SUMMARY OF PROPOSED COMMITTEE DRAFT:

BILL 37 (2025)
TO AMEND PORTIONS (7.292 ACRES) OF THE STATE LAND USE DISTRICT BOUNDARY MAP (HALEʻIWA QUADRANGLE) FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT FOR CERTAIN LANDS SITUATED IN THE HALEʻIWA SPECIAL DISTRICT, HALEʻIWA, OAHU, HAWAIʻI.

The PROPOSED CD1 makes the following amendments:

A. Separates SECTION 1 of the bill into two separate bill SECTIONS, with SECTION 1 of the bill covering the bill purpose and Council findings, and SECTION 2 of the bill setting forth the amendment to the State Land Use District Boundary Map (Haleʻiwa Quadrangle). Renumbers subsequent bill SECTIONS.

B. In SECTION 1 of the bill:

1. Clarifies the purpose of the bill (but does NOT change the original purpose and intent of the bill).

2. Adds Council findings relating to the standards and criteria for the approval of a petition for a State Land Use District boundary amendment ("SLUDBA") under ROH § 23-1.6.

C. In new SECTION 2 of the bill, clarifies that the State Land Use District Boundary Map (Haleʻiwa Quadrangle) is amended by reclassifying 7.292 acres of land located within the Haleʻiwa Special District and identified as a portion of Tax Map Key 6-2-005:002 (the "Petition Area"), from the State Land Use Agricultural District to the State Land Use Urban District. Adds that the reclassification is subject to the conditions in SECTION 3 of the ordinance.

D. In renumbered SECTION 3 of the bill:

1. Amends Condition A to require Basin Project, Inc. to satisfy the requirements in HRS § 205-3.5(a)(1).

2. Amends Condition B to require Basin Project, Inc. to satisfy the requirements in HRS § 205-3.5(a)(2).

3. Removes Condition C (relating to affordable housing), Condition E (relating to access), Condition F (relating to wastewater), and Condition G (relating to endangered species). These conditions are not considerations for SLUDBAs under State or City law, and are more appropriately considered and addressed at a later date under other required approvals and permits, such as a zone change approval, when more project details are available.

4. Reletters Condition D as Condition C (relating to an update to the traffic impact analysis report) and clarify that the initial Traffic Impact Analysis Report was dated May 21, 2015, and prepared by SSFM International.

5. Removes Condition H (relating to annual reports) because there are only two conditions of approval, both of which are already required under State law.

E. Makes miscellaneous technical and nonsubstantive amendments.

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL **37 (2025), CD1**

PROPOSED

A BILL FOR AN ORDINANCE

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

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 re-classify 7.292 acres of land in Haleʻiwa, Oʻahu, from the State Land Use Agricultural District to the State Land Use Urban District.

The City Council finds that consistent with the standards and criteria for the approval of a petition for a State Land Use District boundary amendment ("SLUDBA") under Section 23-1.6, Revised Ordinances of Honolulu 2021, the SLUDBA for the 7.292 acres of land described above:

1. Will contribute to the general welfare and prosperity of Oʻahu residents by allowing for the development of much needed low- to moderate-income housing in the Haleʻiwa Special District, particularly for Oʻahu residents who work in the nearby retail and commercial areas of Haleʻiwa;

2. Will help address the City's housing crisis by allowing for the development of decent, reasonably-priced housing with access to schools, services, amenities, and job opportunities; and

3. Is consistent with the Hawaiʻi State Plan, Oʻahu General Plan, North Shore Sustainable Communities Plan, and the purpose and intent of the State Land Use Urban District.

SECTION 2. The State Land Use District Boundary Map (Haleʻiwa Quadrangle) is hereby amended by reclassifying 7.292 acres of land located within the Haleʻiwa Special District and identified as a portion of Tax Map Key 6-2-005:002 (the "Petition Area"), from the State Land Use Agricultural District to the State Land Use Urban District, as depicted in Exhibit A, attached hereto and incorporated by reference herein. This reclassification is subject to the conditions in SECTION 3 of this ordinance.

A BILL FOR AN ORDINANCE

SECTION 3. The reclassification of lands in SECTION 2 of this ordinance is subject to the following conditions:

A. Basin Project, Inc. (or any successor owner, tenant, or interested party) is prohibited from taking any action involving the use of the Petition Area that may, alone or in connection with other actions, interfere with or restrain farming operations on adjacent or contiguous lands in the State Land Use Agricultural District; provided the farming operations are conducted in a manner consistent with generally accepted agricultural and management practices. For the purposes of this SECTION, "farming operation" means the same as defined in Section 165-2, Hawaii Revised Statutes ("HRS").

B. Prior to the sale of any land or interest in land within the Petition Area, Basin Project, Inc. (or any successor owner, tenant, or interested party) shall provide a written disclosure to any prospective purchaser or lessee stating that farming operations and practices on adjacent land within the State Land Use Agricultural District are protected under the Hawaii Right to Farm Act, HRS Chapter 165. This statement must also be included in any disclosures required for the sale, transfer, or lease of real property or any interest in real property.

C. Haleʻiwa Backyards LLC shall submit to the Department of Planning and Permitting ("DPP") and the State of Hawaiʻi Department of Transportation ("HDOT") an update to the initial Traffic Impact Analysis Report ("TIAR") dated May 21, 2015, and prepared by SSFM International. The updated TIAR must include a pedestrian and vehicular circulation plan and information on pedestrian access to the Petition Area from Kamehameha Highway. The DPP and HDOT must accept the updated TIAR prior to Haleʻiwa Backyards LLCʻs submittal of a zone change application.

A BILL FOR AN ORDINANCE

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

April 3, 2025
Honolulu, Hawai'i

Councilmembers

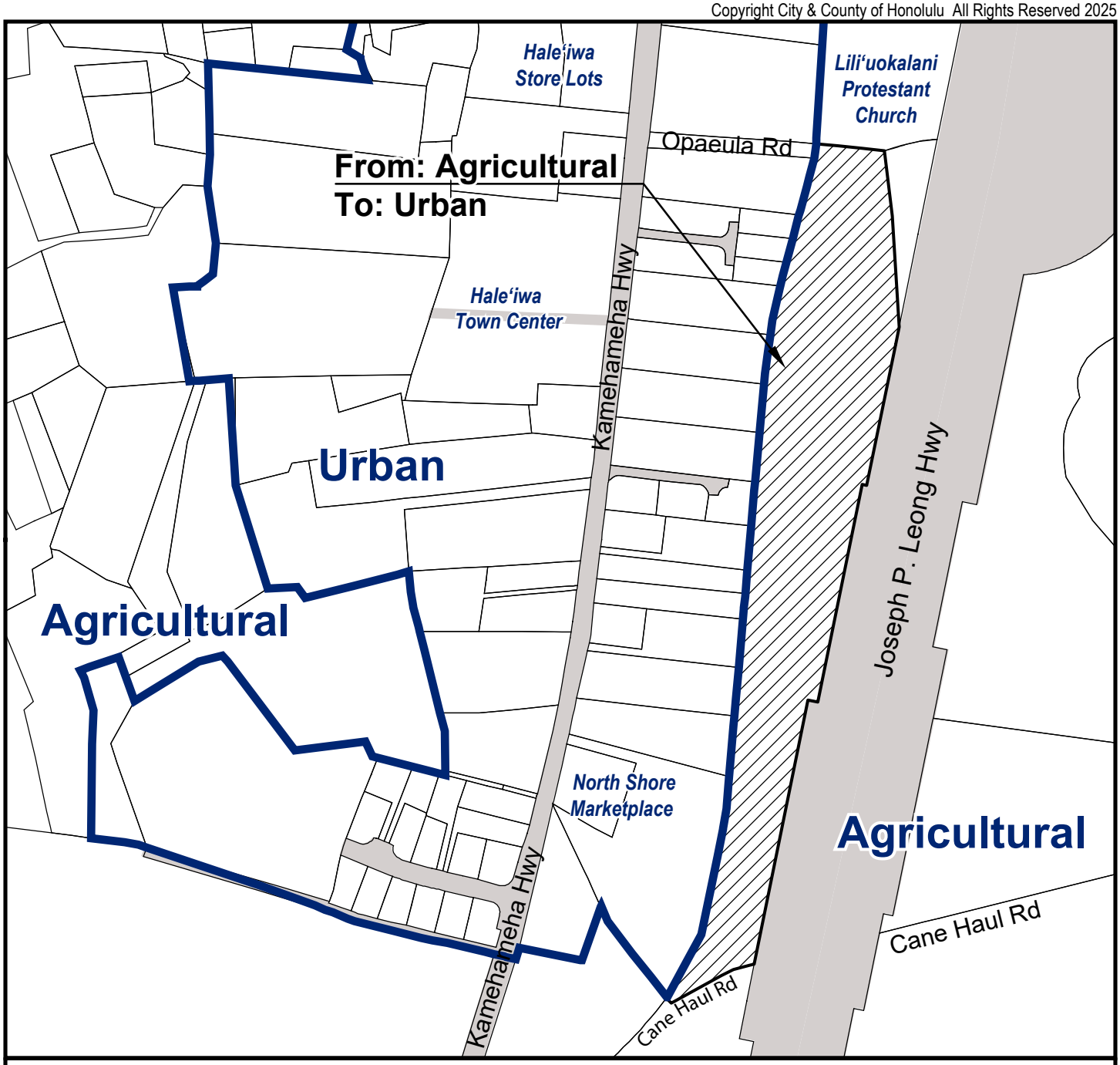
APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____day of _____, 20 ___.

RICK BLANGIARDI, Mayor
City and County of Honolulu

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AMENDMENT TO

STATE LAND USE DISTRICT MAP

Haleiwa

N

0 150 300

Scale in Feet

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**

Report Title:
State Land Use Boundary Amendment; Haleʻiwa Quadrangle; Haleʻiwa Special District; Haleiwa Quadrangle; Haleiwa Special District

Description:
Reclassifies certain lands in Haleʻiwa, Oahu from the State Land Use Agricultural District to the State Land Use Urban District, subject to certain conditions.

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