



**HONOLULU CITY COUNCIL**  
**KE KANIHELA O KE KALANA O HONOLULU**  
CITY AND COUNTY OF HONOLULU

**COMMITTEE ON ZONING**

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**Voting Members:**

Esther Kia'aina, Chair  
Tyler Dos Santos-Tam, Vice Chair  
Radiant Cordero  
Val A. Okimoto  
Matt Weyer

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**AGENDA**

REGULAR MEETING  
CITY COUNCIL CHAMBER  
THURSDAY, MARCH 6, 2025  
9:00 A.M.

Pursuant to Section 92-3.7, Hawai'i Revised Statutes, this meeting will be conducted as a remote meeting by interactive conference technology, with the following procedures in effect for the meeting:

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings>; (2) by televised live broadcast on 'Ōlelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. Viewers who experience a loss of viewing signal should try switching to another viewing option.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 768-5822, charges may apply.

Some Councilmembers and presenters may be participating in the meeting by interactive conference technology from remote locations.

Remote and in-person oral testimony will be permitted on all items on the agenda when each agenda item is taken up. Each speaker may not have anyone else read their statement and is limited to a one-minute presentation.

As both English and Hawaiian are official languages of the State of Hawai'i, pursuant to Article XV, Section 4 of the Hawai'i State Constitution and Section 1-13 of the Hawai'i Revised Statutes, members of the public may testify in either language. For oral testimonies offered in 'Ōlelo Hawai'i, additional time as may be necessary will be allowed for the testifier to provide an English translation of their testimony.

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Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **87085048646** and Passcode **915777**.
2. To testify by videoconference visit: <https://hnldoc.ehawaii.gov/hnldoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

Persons wishing to testify in-person in the Council Chamber are requested to register by 9:00 a.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

Written testimony may be uploaded at <https://hnldoc.ehawaii.gov/hnldoc/testimony> or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, email address, and phone number, will be available to the public at <https://hnldoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-9230 or send an email to [sherry.arca@honolulu.gov](mailto:sherry.arca@honolulu.gov).

Meeting materials are accessible at <https://hnldoc.ehawaii.gov/hnldoc/browse/agendas> by clicking on the appropriate Committee meeting.

If you need an auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, please call the Office of the City Clerk Information Section at (808) 768-5822 between 7:45 a.m. and 4:30 p.m. or send an email to [sherry.arca@honolulu.gov](mailto:sherry.arca@honolulu.gov) as soon as possible or at least three (3) business days before the scheduled meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

**FOR ACTION**

1. **RESOLUTION 25-49 – 46-029 LILIPUNA ROAD – HE‘EIA (2024/SMA-102).**  
Granting a Special Management Area Major Permit to Lukasz J. Maj and Mary L. Lan to allow for the construction of two new single-unit dwellings with attached garages, retaining wall, and septic system, on an approximately 20,645-square foot shoreline lot zoned R-10 Residential District, located at 46-029 Lilipuna Road in He‘eia, and identified as Tax Map Key 4-6-001: 011. (Applicants: Lukasz J. Maj and Mary L. Lan) (Transmitted by Communication D-90) (Current Deadline: 4/6/25)

PROPOSED CD1 TO RESOLUTION 25-49 (Submitted by Councilmember Kia‘āina) – The CD1 (OCS2025-0165/2/27/2025 2:40 PM) makes the following amendments:

- A. Amends the resolution title to read as follows:  
  
"GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE CONSTRUCTION OF TWO NEW SINGLE-UNIT DWELLINGS WITH ATTACHED GARAGES AND A CARPORT, RETAINING WALLS, AND AN INDIVIDUAL WASTEWATER SYSTEM IN HE‘EIA, O‘AHU."
- B. Amends the first WHEREAS clause to correct the zoning district of the Project site to R-10 Residential District (instead of R-5 Residential District), and provide a more detailed description of the Project.
- C. Amends the second WHEREAS clause to remove the phrase "and at which no public testimony was offered."
- D. Amends the third WHEREAS to state that the DPP's report and findings were transmitted within 61 calendar days (instead of 120 working days) after the close of the public hearing.
- E. Amends the fourth WHEREAS clause and BE IT RESOLVED clause to change "SMA Use Permit" to "SMA Major Permit."
- F. Amends Condition A by deleting language stating: "Any new application for an SMA Major Permit for the Project will be processed in accordance with the ordinance in effect at the time the application is accepted by the DPP."

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- G. Adds a new Condition B to require that the Project plans, including the attached Exhibits and the calculations required by the Land Use Ordinance, be updated to remove 23 square feet of the Project zoning lot that has been lost to erosion, as shown on the Certified Shoreline Survey dated March 15, 2024. Re-letters subsequent conditions.
- H. Amends re-lettered Condition C (relating to archaeological conditions) by adjusting the order of Conditions C.1 and C.2, and in reordered Condition C.1, providing that prior to commencing any ground disturbing or construction activity for the Project, the Applicant is required to submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD") pursuant to HRS § 6E-42. Also requires the Applicant to implement all mitigative actions and protocols required or recommended by SHPD in its written determination.
- I. Amends re-lettered Condition I.1 to clarify that if the Applicant is unable to obtain a building permit by June 30, 2025:
  - 1. The Project may not rely on the 40-foot setback that was in effect through June 30, 2024, and must instead comply with the shoreline setback required under ROH Chapter 26 effective as of July 1, 2024;
  - 2. Under a 60-foot shoreline setback requirement, the north (makai) dwelling must be relocated outside of the 60-foot shoreline setback area, and if necessary, the south (mauka) dwelling must be relocated further mauka to accommodate the relocation of the north (makai) dwelling; and
  - 3. The 60-foot shoreline setback area, any relocation of the dwellings, and any associated regrading of the sloped topography of the Project site must be shown on the Project's revised building permit plans.
- J. Amends re-lettered Condition I.2 to replace references to a "development permit" with references to a "construction permit or building permit."
- K. Amends re-lettered Condition J (relating to other government approvals) to add that the Project's building permit application and plans must be revised to address the following:
  - 1. The stairs and wall on the mauka portion of the Project's zoning lot which encroach into the required front yard setback and must comply with ROH § 21-4.30; and

2. Show satisfaction of the Project's 10 required off-street parking spaces, and parking design requirements under ROH § 21-6.50(b), which provides that when five or more off-street parking spaces are provided, all vehicles must be able to enter and exit the street in a forward-facing manner.
  - L. Rearranges Exhibits A, B, C-1 through C-14, and D through K in correct alphabetical order.
  - M. Makes miscellaneous technical and nonsubstantive amendments.
2. **RESOLUTION 25-69 – WAIAKOA AFFORDABLE AND MARKET RATE HOUSING 201H PROJECT.** Authorizing, pursuant to HRS Section 201H-38, exemptions from certain City application fees and infrastructure, or public works fees and charges for the development of Waiakoa Affordable Housing Project, a mixed-use project consisting of two 33-story, residential towers on a nine-story parking podium, with a parking podium residential liner, central community plaza, commercial space, and recreational areas on 4.18 acres of land located at 756 Auahi Street in Honolulu, identified as Tax Map Key (1) 2-3-053: 032. (Applicants: Castle & Cooke Waiakoa, LLC and KP Waiakoa GP, LLC) (Transmitted by Communication M-92) (Current Deadline: 4/7/25)

PROPOSED CD1 TO RESOLUTION 25-69 (Submitted by Councilmember Kia'āina)  
– The CD1 (OCS2025-0181/2/28/2025 11:12 AM) makes the following amendments:

- A. Amends the resolution title to read as follows:  
  
"AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE WAIAKOA AFFORDABLE AND MARKET-RATE HOUSING PROJECT IN KAKA'AKO, O'AHU."
- B. In the first WHEREAS clause, clarifies the description of the Project as proposed, and references Exhibits A, B, C, D, E, F, and G-1 through G-14, which are attached to the resolution.

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- C. Adds a new second WHEREAS clause to provide that the Project is within the Kaka'ako Community Development District, which is under the planning and zoning jurisdiction of the Hawaii Community Development Authority ("HCDA").
- D. Adds a new third WHEREAS clause to provide that the Project is also within the Kamehameha Schools Kaiāulu 'o Kaka'ako Master Plan area.
- E. Replaces the fourth and seventh WHEREAS clauses with three new WHEREAS clauses that provide more detail on the Project's configuration and the type of for-sale dwelling units being offered.
- F. Amends the seventh WHEREAS clause to add that the Project's market-rate units will consist of 57 studio units, 151 one-bedroom units, 171 two-bedroom units, and 33 three-bedroom units.
- G. Adds a new 10th WHEREAS clause to provide that the exemptions requested by the Applicant include exemptions from the HCDA's planning and zoning requirements, the waiver or deferral of City fees and charges, and an exemption from electric vehicle infrastructure requirements.
- H. Amends the 11th WHEREAS clause to provide that on February 13, 2025, the HHFDC Board of Directors, by approval of a For Action, approved the Project; the For Action listed certain requested exemptions from the HCDA's Mauka Area Rules, Chapter 15-217, Hawaii Administrative Rules ("HAR"), and the Kakaako Reserved Housing Rules, HAR Chapter 15-218 (collectively, the "HCDA Rules"), subject to the final approval of the HCDA.
- I. Moves the second BE IT FURTHER RESOLVED clause to a new 12th WHEREAS clause, to provide that pursuant to HRS § 46-15.1(c), the Project's affordable dwelling units may be eligible to receive affordable housing credits; provided that prior to the issuance of any affordable housing credits, an agreement must be executed between the HHFDC and the Applicant in compliance with HRS § 46-15.1(c). (Eligibility for affordable housing credits is by operation of State law.)
- J. Amends the 13th WHEREAS clause to provide that the Project's preliminary plans and specifications dated July 2024, were submitted to the Council by the HHFDC on February 21, 2025, by Miscellaneous Communication 92 (2025).

- K. In the BE IT RESOLVED clause:
1. Clarifies that approval of the Project includes exemptions and deferrals from certain City fees and charges, and an exemption from electric vehicle infrastructure requirements for the Project.
  2. In Exemption 3, relating to an exemption from the payment of grading and grubbing permit fees, corrects the estimated amount of the fee to be \$1,055 (instead of \$505).
  3. In Exemption 7, relating to an exemption from the payment of wastewater system facility charges, amends the exemption to charges attributed to 200 affordable units offered for sale to households earning 120 percent of the AMI (instead of 620 units offered for sale to households earning 140 percent or below of the AMI), and amends the estimated exemption amount to \$1,323,200 (instead of \$2,871,344).
  4. In Deferral 8, relating to a deferral of the payment of wastewater system facility charges, amends the deferral to charges attributed to 420 affordable units offered for sale to households earning 140 percent of the AMI and 412 market-rate units (instead of only 412 market-rate units), and amends the estimated deferral amount to \$2,778,720 and \$2,725,792, respectively (instead of \$1,908,054).
  5. In Deferral 11, relating to Board of Water Supply ("BWS") water system facility charges and installation of water service fees, provides for a deferral of the fees and charges; provided that all BWS requirements are satisfied (instead of an exemption for the fees and charges attributed to 620 units offered for sale to households earning 140 percent or below of the AMI, and a deferral of the fees and charges attributed to the market-rate units), and corrects the estimated deferral amount to \$210,652 (instead of \$1,296,000).
  6. Deletes Exemption 12, relating to an exemption from park dedication requirements, because the City's park dedication requirements do not apply to Kaka'ako, which is under the jurisdiction of the HCDA.

7. Deletes Exemption 13, relating to an exemption from the payment of Disability and Communication Access Board review fees, because the waiver of these fees is subject to the approval of the Disability and Communication Access Board. Renumbers subsequent exemptions.
- L. In the first BE IT FURTHER RESOLVED clause, adds the following conditions of approval:
1. Condition A, which provides that except for the exemptions and deferrals from certain City application fees and infrastructure or public works fees and charges provided in the resolution, and the exemptions from certain HCDA Mauka Area Rules development standards that are approved by the HCDA. Requires that the Project comply with all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon.
  2. Condition B, which provides that prior to undertaking any demolition activities, the Applicant is required to manage or remove and dispose of all hazardous and regulated materials from the buildings, soil, and groundwater on the Project site in accordance with applicable federal, State of Hawai'i, and City regulations.
  3. Condition C, which provides that prior to the issuance of any building permit for the Project, the Applicant is required to submit to the DPP for its review and approval transportation and traffic studies, reports, and plans, which are meant to address and mitigate traffic impacts directly attributed to the Project, and to implement all recommendations of the approved studies, reports, and plans. The studies, reports, and plans include an overall timeline or phasing plan, construction management plan, traffic management plan ("TMP") and updates to the Project's traffic impact analysis report ("TIAR").
  4. Condition D, which provides that a post TMP and TIAR will be required approximately one year after the issuance of the Project's certificate of occupancy to update and validate the prior TMP and TIAR. The Applicant is required to implement the post TMP and TIAR recommendations.



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5. Condition E, which provides for requirements relating to Project vehicle access points and driveways, including minimum width, adequate sight distance, driveway grades, and recessed entry gates and ticket dispensers.
  6. Condition F, which provides for requirements relating to the Project's porte-cochere.
  7. Condition G, which provides for requirements relating to the corners at the intersections of Cooke and Pohukaina Streets, and Cooke and Auahi Streets.
  8. Condition H, which requires the Applicant to prepare a traffic assessment study for a midblock pedestrian crossing along Cooke Street between Auahi and Pohukaina Streets. If the traffic assessment study recommends a midblock crossing, the Applicant is required to implement the midblock crossing.
  9. Condition I, which requires the Applicant to comply with all Federal Aviation Administration and State of Hawai'i Department of Transportation regulations, rules, requirements, and guidelines regarding development and activities in close proximity to airports and airport runways.
- M. Moves the second BE IT FURTHER RESOLVED clause to a new 12th WHEREAS clause (see summary paragraph I).
- N. Adds a new second BE IT FURTHER RESOLVED clause to provide that references to the HHFDC and HCDA include any successor agency, and reference to specific statutes, ordinances, or regulations include any respective successor statutes, ordinances, or regulations.
- O. Attaches Exhibits A, B, C, D, E, F, and G-1 through G-14 to the resolution.
- P. Makes miscellaneous technical and nonsubstantive amendments.

3. **REVIEW AND EVALUATION OF O’AHU HISTORIC PRESERVATION COMMISSION PURSUANT TO ORDINANCE 17-44, CODIFIED AS CHAPTER 3, ARTICLE 15, REVISED ORDINANCES OF HONOLULU 2021.** The Committee will review and evaluate the O’ahu Historic Preservation Commission and make recommendations to the Council on whether the Ordinance establishing the O’ahu Historic Preservation Commission should be retained, amended, or repealed.

Related communication:

D-85(25) Report submitted by the O’ahu Historic Preservation Commission, pursuant to Ordinance 17-44, codified as Chapter 3, Article 15, Revised Ordinances of Honolulu 2021.

#### **FOR DISCUSSION**

4. **BILL 19 (2025) – RELATING TO THE BUILDING CODE.** Amending the Building Code of the City and County of Honolulu to define the criteria for "substantial changes" during construction that necessitate resubmission of construction documents for approval. (Bill passed first reading on 2/26/25)

#### **EXECUTIVE SESSION**

If the need arises with respect to any item on this agenda, then pursuant to Hawai‘i Revised Statutes Sections 92-4 and 92-5(a)(4), the Committee may consult in a closed meeting with its attorneys in executive session on questions and issues pertaining to the Council’s powers, duties, privileges, immunities and/or liabilities relating to that item.

ESTHER KIA’ĀINA, Chair  
Committee on Zoning