CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAI'I

ORDINANCE _____

BILL 33 (2022)

A BILL FOR AN ORDINANCE

RELATING TO INDIGENOUS PLANTS IN PUBLIC BEACH PARKS.

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

SECTION 1. Purpose and findings. The purpose of this ordinance is to prioritize the use of certain native (indigenous) plant species in landscaping at public parks along the beaches and shoreline of the City and County of Honolulu ("City"), to help minimize shoreline degradation and promote habitat for other indigenous plant species, improved sediment filtration, and protection against storms and high wave events.

The City is facing severe and significant impacts due to climate change, and the Oahu Resiliency Strategy, adopted as a guiding policy document for the City pursuant to Resolution 19-233 (2019), identified key resilience actions the City should undertake, including the need to "protect coastal property and beaches through innovation and partnership."

The Council finds that prioritizing the planting of indigenous plant species such as naupaka, pōhuehue, and 'aki'aki, along our beaches and shoreline, is one way in which this key resilience action can be accomplished. These types of indigenous plant species are widely recognized for their ability to mitigate coastal erosion and damage from extreme weather.

SECTION 2. Chapter 14, Article 11, Revised Ordinances of Honolulu 1990 ("Use of Indigenous and Polynesian Introduced Plants in Public Landscaping"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**Sec. 14-11. Shoreline protection in public parks.**

(a) Wherever and whenever feasible, the department of parks and recreation shall prioritize the utilization of indigenous plant species, such as naupaka, pōhuehue, and 'aki'aki, in public parks to help mitigate beach and shoreline erosion, and promote landscaping habitats that provide for greater sediment filtration and better protection against extreme weather events.

(b) All landscaped areas and landscaping in public parks along beaches and shorelines shall be contained and maintained within city property and shall, under no circumstances extend or encroach:

(1) Seaward of the presumed or certified shoreline; or

(2) Into any adjoining beach access right-of-way, public or private.

(c) The director of parks and recreation may adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement of this section."

SECTION 3. Section 14-11.1, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by adding new definitions of "Public park" and "Shoreline" to read as follows:

""Public park" means the same as defined under Section 10-1.1."

""Shoreline" means the upper reaches of the wash of the waves, other than storm and seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves."

SECTION 4. 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 underscoring.

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SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tommy Waters

Heidi Tsuneyoshi

DATE OF INTRODUCTION:

APR 28 2022

Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

_____

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

_____

RICK BLANGIARDI, Mayor
City and County of Honolulu