



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

ORDINANCE _____
BILL 37 (2025)

A BILL FOR AN ORDINANCE

TO AMEND PORTIONS (7.292 ACRES) OF THE STATE LAND USE DISTRICT BOUNDARY MAP (HALE'IWA QUADRANGLE) FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT FOR CERTAIN LANDS SITUATED IN THE HALE'IWA SPECIAL DISTRICT, HALE'IWA, OAHU, HAWAII'.

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

SECTION 1. Lands within the State Land Use District Boundary Map (Hale'iwa Quadrangle) are hereby amended by reclassifying certain lands in Hale'iwa from the Agricultural District to the Urban District, as shown on the map attached hereto, marked "Exhibit A" and by reference made a part hereof. The purpose of this amendment is to place 7.292 acres of land (identified as a portion of Tax Map Key 6-2-005: 002) in the Urban District.

SECTION 2. The reclassification of lands in SECTION 1 is subject to the following conditions:

- a. Compliance with Hawai'i Revised Statutes (HRS), Section 205-3.5(a)(1), Reclassification of land contiguous to an agricultural district. There shall be a prohibition on any action that would interfere with or restrain farming operations on lands in the State Land Use (SLU) Agricultural District that are contiguous or adjacent to the Petition Area; provided the farming operations are conducted in a manner consistent with generally accepted agricultural and management practices on adjacent or contiguous lands in the SLU Agricultural District.
- b. Compliance with HRS, Section 205-3.5(a)(2), Reclassification of land contiguous to an agricultural district. The Applicant shall notify all prospective developers or purchasers of land or interest in land in the Petition Area and subsequent notification to lessees or tenants of the land, that farming operations and practices on adjacent or contiguous lands in the SLU Agricultural District are protected under HRS, Chapter 165, the Hawai'i Right to Farm Act, and that the notice shall be included in any disclosure required for the sale or transfer of real property or any interest in real property.
- c. Affordable Housing. The Applicant shall provide affordable housing opportunities for residents of the State of Hawai'i in accordance with the applicable affordable housing requirements of the City and County of Honolulu (City). The location and distribution of affordable housing or



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

ORDINANCE _____
BILL 37(2025)

A BILL FOR AN ORDINANCE

other provisions for affordable housing shall be under such terms as may be mutually agreeable between the Applicant and the City.

- d. **Traffic Impact.** The Applicant shall submit to the Department of Planning and Permitting (DPP) and the State of Hawai'i Department of Transportation (HDOT) an updated Traffic Impact Analysis Report (TIAR). The TIAR shall include a pedestrian and vehicular circulation plan and information on how pedestrians will access the Petition Area from Kamehameha Highway. The updated TIAR shall be approved by the HDOT and the DPP prior to the submittal of a zone change application.
- e. **Access.** Prior to the submittal of a zone change application, the Applicant shall execute and record an access easement upon Cane Haul Road to demonstrate that the Petition Area will have access to Kamehameha Highway via the Cane Haul Road at the Bureau of Conveyances of the State of Hawai'i, or in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i, as applicable, and provide a copy of the recorded document to the DPP.
- f. **Wastewater.** The Applicant shall develop an on-site wastewater collection and treatment system in the Petition Area as represented in the application or as approved by the State of Hawai'i Department of Health and the City.
- g. **Endangered Species.** The design, construction, and operation of the Petition Area shall abide by the following Avoidance and Minimization Measures from the U.S. Fish and Wildlife Service:
 - 1. Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15).
 - 2. Do not use barbed wire for fencing.
 - 3. Fully shield all outdoor lights so the bulb can only be seen from below.
 - 4. Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.



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

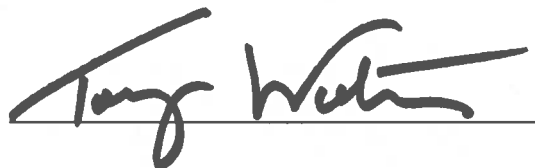
ORDINANCE _____
BILL 37(2025)

A BILL FOR AN ORDINANCE

5. Avoid nighttime construction during the seabird fledging period, September 15 through December 15.
 6. Where fences extend above vegetation, integrate three strands of polytape into the fence to increase visibility.
 7. For power lines, guy-wires and other cables, minimize exposure above vegetation height and vertical profile.
- h. Annual Reports. On an annual basis, the Applicant shall submit a written status report to the DPP documenting satisfaction of and/or describing its progress toward complying with each condition of approval for this State Land Use District Boundary Amendment. The status report shall be submitted to the DPP on or before December 31 of each year until such time as the DPP has determined that all conditions of approval have been satisfied.

SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

APR 3 2025
Honolulu, Hawai'i

Councilmembers



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

ORDINANCE _____
BILL 37(2025)

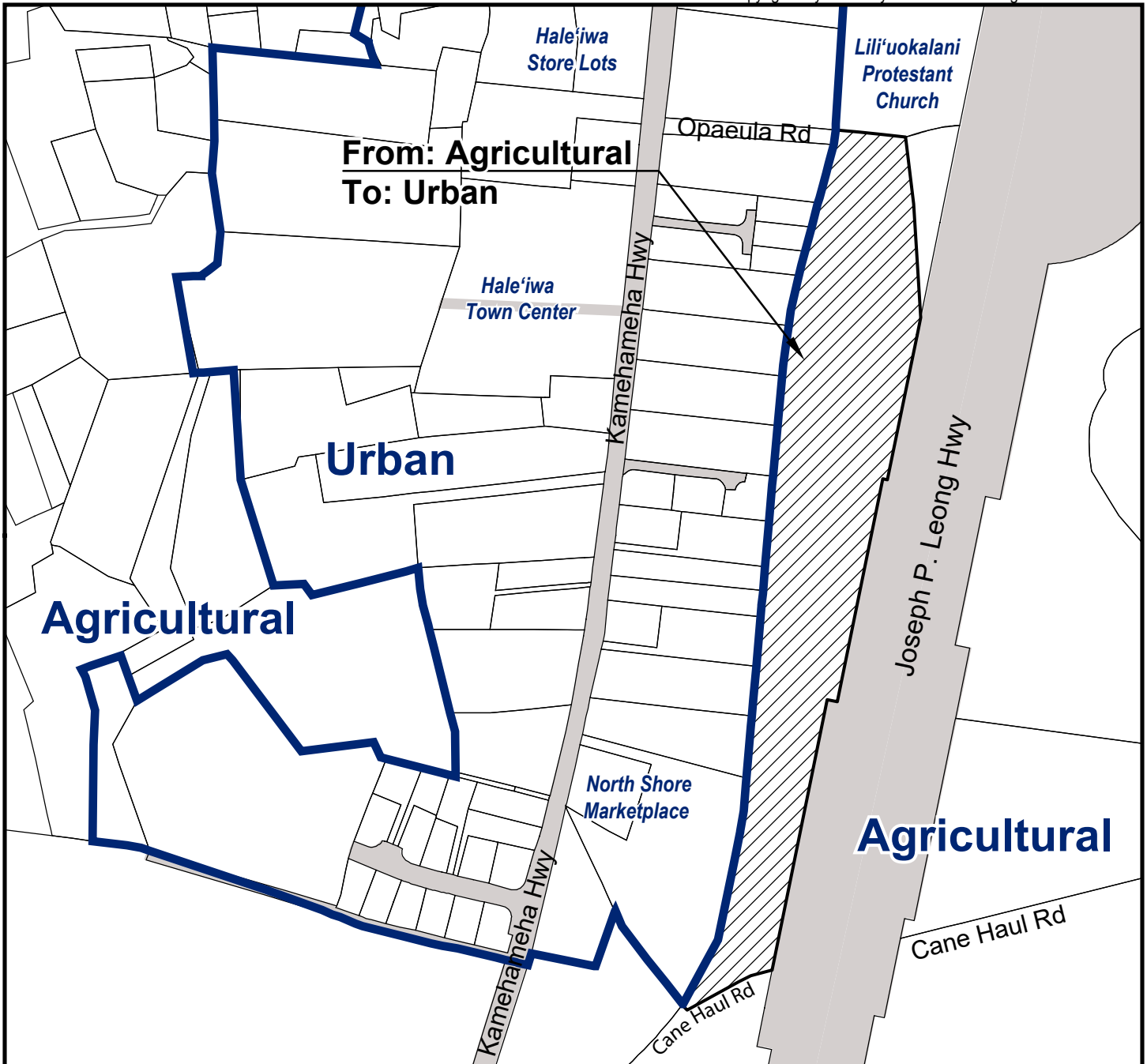
A BILL FOR AN ORDINANCE

APPROVED AS TO FORM AND LEGALITY:

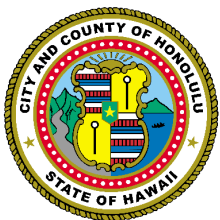
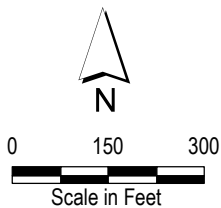
Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 ____.

RICK BLANGIARDI, Mayor
City and County of Honolulu



**AMENDMENT TO
STATE LAND USE DISTRICT MAP
Haleiwa**



APPLICANT: HALE'IWA BACKYARDS LLC

TAX MAP KEY: 6-2-005: POR. 002

FOLDER NO.: 2024/GEN-11

LAND AREA: APPROXIMATELY 7.292 ACRES

**PREPARED BY: DEPARTMENT OF PLANNING & PERMITTING
CITY AND COUNTY OF HONOLULU**

PUBLIC HEARING

PLANNING COMMISSION

CITY COUNCIL

ORD. NO.

EFF. DATE:

EXHIBIT A

BILL