honolulu, Hawai'i

Councilmembers

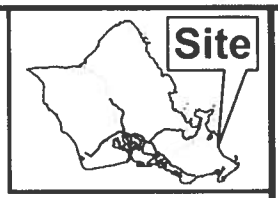
DPP24SMA72

EXHIBIT A



Legend

- Project Site
- Tax Parcel
- Within SMA



0 1,000 2,000 Feet

LOCATION MAP W/SMA

Waimanalo Beach Park

TAX MAP KEY(S): 4-1-003:016, 4-1-003:019, 4-1-003:020, 4-1-003:040

FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

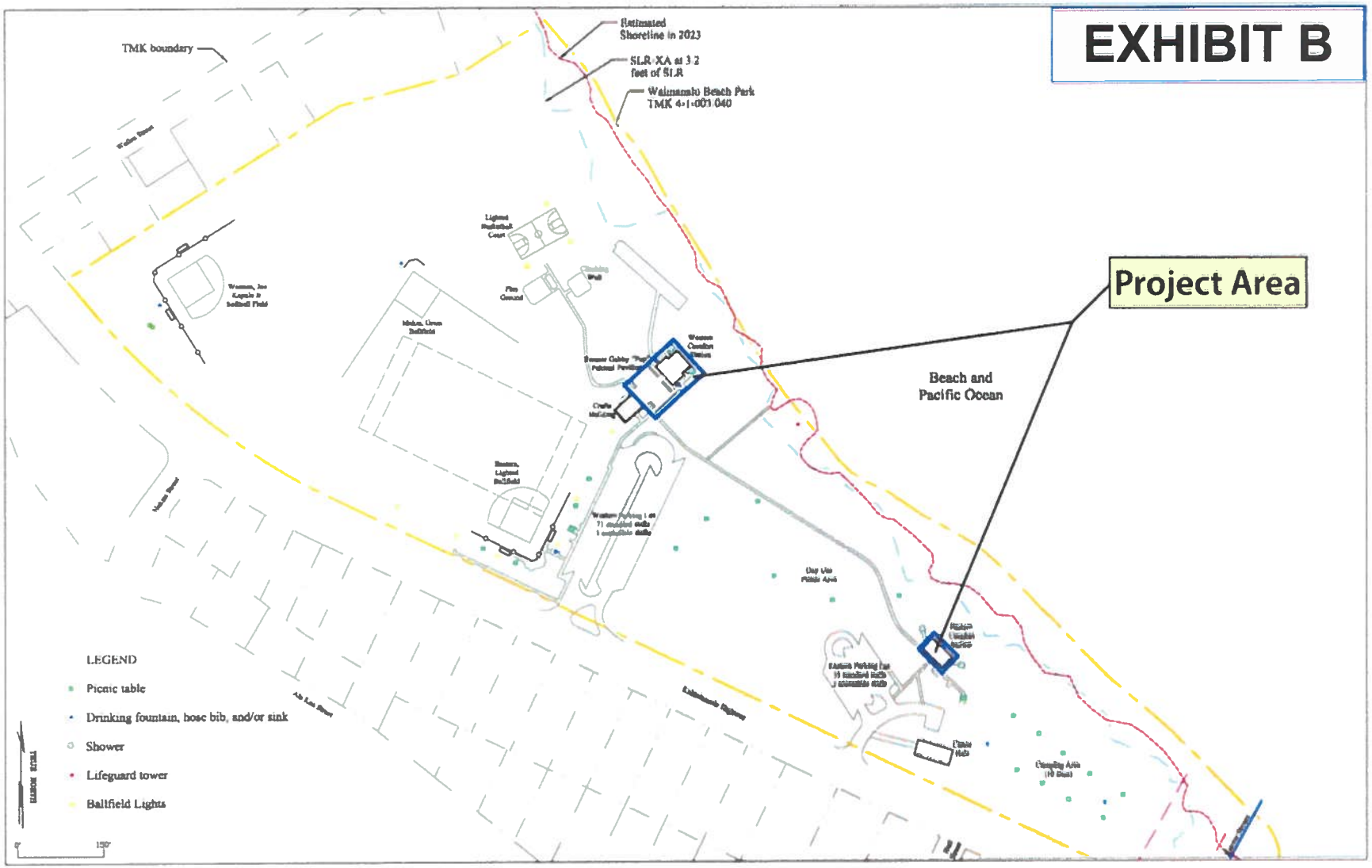
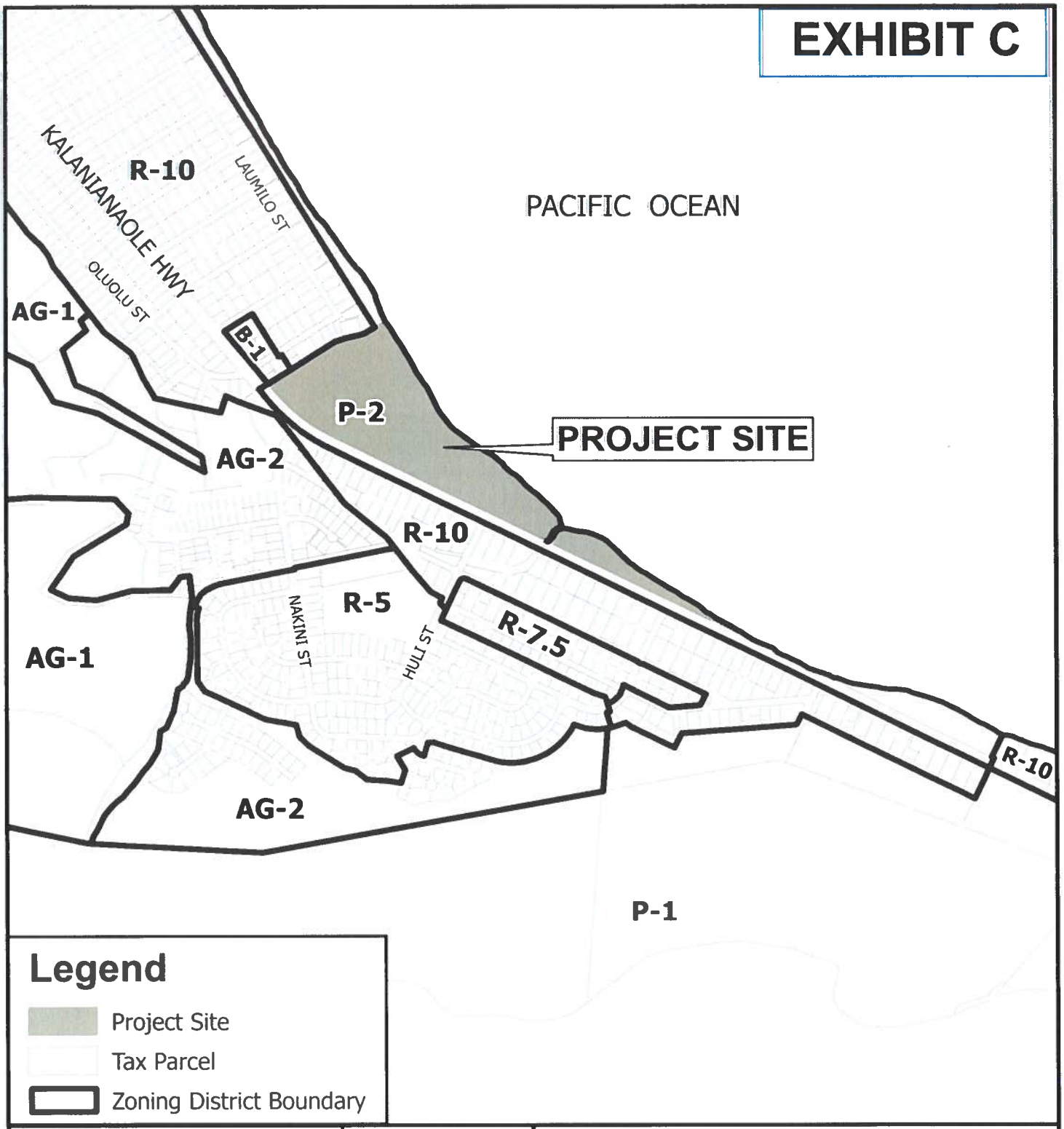


Figure 4. Project-area map showing location of pavilion and western comfort station (blue rectangle to the left) and eastern comfort station (blue rectangle to the right) (base image provided by client)

EXHIBIT C



Legend

- Project Site
- Tax Parcel
- Zoning District Boundary

0 500 1,000 Feet



VICINITY MAP

PORTION OF

ZONING MAP

Waimanalo Beach Park

TAX MAP KEY(S): 4-1-003:016, 4-1-003:019, 4-1-003:020, 4-1-003:040

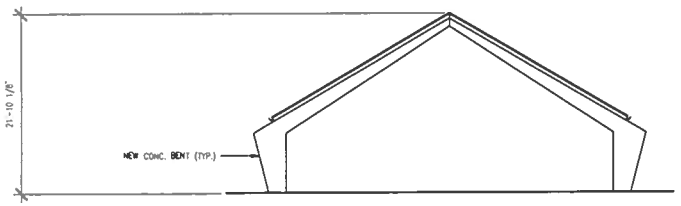
FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

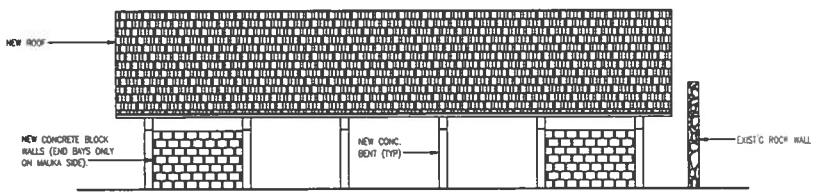
Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

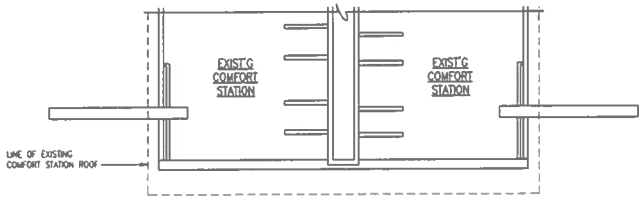
EXHIBIT D

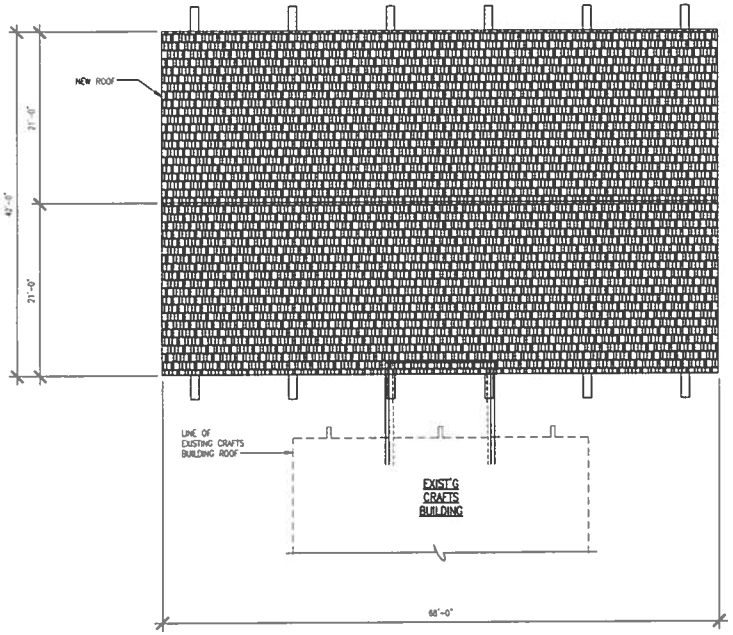


TYPICAL ENDWALL ELEVATION | SCALE: 1/8"=1'-0" | 4

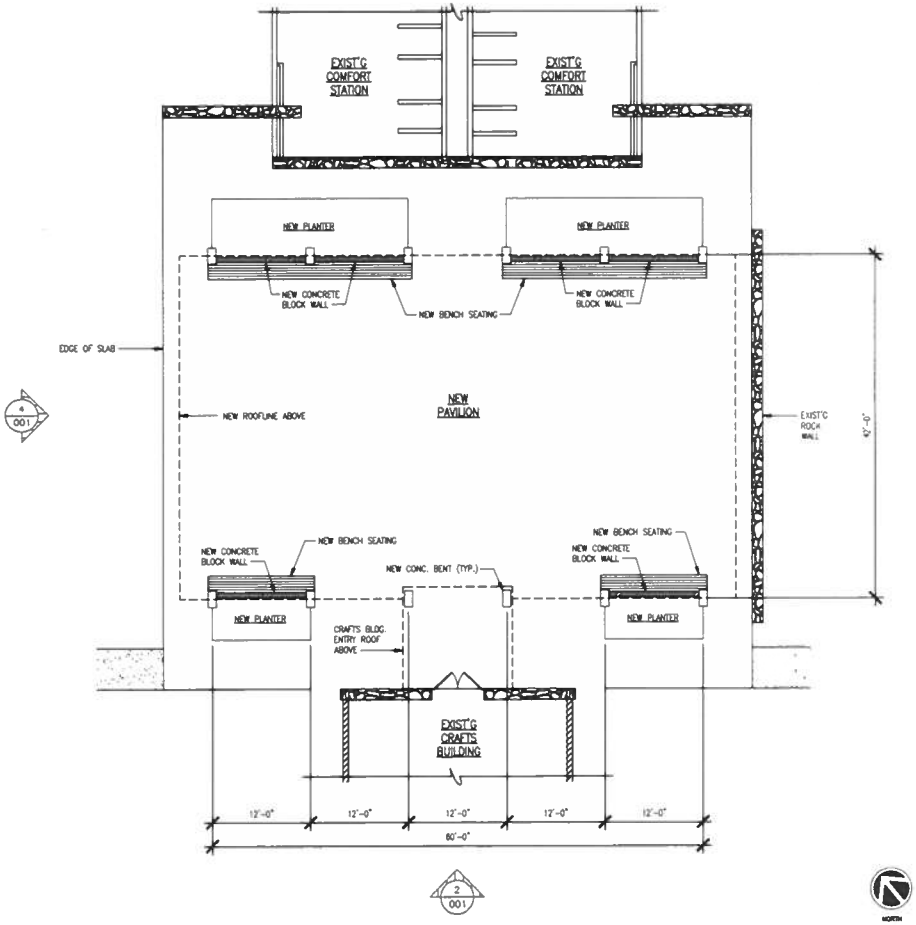


MAUKA SIDEWALL ELEVATION | SCALE: 1/8"=1'-0" | 2





PROPOSED ROOF PLAN | SCALE: 1/8"=1'-0" | 3



PROPOSED FLOOR PLAN | SCALE: 1/8"=1'-0" | 1

GRAPHIC SCALES: (Scale 1/8"=1'-0") 16 8 0 4 8

JEFFREY Y. MIHO
LICENSED PROFESSIONAL ARCHITECT
No. 6757
HAWAII, U.S.A.

EXP. DATE: 04/30/24

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OBSERVATION PROJECT WILL BE UNDER MY OBSERVA

DESIGN REVIEW DRAWN
BY: JTN JTN DMH
DATE: 03/01/23

DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY & COUNTY OF HONOLULU

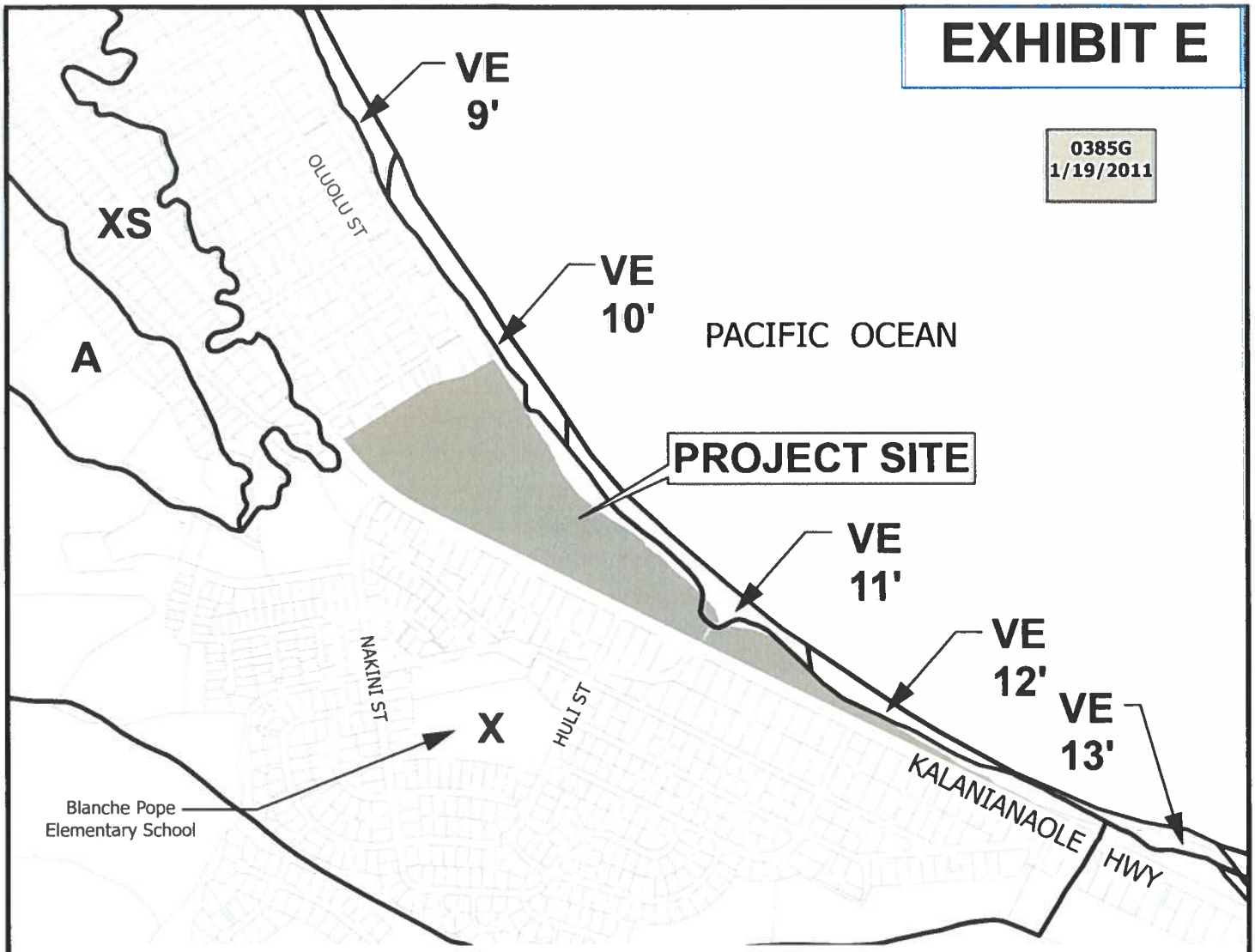
WAIMANALO BEACH PARK
PROPOSED PAVILION

JOB NO. 18-P-1
DRAWING NO. 001
SHEET NO. 1 OF 1
FILE

Replacement Pavilion

EXHIBIT E

0385G
1/19/2011



Legend

- Project Site
- Tax Parcel
- 12' Base Flood Elevation
- Flood Zones

Flood Hazard Zones:
SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

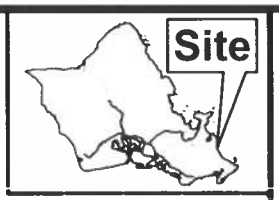
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood.

Zone VE = Coastal flood zone with velocity hazard (wave action); BFE determined
Zone A = No BFE determined

OTHER AREAS
Zone X = Areas determined to be outside the 0.2% annual chance floodplain.
Zone D = Areas in which flood hazards are undetermined, but possible.

Zone XS (X shaded) = Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

0 500 1,000
Feet



VICINITY MAP

PORTION OF
FLOOD HAZARD MAP
Waimanalo Beach Park
FIRM PANEL 15003C0385G

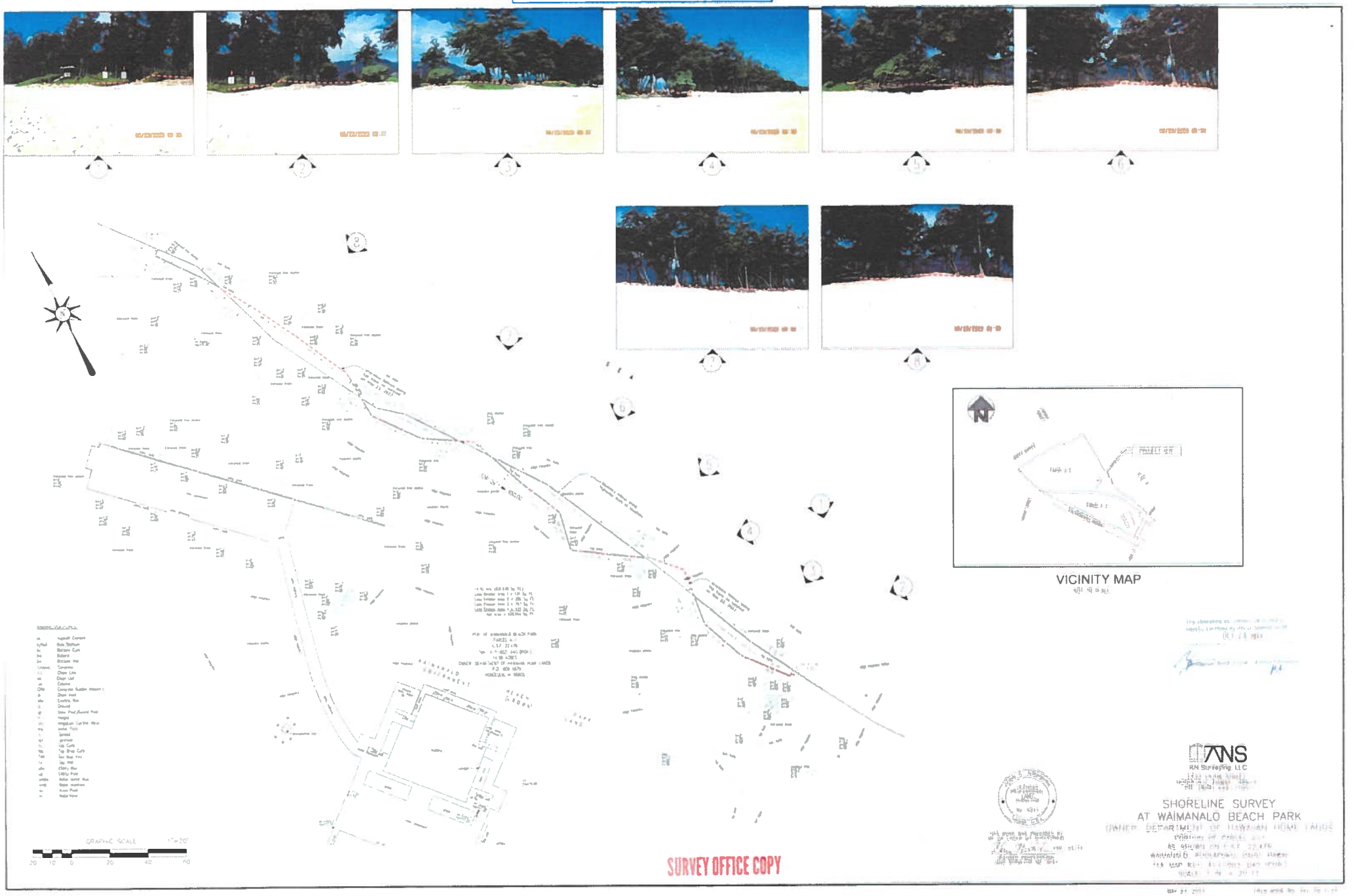
TAX MAP KEY(S): 4-1-003:016, 4-1-003:019, 4-1-003:020, 4-1-003:040
FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

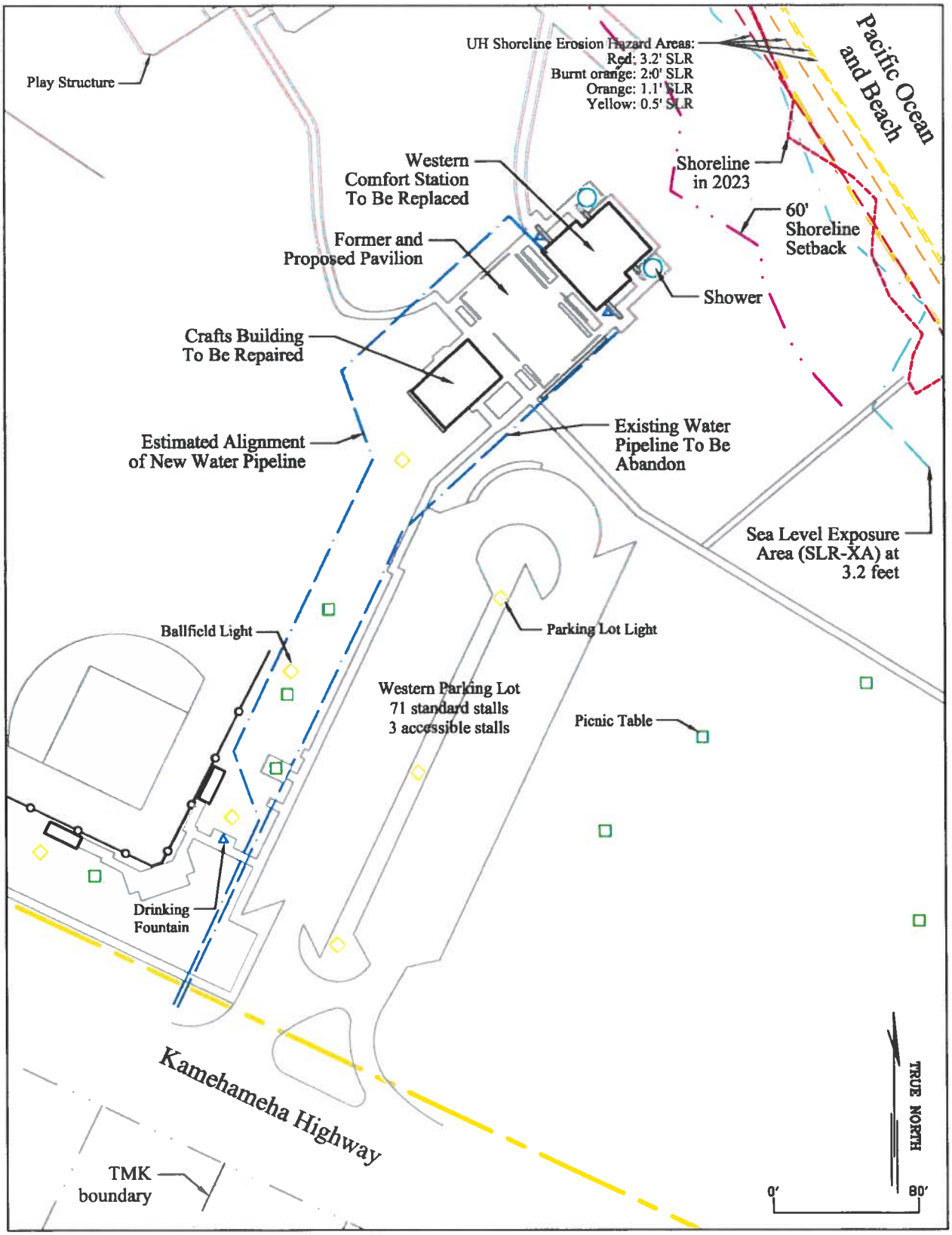
EXHIBIT F-1



Certified Shoreline Survey for Western Portion

EXHIBIT F-2

Figure 2-5: Western Area Site Plan



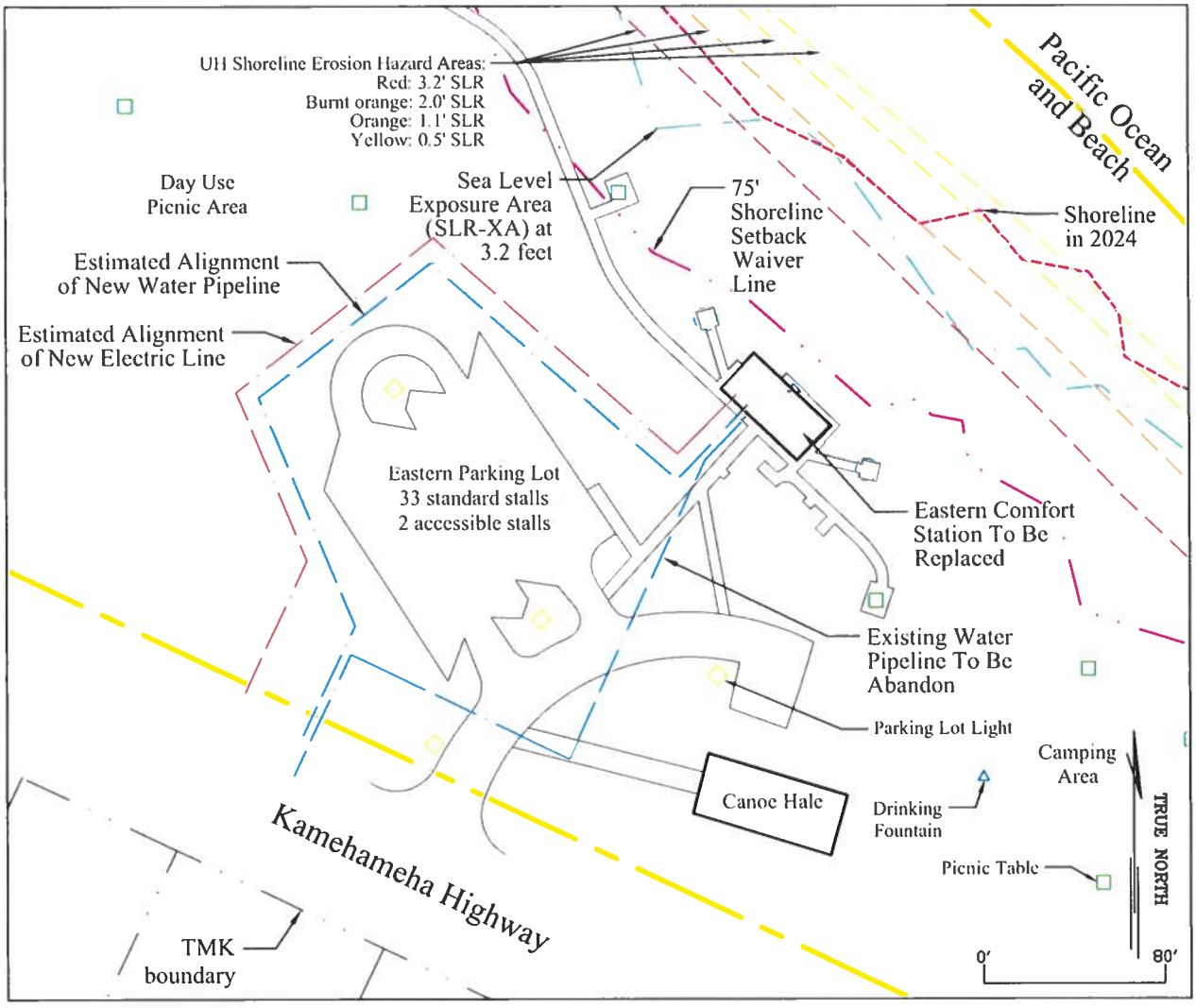
Source: PSI, CCH, and PacIOOS.

EXHIBIT F-3

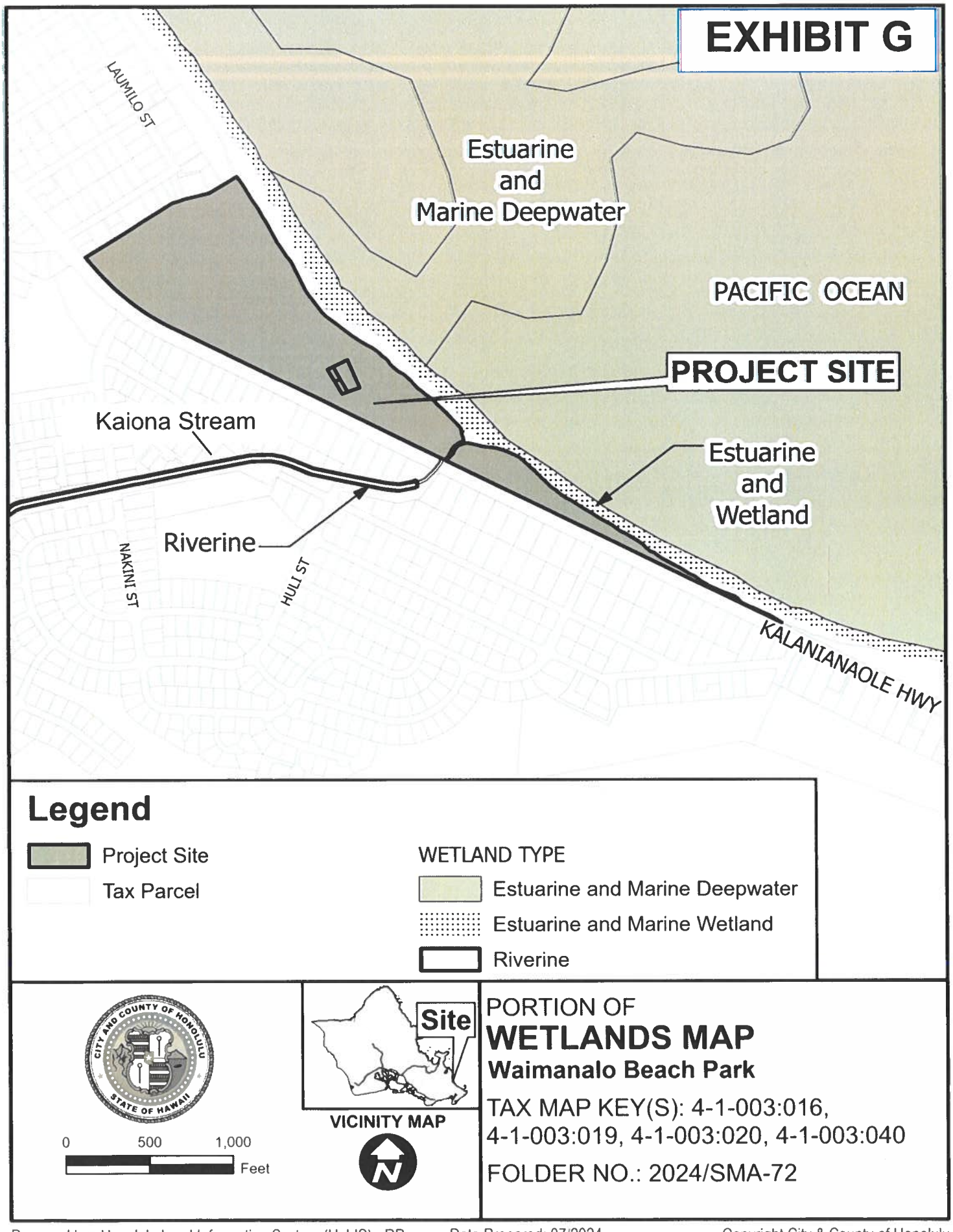


Shoreline Survey for Eastern Portion

EXHIBIT F-4



Eastern Comfort Station Area
Waimanalo Beach Park



PORTION OF

WETLANDS MAP

Waimanalo Beach Park

TAX MAP KEY(S): 4-1-003:016, 4-1-003:019, 4-1-003:020, 4-1-003:040

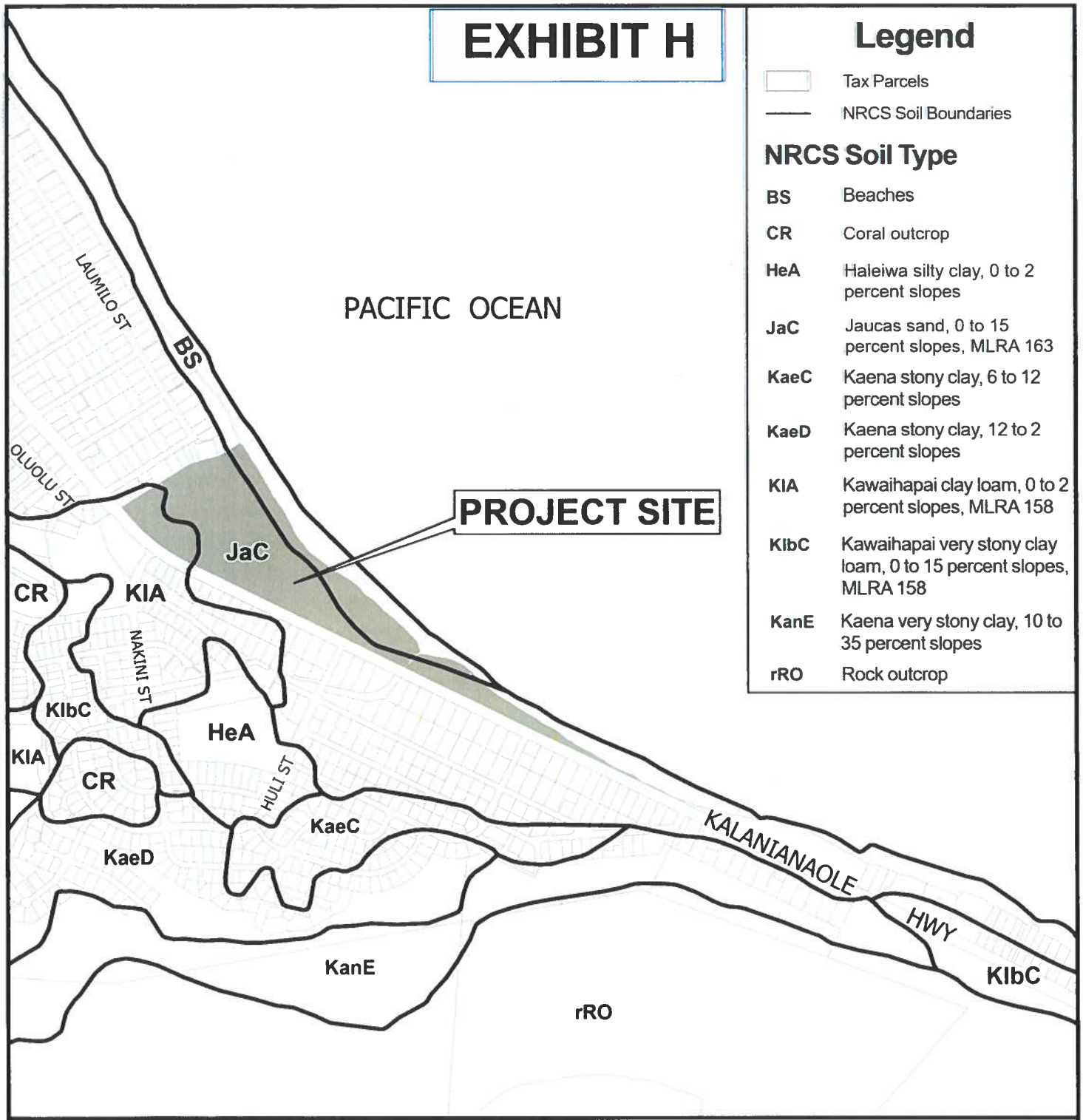
FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

EXHIBIT H



Legend

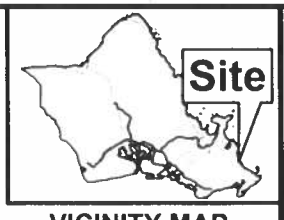
Tax Parcels

NRCS Soil Boundaries

NRCS Soil Type

BS	Beaches
CR	Coral outcrop
HeA	Haleiwa silty clay, 0 to 2 percent slopes
JaC	Jaucas sand, 0 to 15 percent slopes, MLRA 163
KaeC	Kaena stony clay, 6 to 12 percent slopes
KaeD	Kaena stony clay, 12 to 2 percent slopes
KIA	Kawaihapai clay loam, 0 to 2 percent slopes, MLRA 158
KIbC	Kawaihapai very stony clay loam, 0 to 15 percent slopes, MLRA 158
KanE	Kaena very stony clay, 10 to 35 percent slopes
rRO	Rock outcrop

0 500 1,000 Feet



VICINITY MAP

PORTION OF
SOIL MAP
Waimanalo Beach Park

TAX MAP KEY(S): 4-1-003:016, 4-1-003:019, 4-1-003:020, 4-1-003:040

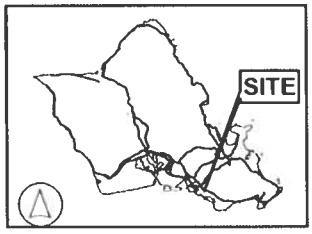
FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024





VICINITY MAP

0 125 250 500

Scale in Feet

EXHIBIT I

Coastal Erosion and Sea Level Rise Exposure Area (3.2 feet)

41-741 Kalaniana'ole Highway - Waimānalo

TAX MAP KEYS: 4-1-003: 016, 019, 020, and 040

FOLDER NO.: 2024/SMA-72

Copyright City & County of Honolulu

All Rights Reserved 2024

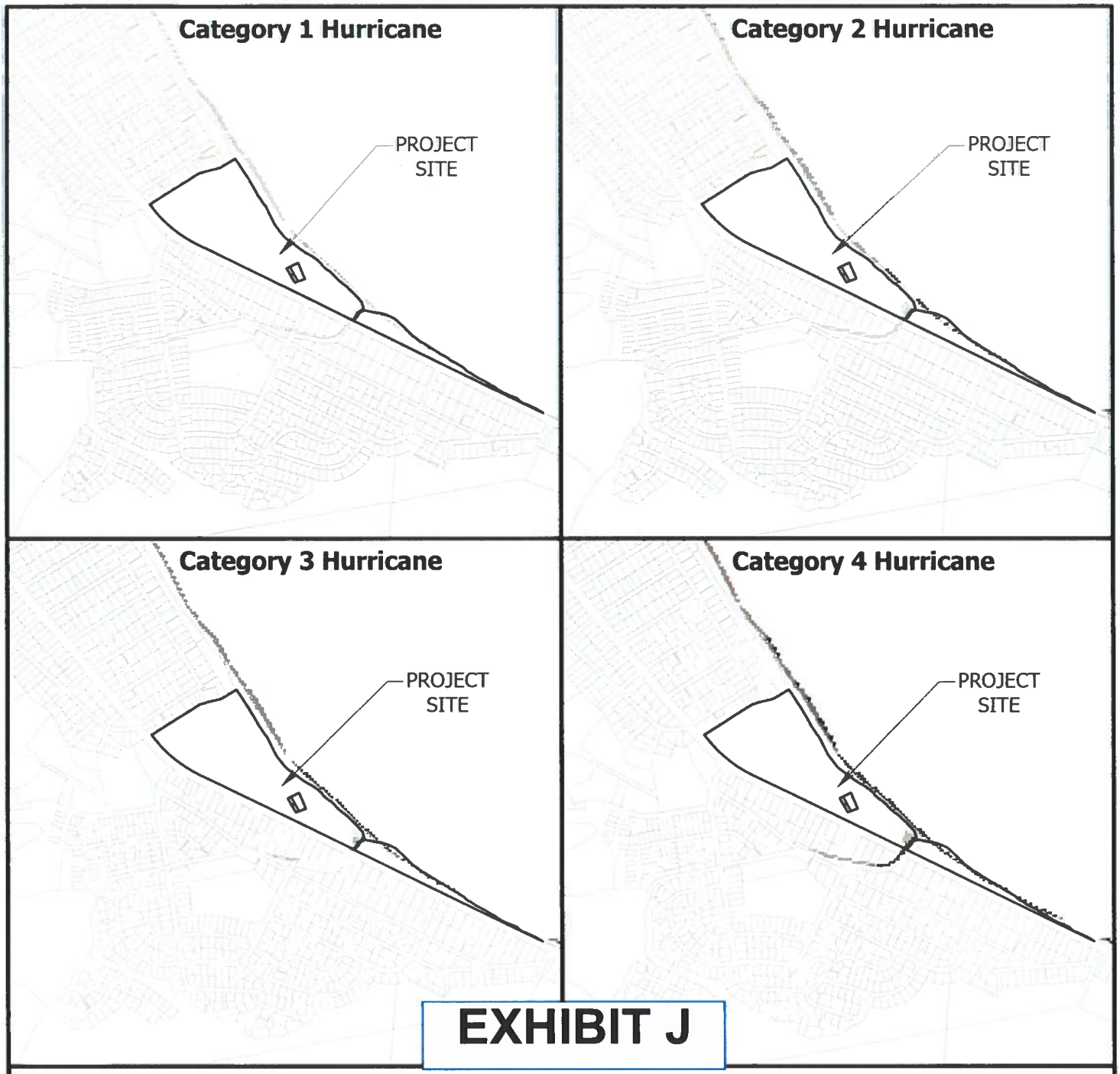


EXHIBIT J

Legend

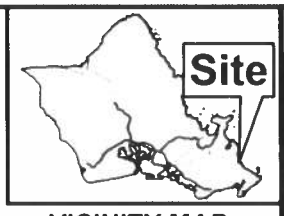
Less than 3 feet above ground

Greater than 3 feet above ground

Greater than 6 feet above ground

Greater than 9 feet above ground

0 1,000 2,000 Feet



VICINITY MAP

PORTION OF

STORM SURGE MAP

Waimanalo Beach Park

Data from National Hurricane Center
Storm Surge Risk Maps

Data Source: National Weather Service (NWS) SLOSH model;
Maximum of MEOWs (MOMs) for various category storms at a high tide.

TAX MAP KEY(S): 4-1-003:016,
4-1-003:019, 4-1-003:020, 4-1-003:040

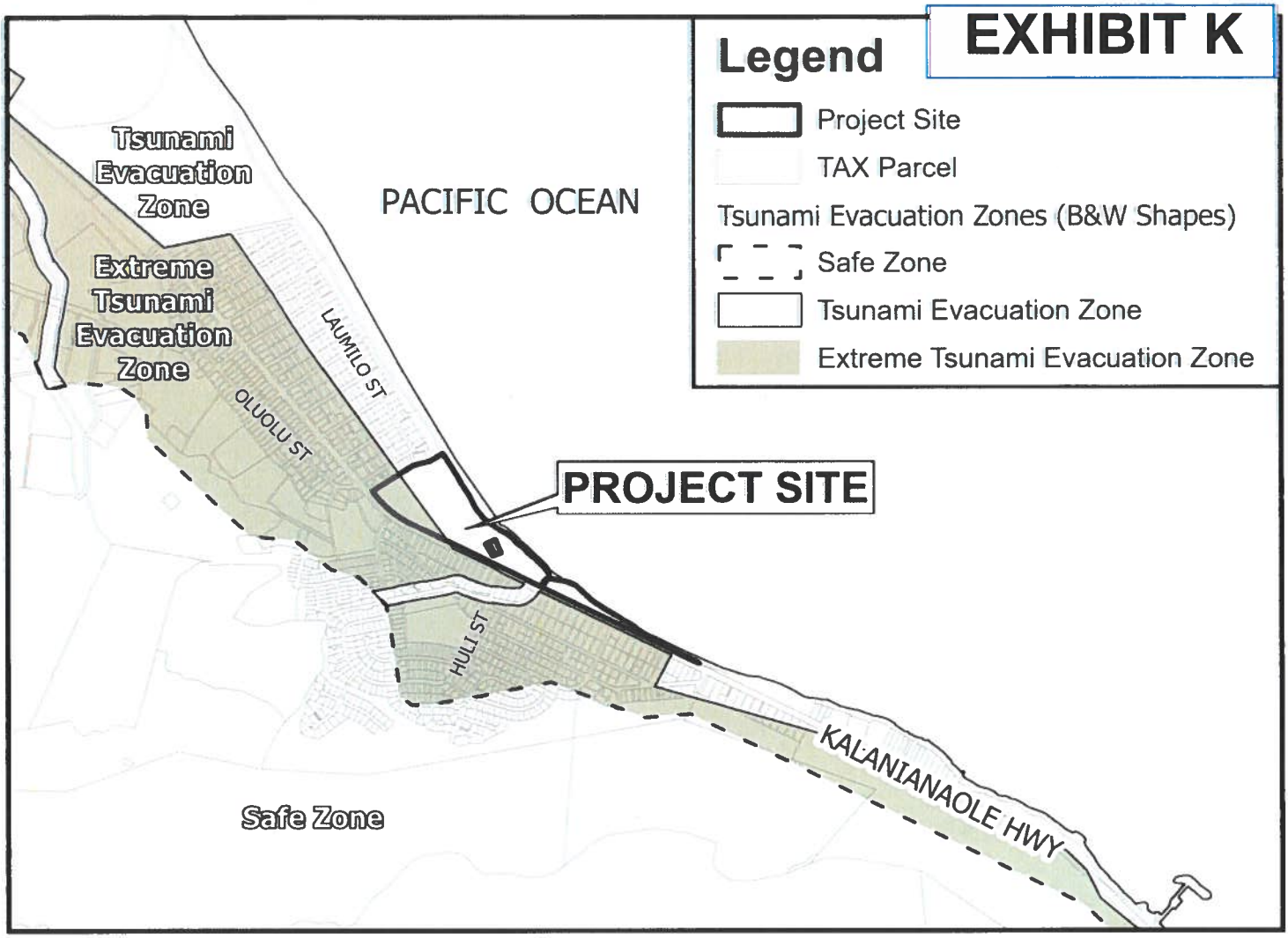
FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024

EXHIBIT K

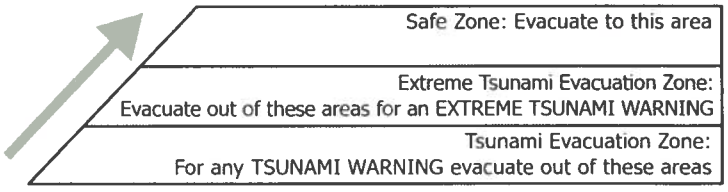


- For most Tsunami Warnings, evacuate out of the Tsunami Evacuation Zone; in the unlikely case of an Extreme Tsunami Warning, evacuate out of the Extreme Tsunami Evacuation Zone
- Remain at least 100 feet away from inland waterways and marinas connected to the ocean due to wave surges and possible flooding
- Boaters should move vessels to at least 50 fathoms (300 ft) deep and 2 miles away from harbor entrances; follow all directions from the Captain of the Port
- Structural steel or reinforced concrete buildings of ten or more stories provide increased protection on or above the fourth floor; if you are caught near the shoreline consider using vertical evacuation
- The evacuation zone is a guideline and should be considered t minimum safe evacuation distance

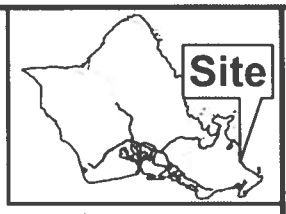
- These maps do not consider the destructive effects of a locally generated tsunami. If you feel shaking, move inland immediately, well inland from the red tsunami evacuation zone

1. TSUNAMI WARNING: Destructive waves from a tsunami may inundate all coastline. Evacuate Tsunami Evacuation Zone

2. EXTREME TSUNAMI WARNING: In the unlikely event of an extreme tsunami waves may move significantly inland; evacuate Tsunami Evacuation Zone and Extreme Tsunami Evacuation Zone



0 1,000 2,000
Feet



VICINITY MAP

PORTION OF

TSUNAMI EVACUATION MAP

Waimanalo Beach Park

TAX MAP KEY(S): 4-1-003:016, 4-1-003:019, 4-1-003:020, 4-1-003:040

FOLDER NO.: 2024/SMA-72

Prepared by: Honolulu Land Information System (HoLIS) - RP
Department of Planning & Permitting (DPP)
City and County of Honolulu

Date Prepared: 07/2024

Copyright City & County of Honolulu
All Rights Reserved 2024