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HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

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MEMORANDUM

TO: Pearlene Sotelo
Committee Clerk, Committee on Planning and the Economy

FROM: Andria Tupola
Councilmember, District 1

DATE: November 13, 2024

RE: **Proposed Amendments to Bill 64 (2023), FD1, CD1**

Attached for consideration by the Committee on Planning and the Economy are amendments to the the CD1 version of Bill 64 (OCS2024-0962/10/30/2024 8:44 AM) via the following link: https://hnldoc.ehawaii.ciov/hnldoc/document-download?id=22874.

Attachment(s): Amendment Form, Bill 64 (2023), CD1
Proposed Figure 21-5.4

COUNCIL COM. 283
P&E

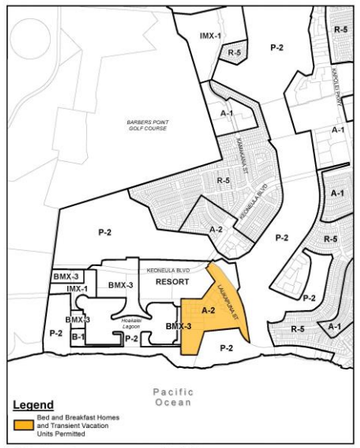
AMENDMENT FORM
Bill 64 (2023), FD1, CD1
Relating to Use Regulations

TOTAL PAGES: 3

DATE: 11/13/24

COUNCILMEMBER: Tupola

Item No.	Bill SECTION	ROH Section, Exhibit, or Figure, and Title	Page No.	Amendment Description	Amendment Text (in Ramseyer Format)	Comments or Clarification
1	SECTION 3	§ 21-5.70-3(a) Bed and breakfast home; Transient vacation unit - standards	48-49	Allowing B&B and TVU adjacent to Hoakalei Resort	*(a) Bed and breakfast home; Transient vacation unit – standards.* (1) *Permitted districts.* Bed and breakfast homes and transient vacation units are permitted as described in paragraphs (A), [~~and~~] (B), and (C), and as depicted in the figures referred to in paragraph (D)[~~(C)~~]; provided that if there is any inconsistency between the descriptions in paragraphs (A), [~~and~~](B), and (C), and the depiction in the figures referred to in paragraph (D)[~~(C)~~], the figures referred to in paragraph (D) [~~(C)~~] will prevail. (A) Bed and breakfast homes and transient vacation units are permitted in the A-1 low-density apartment zoning district and the A-2 medium-density apartment zoning district; provided that: (i) They are within 3,500 feet of a resort zoning district of greater than 50 contiguous acres; and (ii) The resort district and the A-1 or A-2 district have been rezoned pursuant to the same zone change application as part of a master-planned resort community; (B) Bed and breakfast homes and transient vacation units are permitted in the apartment precinct of the Waikiki special district on the zoning lots identified as tax map keys (1) 2-6-025:005 and (1) 2-6-028:011; and (C) Bed and breakfast homes and transient vacation units are permitted in the A-2 medium-density apartment zoning district on the zoning lots currently identified as tax map keys (1) 9-1-170: 001 through 027 and (1) 9-1-134: 065, 068, and 069. (D) The areas in which bed and breakfast homes and transient vacation units are permitted as set forth in paragraphs (A), [~~and~~] (B), and (C) are depicted in the following figures: (i) The areas located within the apartment precinct of the Waikiki special district mauka of Kuhio Avenue, as designated in Figure 21-5.1; (ii) The areas located within the A-1 low-density apartment zoning district and the A-2 medium-density apartment zoning district situated in close proximity to the Ko Olina Resort, as designated in Figure 21-5.2; [~~and~~] (iii) The area located within the A-1 low-density apartment zoning district situated in close proximity to the Turtle Bay Resort, as designated in Figure 21-5.3; and (iv) The area located within the A-2 medium-density apartment zoning district located contiguous to the Hoakalei Resort and lagoon, as designated in Figure 21-5.4.	

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2	SECTION 3	§ 21-5.70-3(a) Bed and breakfast home; Transient vacation unit - standards	Add as page 53	Adding figure 21-5.4	<u>Bed and Breakfast Homes and Transient Vacation Units Permitted Areas Close Proximity to the Hoakalei lagoon</u>  (Added by Ord.) Figure 21-5.4 Bed and Breakfast Homes and Transient Vacation Units Permitted Areas Close Proximity to the Hoakalei Lagoon	
3	SECTION 3	§ 21-5.70-7 Personal service.	71	Amending standards for “Animal care, minor and major”.	(b) *Animal care, minor and major – standards.* (1) <u>In the agricultural and country districts,</u> all structures and facilities associated with keeping animals overnight must be set back a minimum of 100 feet from any adjoining zoning lot. <u>Dust, odors, pollutants, must not be detectable from abutting properties, or public areas such as streets and sidewalks.</u> ~~(2) Animal shelters and areas must contain the kept animal securely and keep other animals from entering the enclosure.~~ ~~(3) The use of metal barrels, cars, refrigerators, and similar confinements as shelter structures for animals is prohibited.~~ ~~(4)~~ <u>(2) In the apartment mixed-use, business, business mixed-use, and IMX-1 zoning districts,</u> Associated odors must not be detectable from common areas within a building, abutting properties, or public areas such as public streets and sidewalks. <u>Major animal care must be soundproofed and air-conditioned.</u> ~~(5)~~ <u>(3)</u> Except for occasional and infrequent incidents, animal noises must not be detectable from common areas within a building, abutting properties, or public areas such as streets and sidewalks. All animals kept overnight must be located in a fully-enclosed, noise-attenuated structure.	

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					~~(6) For minor animal care, outdoor animal care areas are limited to supervised play areas and runs.~~ ~~(7) In the business, business mixed-use, and IMX-1 zoning districts, major animal care must be soundproofed and air-conditioned.~~ (~~8~~)(4) In the AG-2 zoning district, a minimum of 51 percent of the zoning lot area suitable for crop production or livestock and poultry keeping must be dedicated to crop production or livestock and poultry keeping through an agricultural easement or similar legal encumbrance for as long as the major animal care is in operation.	
4	SECTION 3	Table 21-5.1 Table of Permitted Uses Agricultural uses	7	Animal Care Minor – change to P* for AG-1, AG-2, and Country. Animal Care Major – change to P* for AG-1 and Ag-2.		

Animal care																						
Minor	--	[--] P*	[--] P*	[--] P*	--	--	--	--	--	--	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	--	P*	§ 21-5.70-7(b)
Major	--	[--] P*	~~[P*1]~~ P*	P*	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	P*	P*	--	P*	§ 21-5.70-7(b)