

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

No. 24-96

FILED

APR 10 2025

PURSUANT TO ROH Sec. 1-2.5

RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 2021 (THE LAND USE ORDINANCE), RELATING TO SCREENING OR BUFFERING REQUIREMENTS.

WHEREAS, the zoning maps and the Land Use Ordinance ("LUO") of the City and County of Honolulu ("City") establish zoning districts and zoning district regulations for the utilization of land in the City pursuant to Section 6-1514, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"); and

WHEREAS, each zoning district is designated for certain uses and restricted for other uses in order to encourage orderly development in accordance with adopted land use policies, including the Oahu general plan, and the applicable development plans or sustainable community plans, and to promote and protect the public health, safety, and welfare; and

WHEREAS, Section 21-4.70-1, Revised Ordinances of Honolulu 2021 ("ROH"), requires certain types of screening and buffering for uses within the I-1, I-2, I-3, IMX-1, B-1, B-2, and BMX-4 zoning districts, or for certain types of uses located in any zoning district not previously mentioned; and

WHEREAS, ROH § 21-4.70-1(c) provides that any use located in the B-1, B-2, or BMX-4 zoning district, and any use located in the BMX-3 zoning district, other than detached dwellings and multi-family dwellings, are required to be screened from any adjacent zoning lot in a residential, apartment, or apartment mixed-use zoning district by a landscaped area not less than 5 feet in width along the side and rear property lines; and

WHEREAS, ROH § 21-4.70-1(c) further provides that the required landscaped area must include a screening hedge not less than 42 inches in height; and

WHEREAS, it appears that the purpose of the screening or buffering requirements is to mitigate noise and other disturbances arising from nonresidential uses from affecting or impacting residential uses; and

WHEREAS, the screening and buffering requirements for uses in the B-1, B-2, BMX-4, and certain uses in the BMX-3 zoning districts may be burdensome and not necessary if the common property line with an adjacent zoning lot in the residential, apartment, or apartment mixed-use zoning district consists of only a portion of the entire



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side or rear property line of the zoning lot in the business or business mixed-use zoning district; and

WHEREAS, the City Council ("Council") believes there is a need to relax the restrictions imposed by ROH § 21-4.70-1(c) to account for situations where the common property line with an adjacent zoning lot in the residential, apartment, or apartment mixed-use zoning district consists of only a portion of the entire side or rear property line of the zoning lot in the business or business mixed-use zoning district; and

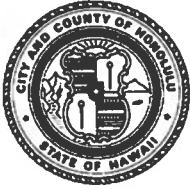
WHEREAS, Charter Section 6-1513 provides that "[a]ny revision of or amendment to the zoning ordinances may be proposed by the [C]ouncil and shall be processed in the same manner as if proposed by the [D]irector [of Planning and Permitting]"; and

WHEREAS, the term "zoning ordinances," as used in Charter Section 6-1513, includes both amendments to the LUO and to ordinances designating particular parcels of property in terms of the LUO; and

WHEREAS, ROH Chapter 2, Article 24, Part A, establishes procedures and deadlines for the processing of Council proposals to revise or amend the general plan, the development plans, the zoning ordinances, and the subdivision ordinance, and clarifies the responsibility of the Director of Planning and Permitting to assist the Council in adequately preparing its proposals for processing; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting and the Planning Commission are directed, pursuant to Charter Section 6-1513 and ROH Chapter 2, Article 24, Part A, to process the proposed amendment to ROH Chapter 21 (the "Land Use Ordinance"), attached hereto as Exhibit A, in the same manner as if the proposal had been proposed by the Director; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and



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BE IT FINALLY RESOLVED that, pursuant to ROH Chapter 2, Article 24, Part A, the Clerk shall transmit copies of this resolution and the Exhibit A, attached hereto, to the Director of Planning and Permitting and the Planning Commission of the City and County of Honolulu, and shall advise them in writing of the date by which the Director's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

Calvin K. Y. King

DATE OF INTRODUCTION:

APR 10 2024
Honolulu, Hawai'i

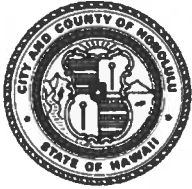
Councilmembers

FILED

APR 10 2025

PURSUANT TO ROH Sec. 1-2.5

EXHIBIT A



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

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

RELATING TO SCREENING WALLS OR BUFFERING.

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 provisions relating to screening wall or buffering requirements.

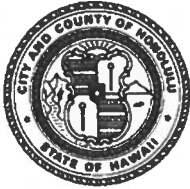
SECTION 2. Section 21-4.70-1, Revised Ordinances of Honolulu 2021 ("Screening wall or buffering"), is amended by amending subsection (c) to read as follows:

"(c) [Any] If any use located in the B-1, B-2, or BMX-4 zoning district, [and] or any use located in the BMX-3 zoning district, except detached dwellings and multi-family dwellings, [shall be screened from any] is adjacent to a zoning lot located in [a] the residential, apartment, or apartment mixed-use zoning district, [if] for which the common property line between the zoning lot in the business or business mixed-use zoning district and the zoning lot in the residential, apartment, or apartment mixed-use zoning district comprises more than 75 percent of the entire length of the side or rear property line of the zoning lot in the business or business mixed-use zoning district:

- (1) The zoning lot located in the business or business mixed-use zoning district must be screened by a landscaped area not less than 5 feet in width along the [common] entire length of the side [and] or rear property [lines. Such] line that is adjacent to the zoning lot in the residential, apartment, or apartment mixed-use zoning district; and
- (2) The required landscaped area [shall] must contain a screening hedge [not less than] that is a minimum of 42 inches in height[-. The];

provided that the requirements of this subsection [shall] do not apply to necessary [drives] driveways and walkways, nor to any meeting facility, [day-care] daycare facility, group living facility, or other use governed by subsection (d)."

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not



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include the brackets, the material that has been bracketed and stricken, or the underscoring.

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

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

Report Title:

Land Use Ordinance Amendment; Screening Wall or Buffering Requirements;
Landscaping

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.