



HONOLULU CITY COUNCIL

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

COMMITTEE ON ZONING

Voting Members:

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

Item No. 1 – Resolution 25-103 on page 3 has been cancelled.

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
THURSDAY, MAY 1, 2025
9:00 A.M.

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.

Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID: **88056282825** and Passcode **791796**.
2. To testify by videoconference visit: <https://hnlldoc.ehawaii.gov/hnlldoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

Although remote oral testimony is being permitted, this is a regular meeting and not a remote meeting by interactive conference technology under HRS Section 92-3.7. Therefore, the meeting will continue notwithstanding loss of audiovisual communication with remote testifiers or loss of the public broadcast of 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://hnlldoc.ehawaii.gov/hnlldoc/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, e-mail address, and phone number, will be available to the public at <https://hnlldoc.ehawaii.gov>.

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

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

If you need auxiliary aid/service or other accomodation 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 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

- Item No. 1 has been cancelled.**
1. **RESOLUTION 25-103 – APPOINTMENT OF JOHN UNO TO SERVE ON THE BUILDING BOARD OF APPEALS.** Confirming the appointment of John Uno to serve on the Building Board of Appeals of the City and County of Honolulu for a term to expire on December 31, 2029. (Transmitted by Communication MM-51) (Public hearing held 4/16/25)

PROPOSED CD1 TO RESOLUTION 25-103 (Submitted by Councilmember Kia'āina)
– The CD1 (OCS2025-0308/4/21/2025 9:15 AM) makes the following amendments:

- A. Throughout the resolution, updates the reference to the ROH provision establishing the Building Board of Appeals, its membership, and duties (currently ROH Section 16-1.1(18)).
- B. In the first WHEREAS clause, updates the reference to the general ordinances of the City and County of Honolulu to "Revised Ordinances of Honolulu 2021."
- C. In Item (1) of the second WHEREAS clause, clarifies that the Building Board of Appeals also hears and determines appeals of decisions regarding the administration of the Energy Code.
- D. In the third WHEREAS clause, adds a reference to Mayor's Message 51 (2025), dated March 25, 2025.
- E. In the fifth WHEREAS clause, changes the reference to "Section 13-103(a)" to "Section 13-103.1(a)."
- F. Adds the Director of Planning and Permitting as a recipient of a copy of the resolution.
- G. Makes miscellaneous technical and nonsubstantive amendments.

2. **RESOLUTION 25-96 – 59-817 KAMEHAMEHA HIGHWAY – PŪPŪKEA (2024/SMA-129)**. Granting a Special Management Area Major Permit to Hale Mana Kai LLC to allow for the construction of a new single-family detached dwelling to replace a second dwelling, with an all-weather surface paved driveway, concrete rubble masonry (“CRM”) side fence walls, and CRM front wall with gate on approximately 19,826 square feet of land zoned R-5 Residential District, located at 59-817 Kamehameha Highway in Pūpūkea, and identified as Tax Map Key 5-9-004: 015. (Applicant: Hale Mana Kai LLC) (Transmitted by Communication D-231) (Current Deadline: 5/24/25)

PROPOSED CD1 TO RESOLUTION 25-96 (Submitted by Councilmember Kia‘āina)
– The CD1 (OCS2025-0297/4/24/2025 10:30 AM) 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 A NEW SINGLE-UNIT DWELLING WITH AN ATTACHED GARAGE, PAVED DRIVEWAY, PERIMETER CONCRETE RUBBLE MASONRY WALLS, AND FRONT GATE; AND THE INSTALLATION OF AN INDIVIDUAL WASTEWATER SYSTEM IN PŪPŪKEA, O‘AHU."
- B. Amends the first WHEREAS clause to clarify the description of the Project.
- C. Adds a new second WHEREAS clause to provide a description of the dwelling on the Project zoning lot that is currently under construction makai of the Project.
- D. Amends the now-third WHEREAS clause to delete reference to public testimony offered at the public hearing.
- E. Amends Condition B.2, relating to landowner acknowledgements recognizing the potential for adverse impacts from coastal hazards, to clarify that Tax Map Key 5-9-004:015 is a shoreline zoning lot.
- F. Amends Condition F, relating to the preservation of underlying beach sands and coastal dunes, by adding a new Condition F.3 to provide that landscaping may not extend into any adjoining beach access right-of-way, public or private. Renumbers the subsequent conditions in Condition F.

- G. Amends Condition G, relating to the use of pervious surface materials for the Project's driveway and open parking areas, to:
 - 1. Clarify that prior to the issuance of any construction permit or building permit for the Project, the Applicant is required to incorporate into the Project plans submitted to the DPP for review, the use of pervious surface materials for the driveway and open parking areas; and
 - 2. Delete the requirement that the condition be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans (the use of pervious surface materials will already be incorporated into the plans).
 - H. Amends Condition H, relating to minimizing impacts to archaeological historic, or cultural resources, by combining Conditions H.1 and H.2. Renumbers the subsequent condition in Condition H.
 - I. Makes miscellaneous technical and nonsubstantive amendments.
3. **RESOLUTION 25-108 – 2777 KALĀKAUA AVENUE – WAIKĪKĪ (2024/SMA-132).** Granting a Special Management Area Major Permit to the University of Hawai'i to allow renovation of the water intake system and associated electrical and mechanical systems, and to reconstruct and expand the Edge of Reef Exhibit at the Waikīkī Aquarium, located in the P-2 General Preservation District, and also within the Diamond Head Special District, Core Area, located at 2777 Kalākaua Avenue in Waikīkī, and identified as Tax Map Key 3-1-031: 006. (Transmitted by Communication D-245) (Applicant: University of Hawai'i) (Deadline: 5/27/25)

PROPOSED CD1 TO RESOLUTION 25-108 (Submitted by Councilmember Kia'āina)
– The CD1 (OCS2025-0337/4/23/2025 3:50 PM) makes the following amendments:

- A. Amends the title of the resolution to read as follows:

"GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR IMPROVEMENTS TO THE WAIKĪKĪ AQUARIUM SUPPLY WATER INTAKE SYSTEM AT 2777 KALĀKAUA AVENUE IN WAIKĪKĪ, O'AHU."

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- B. Amends the first WHEREAS clause, and adds second, third, fourth, and fifth WHEREAS clauses to clarify the description of the Project.
- C. Amends the seventh WHEREAS clause to remove the reference to the receipt of no written testimony.
- D. Amends the eighth WHEREAS clause to specify that the Department of Planning and Permitting completed its report and transmitted its findings and recommendation of approval to the City Council within 46 (rather than 45) days after the closing of the public hearing (the Applicant having agreed to an extension of the 45-calendar-day administrative deadline).
- E. Deletes duplicate Condition B (which repeats Condition A). Re-letters subsequent conditions.
- F. In re-lettered Condition C.1 (relating to archaeological, historic, and cultural resources) requires the Applicant to consult with the State Historic Preservation Division ("SHPD") in preparing an archaeological monitoring plan ("AMP"); adds that the AMP must include the onsite presence of a SHPD-approved archaeologist during excavation work; and requires the Applicant to implement the AMP during ground-disturbing activity and Project construction.
- G. In re-lettered Condition D (relating to minimizing impacts to endangered, threatened, or protected flora, and minimizing the spread of invasive pathogens, pests, or plants):
 - 1. In Condition D.1, adds the Plant Pono website at www.plantpono.org.
 - 2. In Condition D.2, adds the O'ahu Invasive Species Committee's ("OISC") website at www.oahuisc.org/current-targets/.
- H. In re-lettered Condition E (relating to minimizing impacts to endangered, threatened, or protected fauna):
 - 1. In Condition E.3, adds that the requirement to turn off exterior lighting (not security lights) when there is no human activity occurring in the illuminated area may be achieved by installing automatic motion sensor switches and controls.

2. In Condition E.9, clarifies that if the nest of any endangered, threatened, or protected (instead of sensitive) avian species is discovered on the Project site, the Applicant is required to contact the Department of Land and Natural Resources Division of Forestry and Wildlife ("DOFAW") and establish and maintain a 100-foot buffer of no activity around all active nest sites or broods until the chicks are capable of flight and fully fledged.
3. In Condition E.10, clarifies that if State-listed waterbirds such as the Ae'o (Hawaiian stilt), 'Alae ke'oke'o (Hawaiian coot), and 'Alae 'Ula (Hawaiian gallinule) are present on the Project site during construction, all work and activities within 100 feet of the observed waterbird must cease until the waterbird voluntarily leaves the area.
4. In Condition E.11, clarifies that prior to the start of any ground-based disturbance, including the clearing or trimming of vegetation, the Applicant is required to survey the Project site during crepuscular hours along walk line transects throughout the area to detect any Pueo (Hawaiian short-eared owl) nests. Requires observations of Pueo nests to be reported to DOFAW. A minimum buffer distance of 650 feet must be established around all active nests or broods until the Pueo chicks are capable of flight and fully fledged.
5. In Condition E.13, clarifies that prior to the start of any tree trimming or removal on the Project site, the Applicant is required to have the Project site surveyed by a qualified biologist to determine the presence and location of any Manu-o-Kū (white tern), and report any observations to DOFAW. Requires the Applicant to implement a tree protection program for any mature trees with nesting or roosting Manu-o-Kū.
6. In Condition E.14, clarifies that prior to any Project ground-disturbing or construction activity, the Applicant is required to provide seabird fallout information to all Project contractors, subcontractors, and other personnel.

- I. Amends Condition G (relating to other government approvals) to add that the Applicant is required to obtain a zoning waiver to allow for Project structures within the required yards, and a minor Special District Permit (the Project is within the Core Area of the Diamond Head Special District) for major exterior alterations and additions, and new accessory structures.
 - J. Makes miscellaneous technical and nonsubstantive amendments.
4. **RESOLUTION 25-105 – LAND USE ORDINANCE AMENDMENT RELATING TO THE DEVELOPMENT STANDARDS FOR THE APARTMENT AND APARTMENT MIXED-USE DISTRICTS.** Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 2021 (The Land Use Ordinance), relating to the development standards for apartment and apartment mixed-use districts.

Related communication:

CC-110 City Clerk, notifying the Department of Planning and Permitting of the introduction of the Resolution.

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