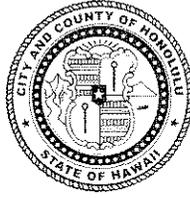


OFFICE OF THE MAYOR  
**CITY AND COUNTY OF HONOLULU**

530 SOUTH KING STREET • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: www.honolulu.gov

MUFI HANNEMANN  
MAYOR



March 25, 2009

Ms. Bernice K. N. Mau  
Acting City Clerk  
Office of the City Clerk  
530 South King Street  
Honolulu, Hawaii 96813

RECEIVED

MAR 25 3 54 PM '09

CITY CLERK  
HONOLULU, HAWAII

Dear Ms. Mau:

Subject: Approved Bills

The following bill are approved and returned herewith:

|                     |   |
|---------------------|---|
| Bill 70 (2008), CD1 | Relating to signs.                        |
| Bill 10 (2008), CD2 | Relating to transit-oriented development. |

Yours truly,

  
Mufi Hannemann  
Mayor

Attachments



**A BILL FOR AN ORDINANCE**

RELATING TO TRANSIT-ORIENTED DEVELOPMENT.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and Purpose.

The council finds that Honolulu has initiated a major mass transit project that has the potential to fundamentally reshape the form and character of Honolulu. The council has selected a fixed guideway system and the Locally Preferred Alternative ("LPA") for the project under Ordinance 07-01.

A vital part of the mass transit project is the opportunity to develop and redevelop key areas of Honolulu to provide additional housing and work opportunities in our growing island. These efforts will allow the city to continue its goal of directing new growth to designated areas while "keeping the country, country." Appropriate transit-oriented development ("TOD") land use regulations along the alignment and around the rapid transit stations will be crucial for these efforts and goals.

It has been consistently noted about successful TOD programs of other cities that community-based input is an important element of TOD programs, and that one specific set of regulations cannot adequately address TOD needs and opportunities across all transit stations. Therefore, to assure that Honolulu will have a successful TOD program, a general land use scheme must be created that provides for a deliberate, inclusive process to plan for TOD so that well-defined, meaningful, and appropriate regulatory and incentive programs can be adopted for each area around a transit station or type of station.

This TOD planning and implementation process will implement the Oahu General Plan and applicable regional development plans. Specifically, it will help stem urban sprawl across the city's agricultural and open space lands; encourage the development of livable, walkable communities; and increase transit ridership, thereby promoting the economic, social, and environmental well-being of the city.

With the potential for such a significant and positive change in development patterns, it is crucial that proper planning guidance be given, well before the transit stations are constructed. This will allow for timely community input and to put into place appropriate regulations for TOD before redevelopment occurs.

The council, therefore, finds that to protect the public interest and welfare, the Land Use Ordinance is to be amended to provide guidance on how to determine zoning



A BILL FOR AN ORDINANCE

regulations for areas around each transit station. The planning process shall be open, inclusive and visionary, and shall strive to increase the quality of life through rejuvenated community character, preservation and enhancement of historic, cultural, scenic, natural and other community resources and landmarks, while understanding the relationship between zoning, financing, and real estate market dynamics.

Pursuant to this ordinance, the council will establish special districts around rapid transit stations, to be known as Transit-Oriented Development Zones, to foster more livable communities that take advantage of the benefits of transit: specifically, reducing transportation costs for residents, businesses, and workers. While taking advantage of more efficient use of land, TOD can provide more walkable, healthier, economically vibrant communities, safe bicycling environments, convenient access to daily household needs as well as special events, and enhancement of neighborhood character, while increasing transit ridership. However, TOD should avoid loss of existing affordable housing and gentrification of communities.

SECTION 2. Section 13-9.3, Revised Ordinances of Honolulu 1990, as amended, is repealed.

**“[Sec. 13-9.3 Transit oriented development ordinance.**

As used in this article, “transit oriented development ordinance” (“TOD ordinance”) means an amendment to the land use ordinance regulating development at and around transit stations. The TOD ordinance shall:

- (1) Enable a mix of land uses;
- (2) Enable higher densities;
- (3) Eliminate or reduce minimum off-street parking requirements for such development;
- (4) Encourage travel by rail transit, buses, walking, bicycling, and other nonautomobile forms of transport;
- (5) Encourage development of a mixture of market-rate and affordable housing;
- (6) Encourage public-private partnerships in such development;



**A BILL FOR AN ORDINANCE**

- (7) Utilize form-based zoning, exemptions, or other alternatives from existing development regulations, and utilize other incentives to encourage such development;
- (8) Encourage activity at a defined community center; and
- (9) Encourage public input in the design of each transit station so each station reflects unique community design themes, history, or landmarks.]”

SECTION 3. Chapter 21, Article 9, Revised Ordinances of Honolulu 1990, as amended, is amended by adding a new Section 21-9.100 and accompanying Sections 21-9.100-1, -2, -3, and -4, to read as follows:

**“Sec. 21-9.100 Transit-oriented development (TOD) special districts.**

- (a) The purpose of this section is to establish a procedure for the establishment of special districts known as TOD Zones around rapid transit stations to encourage appropriate transit-oriented development.
- (b) The regulations applicable to a TOD Zone shall be in addition to underlying zoning district and, if applicable, special district, regulations, and may supplement and modify the underlying regulations. Where a transit station is located within or adjacent to an existing special district, the TOD Zone provisions may be incorporated in the existing special district provisions. If any regulation pertaining to a TOD Zone conflicts with any underlying zoning district or special district regulation, the regulation applicable to the TOD Zone shall take precedence.
- (c) As used in this section:

“TOD” means transit-oriented development.

“TOD Development Regulations” means the regulations establishing the permitted uses and structures and development standards within a TOD Zone, which shall be established by the council by ordinance, pursuant to the provisions of this section. TOD Development Regulations shall be specific to each TOD Zone and may include both zone and sub-zone specific provisions.

“TOD Zone” means the parcels of land around a rapid transit station subject to the TOD Development Regulations. Generally, the TOD Zone shall include the parcels of land where any portion of each parcel is within 2,000 feet of a transit station, provided



**A BILL FOR AN ORDINANCE**

that for any such parcel, the entire parcel must be within one mile of the transit station; provided further that the council, by ordinance, may include or exclude any parcel from the TOD Zone either upon its own initiation or upon written request of the director.

**Sec. 21-9.100-1 Creation of TOD Development Regulations.**

For each TOD Zone, a set of TOD Development Regulations shall be created to foster and encourage transit-oriented development and redevelopment of such TOD Zone. The TOD Development Regulations shall include the minimum requirements in Section 21-9.100-4, and may include any other provisions, incentives and restrictions.

Prior to January 1, 2010, the TOD Development Regulations for each TOD Zone may be based on a neighborhood plan that addresses transit-oriented development ("neighborhood TOD plan"). The plans may include more than one station, and may address other community concerns and opportunities. On or after January 1, 2010, the council may initiate proposed ordinances establishing a TOD Zone and TOD Development Regulations applicable thereto where no neighborhood TOD plan has been adopted; provided, however, that there shall be a recognition that the use of neighborhood TOD plans shall be the preferred way to create TOD Development Regulations for each TOD Zone and amendments to the Development Regulations should be considered upon the completion of a neighborhood TOD plan.

**Sec. 21-9.100-2 Neighborhood TOD plans.**

(a) For each TOD Zone, the department shall prepare a neighborhood TOD plan which serves as the basis for the creation or amendment of a TOD Zone and the TOD Development Regulations applicable thereto. Each neighborhood TOD plan shall address, at minimum, the following:

- (1) The general objectives for the particular TOD Zone in terms of overall economic revitalization, neighborhood character, and unique community historic and other design themes. Objectives shall summarize the desired neighborhood mix of land uses, general land use intensities, circulation strategies, general urban design forms, and cultural and historic resources that form the context for TOD.
- (2) Recommend parcels to be included in the TOD Zone, taking into account natural topographic barriers, extent of market interest in redevelopment, and the benefits of transit including the potential to increase transit ridership.



A BILL FOR AN ORDINANCE

- (3) Recommended zoning controls, including architectural and community design principles, open space requirements, parking standards, and other modifications to existing zoning requirements, or the establishment of new zoning precincts, as appropriate, including density incentives. Prohibition of specific uses shall be considered. Form-based zoning may be considered.
- (4) Preservation of existing affordable housing and potential opportunities for new affordable housing, and as appropriate, with supportive services.
- (5) Avoid gentrification of the community.
- (6) General direction on implementation of the recommendations, including the phasing, timing and approximate cost of each recommendation, as appropriate, and new financing opportunities that should be pursued.
- (b) The process of creating neighborhood TOD plans shall be inclusive, open to residents, businesses, landowners, community organizations, government agencies, and others.
- (c) The process shall consider population, economic, and market analyses and infrastructure analyses, including capacities of water, wastewater, and roadway systems. Where appropriate, public-private partnership opportunities shall be investigated.
- (d) The neighborhood TOD plan shall be consistent with the applicable regional development plan.
- (e) To the extent practical, the neighborhood TOD plan shall be consistent with any applicable special area plan or community master plan, or make recommendations for revisions to these plans.
- (f) The neighborhood TOD plan shall be submitted to the council and approval of the plan shall be by council resolution, with or without amendments.

**Sec. 21-9.100-3      Processing of proposed ordinances establishing TOD Zones and the TOD Development Regulations applicable thereto.**

- (a) If the council approves a neighborhood TOD plan, with or without amendments, the director shall, within 120 days after the approval, submit to the planning



A BILL FOR AN ORDINANCE

commission a proposed ordinance establishing a TOD Zone for the applicable neighborhood and the TOD Development Regulations applicable thereto.

- (b) If the council, pursuant to Section 21-9.100-1, initiates a proposed ordinance establishing a TOD Zone and the TOD Development Regulations applicable thereto where no neighborhood TOD plan has been adopted, the director shall, within 120 days after adoption of the resolution initiating the ordinance, submit to the planning commission a report accompanied by the proposed ordinance and any alternative ordinance proposed by the director. The provisions of Chapter 2, Article 24, relating to council proposals to amend the zoning ordinances and the processing thereof by the department, shall not apply to council proposals to establish a TOD Zone and the TOD Development Regulations applicable thereto.

The director may request, and the council may approve, a 60-day extension of the deadline to submit a report and proposed ordinance to the planning commission under the following procedure:

- (1) Within the existing deadline, the director shall submit to the council a request for an extension of the deadline and an interim report describing the status of the director's processing of the council proposal and the reasons that additional time is needed for processing.
- (2) The council may approve or deny the proposed extension by adoption of a committee report. If the council fails to take final action on the proposed extension within 45 days after receipt of the director's request, or the existing deadline, whichever occurs first, the extension shall be deemed denied.
- (3) If an extension of the deadline is approved by the council, the director may thereafter request subsequent extensions of the deadline in accordance with the procedure described above.

**Sec. 21-9.100-4 TOD Development Regulations minimum requirements.**

The TOD Development Regulations for each TOD Zone shall include, but not be limited to, the following provisions:

- (a) Allowances for a mix of land uses, both vertically and horizontally, including affordable housing.



A BILL FOR AN ORDINANCE

- (b) Density and building height limits that may be tied to the provision of community amenities, such as public open space, affordable housing, and community meeting space.
- (c) Elimination or reduction of the number of required off-street parking spaces, including expanded allowances for joint use of parking spaces.
- (d) Design provisions that encourage use of rapid transit, buses, bicycling, walking, and other non-automobile forms of transport that are safe and convenient.
- (e) Guidelines on building orientation and parking location, including bicycle parking.
- (f) Identification of important neighborhood historic, scenic, and cultural landmarks, and controls to protect and enhance these resources.
- (g) Design controls that require human-scale architectural elements at the ground and lower levels of buildings.
- (h) Landscaping requirements that enhance the pedestrian experience, support station identity, and complement adjacent structures.
- (i) Incentives and accompanying procedures, which may include minimum standards and financial incentives, to encourage appropriate and necessary transit-oriented development."

SECTION 4. Section 2-24.1, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

**"Sec. 2-24.1            Applicability.**

This article shall apply to council proposals to revise or amend:

- (1) The general plan;
- (2) A development plan;
- (3) The zoning ordinances[;], except as otherwise provided by Section 21-9.100-3(b); and
- (4) The subdivision ordinance."



---

## A BILL FOR AN ORDINANCE

---

SECTION 5. Section 21-9.20-6, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

**"Sec. 21-9.20-6 Conflicting regulations.**

If any regulation pertaining to the special districts conflicts with any provision contained within Article 3, the more restrictive regulation shall take precedence[.]; provided, however, that this section shall not apply to TOD Development Regulations enacted pursuant to Section 21-9.100 and accompanying Sections 21-9.100-1, -2, -3, and -4, which shall take precedence in the event of conflict with any underlying Article 3 provision or special district regulation."

SECTION 6. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed materials, or the underscoring.



A BILL FOR AN ORDINANCE

SECTION 7. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Barbara Marshall (BR)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

February 14, 2008  
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Don L. Kiteoka  
Deputy Corporation Counsel

APPROVED this 25<sup>th</sup> day of March, 2009.

Mufi Hannemann  
MUFU HANNEMANN, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 09 - 4

**BILL 10 (2008), CD2**  
(ADMINISTRATION)

Introduced: 02/14/08 By: BARBARA MARSHALL (BR)

Committee: TRANSPORTATION &  
PLANNING

Title: A BILL FOR AN ORDINANCE RELATING TO TRANSIT-ORIENTED DEVELOPMENT.

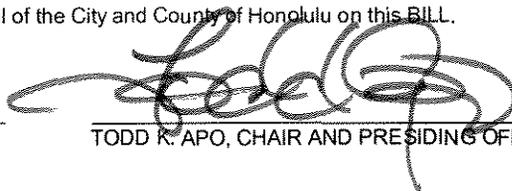
Links: [BILL 10 \(2008\)](#)  
[BILL 10 \(2008\), CD1](#)  
[BILL 10 \(2008\), CD2](#)  
[CR-95](#)  
[CR-130](#)  
[CR-201](#)  
[CR-94 \(2009\)](#)

|                        |             |  |
|------------------------|-------------|--|
| COUNCIL                | 02/20/08    | BILL PASSED FIRST READING AND REFERRED TO THE COMMITTEE ON EXECUTIVE MATTERS.  |
|                        | APO Y       | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA E  |
|                        | KOBAYASHI Y | MARSHALL Y OKINO Y TAM Y   |
| EXECUTIVE MATTERS      | 04/02/08    | CR-95 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN CD1 FORM.   |
| COUNCIL                | 04/16/08    | CR-95 ADOPTED AND BILL PASSED SECOND READING AS AMENDED (BILL 10 (2008), CD1)  |
|                        | APO Y       | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y  |
|                        | KOBAYASHI Y | MARSHALL E OKINO Y TAM Y   |
| EXECUTIVE MATTERS      | 04/23/08    | CR-130 – BILL REPORTED OUT OF COMMITTEE FOR SCHEDULING OF A PUBLIC HEARING. (Current deadline for Council action: 5/13/08. 90-day extension of time requested)     |
| PUBLISH                | 04/23/08    | SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.   |
| PUBLISH                | 04/26/08    | PUBLIC HEARING NOTICE IN THE HONOLULU STAR BULLETIN.   |
| COUNCIL/PUBLIC HEARING | 05/07/08    | CR-130 ADOPTED, PUBLIC HEARING CLOSED AND REFERRED TO THE COMMITTEE ON EXECUTIVE MATTERS. (90-day extension of time granted. Deadline for Council action: 8/11/08) |
|                        | APO Y       | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y  |
|                        | KOBAYASHI Y | MARSHALL Y OKINO Y TAM Y   |
| EXECUTIVE MATTERS      | 05/14/08    | BILL DEFERRED IN COMMITTEE.  |
| EXECUTIVE MATTERS      | 06/25/08    | CR-201 – BILL DEFERRED IN COMMITTEE (Current deadline for Council action: 8/11/08. 120-day extension requested)  |
| COUNCIL                | 07/23/08    | CR-201 ADOPTED (120-day extension of time granted. Deadline for council action: 12/9/08)   |
|                        | APO Y       | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y  |
|                        | KOBAYASHI Y | MARSHALL Y OKINO Y TAM Y   |

|                             |             |  |
|-----------------------------|-------------|--|
| EXECUTIVE MATTERS           | 07/30/08    | BILL DEFERRED IN COMMITTEE.  |
| EXECUTIVE MATTERS           | 09/03/08    | BILL DEFERRED IN COMMITTEE.  |
| EXECUTIVE MATTERS           | 10/1/08     | BILL DEFERRED IN COMMITTEE.  |
| COUNCIL                     | 12/03/08    | 120-DAY EXTENSION OF TIME GRANTED. DEADLINE FOR COUNCIL ACTION: 04/08/09   |
|                             | APO Y       | CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y  |
|                             | KOBAYASHI Y | MARSHALL E OKINO Y TAM Y   |
|                             | 01/05/09    | CC-002(09) BILL RE-REFERRED FROM EXECUTIVE MATTERS COMMITTEE TO TRANSPORTATION AND PLANNING COMMITTEE.   |
| TRANSPORTATION AND PLANNING | 02/12/09    | BILL DEFERRED IN COMMITTEE.  |
|                             |             | NOTE: COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY, FEBRUARY 22, 2009. THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. |
| TRANSPORTATION AND PLANNING | 03/05/09    | CR-94 (2009) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.   |
| COUNCIL                     | 03/18/09    | CR-94 (2009) ADOPTED AND BILL PASSED THIRD READING AS AMENDED (BILL10 (2008), CD2).  |
|                             | APO Y       | BAINUM Y CACHOLA Y DELA CRUZ Y DJOU Y  |
|                             | GARCIA Y    | OKINO Y TAM Y  |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
 \_\_\_\_\_  
 BERNICE K. N. MAU, ACTING CITY CLERK

  
 \_\_\_\_\_  
 TODD R. APO, CHAIR AND PRESIDING OFFICER



A BILL FOR AN ORDINANCE

TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO SIGNS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to amend certain Land Use Ordinance provisions relating to sign regulations, with the intention of increasing the efficacy of sign master plans and improving equity in the application of certain sign regulations, and with particular regard for the Waikiki Special District.

SECTION 2. Section 21-2.140-1, Revised Ordinances of Honolulu 1990, as amended ("Specific circumstances"), is amended by amending subsection (n) to read as follows:

"(n) Sign Master Plan. A sign master plan is a voluntary, optional alternative to the strict sign regulations of this chapter, intended to encourage some flexibility in order to achieve good design (including compatibility and creativity), consistency, continuity and administrative efficiency in the utilization of signs within eligible sites. Under this alternative, and subject to the provisions of this subsection, the director may approve a sign master plan that permits the exceptions to the sign regulations of this chapter set forth in subdivision (2).

(1) Eligibility. Developments with three or more principal uses on a zoning lot, other than one-family or two-family detached dwellings or duplex units, shall be eligible for consideration of a zoning adjustment for a sign master plan. An applicant must have the authority to impose the sign master plan on all developments on the zoning lot.

(2) Flexibility. The following exceptions to the sign regulations of this chapter may be permitted pursuant to an approved sign master plan.

(A) Physical Characteristics. The maximum number of permitted signs, sign area, and the height and physical dimensions of individual signs, may be modified; provided:

(i) No sign shall exceed any applicable standard relating to [number,] height or dimension by more than 20 percent;

(ii) The total permitted sign area for signs which are part of a [building] sign master plan shall not be increased by more



A BILL FOR AN ORDINANCE

than 20 percent beyond that otherwise permitted by the underlying sign regulations for the site; and

(iii) [When] The total number of signs which are part of a sign master plan shall not exceed 20 percent of the total number of signs otherwise permitted by the underlying sign regulations for the site; provided that when computation of the maximum number of permitted signs results in a fractional number, the number of allowable signs shall be the next highest whole number.

(B) Sign Types. The types of business signs permitted for ground floor establishments may include hanging, marquee fascia, projecting, roof and wall signs.

(i) When marquee fascia signs are to be utilized, the signs may be displayed above the face of the marquee, provided the signs shall not exceed a height of more than 36 inches above the marquee face.

(ii) When wall signs are to be utilized, signs displayed as individual lettering placed against a building wall are encouraged.

(C) Sign Illumination.

(i) Where direct illumination is not otherwise permitted by the underlying sign regulations for the site, sign copy and/or graphic elements of business and/or identification signs for ground floor establishments may be directly illuminated, provided any remaining sign area shall be completely opaque and not illuminated.

(ii) Signs for second floor establishments may be indirectly illuminated.

~~[(C)]~~(D) Sign Location. An appropriate, consistent pattern for the placement of regulated signs within the project site shall be approved in the sign master plan, provided all signs shall be located on the building containing the identified establishment, and



---

## A BILL FOR AN ORDINANCE

---

no ground sign shall be located within a required yard except as may be permitted by this chapter.

[(D)](E) The standards and requirements for directional signs, information signs and parking lot traffic control signs may be established by the director, as appropriate.

- (3) Sign Master Plan Approvals. The director may approve a sign master plan only upon a finding that, in addition to the criteria set forth in Section 21-2.140-2, the following criteria have been met:
- (A) The proposed sign master plan will accomplish the intent of this subsection;
  - (B) The size and placement of each sign will be proportional to and visually balanced with the building facade of the side of the building upon which it is maintained;
  - (C) All signs regulated by this chapter and maintained upon the site will feature the consistent application of not less than one of the following design elements: materials, letter style, color, shape or theme; and
  - (D) In all respects not adjusted by the sign master plan, all signs regulated by this chapter and maintained upon the site will conform to the provisions of this chapter.

The director may impose conditions and additional controls as may be appropriate.

- (4) Implementation.
- (A) The director shall maintain a copy of the approved sign master plan for each project to facilitate the expedited processing of sign permits for that project. The director shall review each sign permit application for an individual sign within an affected project for its conformity to the approved sign master plan. Upon determining that the sign permit application conforms to the approved sign master plan, the director shall issue the sign permit for the sign.



A BILL FOR AN ORDINANCE

- (B) Except as otherwise provided in this paragraph (B), no sign shall be maintained upon a site subject to an approved sign master plan unless the sign conforms to the sign master plan. If a site has existing signs which will not conform to the approved sign master plan, the master plan shall specify a reasonable time period, as approved by the director, for conversion of all existing signs to the design scheme set forth in the approved master plan, provided that in no event shall the time period for full conformance exceed one year from the date of approval of the sign master plan."

SECTION 3. Section 21-7.20, Revised Ordinances of Honolulu 1990, as amended ("Definitions and general sign standards"), is amended by amending the definitions and/or general sign standards for "Building frontage," "Directional signs" and "Wall signs," and adding a new definition and general sign standards for "Small sign," to read as follows:

- a. ""Building frontage" means that portion of the principal building of an establishment which faces a street. If the principal buildings are arranged on the lot in such a manner as to face a parking area, or walkway or open space accessible to the general public, then the area facing the parking area, walkway or open space may be considered the building frontage[.] for an establishment, provided that establishment has an entryway on that frontage. Signs may be placed facing the street or the parking area, walkway or open space in any combination, but shall not exceed two signs."

- b. ""Directional signs" means signs indicating entrances and exits, including those for parking lots and garages.

Standard: No more than one sign per entrance or exit[.]; and, when the name, emblem and/or address of an establishment on the premises where the directional sign is located is included, the identification portion of the sign shall not [to] exceed [30 inches in height and] one square foot in sign area."

- c. ""Wall signs" means signs affixed to an exterior wall of any building.

Standard: Not to project more than 15 inches from the building wall, not to extend above the exterior wall of the building and not to exceed a height of 20 feet or the third floor level of buildings over two stories in height, whichever is the [lower] higher height.



A BILL FOR AN ORDINANCE

For the purpose of this definition, an exterior wall shall include a parapet wall above the exterior wall and roof facade with face slope 60 percent or greater with the horizontal plane; provided that where a wall sign is to be located on a parapet wall or facade, the parapet wall or facade shall extend entirely across the side of the building, and provided further that no portion of a wall sign shall exceed six feet above the roof level. Exterior wall and parapet wall shall be as defined in Chapter 16 (Building Code), as amended."

- d. ""Small signs" means diminutive identification signs and/or signs advertising the days/hours of operation of an establishment (other than as may be permitted as window displays).

Standard: Not to exceed one square foot in sign area, with sign copy not to exceed two inches in height, and the cumulative area of all small signs for a single establishment shall not exceed two square feet."

SECTION 4. Section 21-7.40, Revised Ordinances of Honolulu 1990, as amended ("Specific district sign standards"), is amended by amending subsection (I) to read as follows:

"(I) Waikiki District. Except as otherwise provided by this chapter, the following signs may be permitted for each ground floor establishment with building frontage, provided the signs shall not be directly illuminated, and may be wall, marquee fascia or hanging signs.

(1) Apartment Precinct and Apartment Mixed Use Subprecinct.

(A) In connection with any principal use permitted, other than one-family and two-family dwellings, only one identification sign per building frontage, not exceeding 12 square feet in area.

(B) If all buildings on the street frontage of the zoning lot are set back a minimum of 50 feet from the property line on their entry sides, one ground identification or directory sign, not directly illuminated and not exceeding eight square feet in area, shall also be permitted for each entry side. These ground signs shall not be located in any required yard. In lieu of one of the above signs, one garden sign may be permitted.



A BILL FOR AN ORDINANCE

---

- (C) In addition to the above, the following may be permitted in the apartment mixed use subprecinct:
  - (i) One directory sign per zoning lot, not exceeding 12 square feet in area, which may be a ground sign not exceeding six feet in height, a wall sign or a garden sign; and
  - (ii) One building identification sign per building frontage, not exceeding four square feet in area.
  
- (2) Resort Mixed Use and Resort Commercial Precincts.
  - (A) In connection with any principal use permitted, other than one-family and two-family dwellings, only one business sign, per building frontage, with a maximum area of one square foot per [two] one linear [feet] foot of the building frontage or [24] 36 square feet, whichever is less.
  - (B) In addition to the sign referred to in paragraph (A) above, [the following may be permitted:
    - (i) One] one building directory or identification sign per [zoning lot,] building frontage may be erected, not exceeding 12 square feet in area, which may be a ground sign not exceeding six feet in height, a wall sign or a garden sign[; and
    - (ii) One building identification sign per building frontage, not exceeding four square feet in area].
  
- (3) A permitted outdoor vending cart, kiosk or similar vending structure, when visible from a street, sidewalk or public space, may be permitted the following:
  - (A) One business identification sign not exceeding three square feet in area; and
  - (B) One price sign, not exceeding two square feet in area, to advertise the cost of goods and services provided by the establishment.

These signs shall be wholly attached to the vending structure.



## A BILL FOR AN ORDINANCE

---

- (4) For each second floor establishment with building frontage in the apartment mixed use subprecinct, resort commercial precinct and resort mixed use precinct, one wall identification sign may be permitted. The maximum sign area shall be six square feet and the sign shall not be illuminated.
- (5) All signs shall feature English or Hawaiian as the dominant language thereon; other languages are permitted but the lettering thereof must be subordinate to the English or Hawaiian lettering."

SECTION 5. Section 21-7.60, Revised Ordinances of Honolulu 1990, as amended ("Permits and fees"), is amended by amending subsection (b) to read as follows:

- "(b) No permit shall be required nor shall district sign regulations apply to the following types of signs: subdivision construction signs; pump island information signs, not to exceed three square feet in sign area; gasoline price signs, not to exceed one square foot in sign area and located on a gasoline pump; temporary signs; public signs; flags; plaques; small signs and address signs; directional signs; and political campaign signs."



A BILL FOR AN ORDINANCE

SECTION 6. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material, or the underscoring.

SECTION 7. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Todd Apo

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF INTRODUCTION:

December 31, 2008  
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Gay L. Kiteoka*  
Deputy Corporation Counsel

APPROVED this 25<sup>th</sup> day of March, 2009.

*Mufi Hanne Mann*  
MUFU HANNE MANN, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE

09-5

BILL 70 (2008), CD1

Introduced: 12/31/08 By: TODD APO (BR)

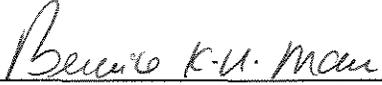
Committee: ZONING

Title: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO SIGNS.

Links: [BILL 70 \(2008\)](#)  
[BILL 70 \(2008\), CD1](#)  
[CR-34 \(2009\)](#)  
[CR-82 \(2009\)](#)

|  |          |   |           |             |        |  |
|--|----------|---|-----------|-------------|--------|--|
| COUNCIL  | 01/28/09 | BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING.  |           |             |        |  |
|  | APO Y    | BAINUM Y  | CACHOLA Y | DELA CRUZ Y | DJOU Y |  |
|  | GARCIA Y | MARSHALL A  | OKINO Y   | TAM Y       |        |  |
| ZONING   | 02/10/09 | CR-34 (2009) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.        |           |             |        |  |
| PUBLISH  | 02/14/09 | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.  |           |             |        |  |
| NOTE: COUNCILMEMBER BARBARA MARSHALL PASSED AWAY ON SUNDAY, FEBRUARY 22, 2009. THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. |          |   |           |             |        |  |
| COUNCIL/PUBLIC HEARING   | 02/25/09 | CR-34 (2009) ADOPTED, BILL PASSED SECOND READING AS AMENDED (BILL 70 (2008), CD1), PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON ZONING. |           |             |        |  |
|  | APO Y    | BAINUM Y  | CACHOLA Y | DELA CRUZ Y | DJOU Y |  |
|  | GARCIA Y | OKINO A   | TAM Y     |             |        |  |
| ZONING   | 03/03/09 | CR-82 (2009) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.   |           |             |        |  |
| PUBLISH  | 03/04/09 | SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.  |           |             |        |  |
| COUNCIL  | 03/18/09 | CR-82 (2009) ADOPTED AND BILL 70 (2008), CD1 PASSED THIRD READING.  |           |             |        |  |
|  | APO Y    | BAINUM Y  | CACHOLA Y | DELA CRUZ Y | DJOU Y |  |
|  | GARCIA Y | OKINO Y   | TAM Y     |             |        |  |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
BERNICE K. N. MAU, ACTING CITY CLERK

  
TODD K. APO, CHAIR AND PRESIDING OFFICER