HONOLULU CITY COUNCIL

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

ORDINANCE _____
BILL 21 (2026)

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. Purpose. The purpose of this ordinance is to address transit-oriented development.

SECTION 2. Section 21-9.100, Revised Ordinances of Honolulu 2021 ("Transit-oriented development (TOD) special district"), is amended by amending subsection (c) to read as follows:

"(c) For the purposes of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.

Active Ground Floor Activities. Those uses and activities that will encourage pedestrian movement and activate the ground floor of buildings, including retail establishments, restaurants, personal service establishments, offices, financial institutions, lobbies for hotels or multifamily dwelling uses, galleries, theaters, and other similar uses and activities.

Bike-Walk Greenway. Shared-use paths or trails for pedestrians, cyclists, and other users of non-motorized transportation modes within or adjacent to a TOD special district. Certain development standards will apply only to those zoning lots that abut the bike-walk greenway. Bike-walk greenways are identified on the exhibits set forth at the end of this article.

Community Benefits. Those project elements that will mitigate impacts of greater heights, or greater density, or modifications to TOD special district development standards. Examples of community benefits include affordable housing, open space, parks, right-of-way improvements, financial contributions to existing community amenities or public uses, gray water reuse systems, and facilities that enhance the pedestrian experience or improve multimodal transportation.

Gray Water. Has the same meaning as defined in HRS § 342D-1.

IPD-T. An interim planned development-transit project pursuant to § 21-9.100-5.

Key Streets. Streets within a TOD special district that are most vital to facilitating a walkable, vibrant, economically active neighborhood in the direct vicinity of a rail station. Certain development standards will apply only to those zoning lots fronting a designated key street. The key streets are identified on the exhibits set forth at the end of this article.

Nonconforming Site Development. A zoning lot with structures or uses that comply with underlying zoning district standards, but are not in conformance with all of the standards of the TOD special district, including but not limited to building location, yard and setback requirements, street facades, building orientation and entrances, parking lot design and location, and bicycle parking.

PD-T. A planned development-transit project pursuant to § 21-9.100-10.

Rail Station. An existing or planned rail station identified in the Honolulu Rail Transit Project Environmental Impact Statement, accepted by the Governor of the State of Hawaii on December 16, 2010.

Setback. The distance from the property line to the front facade of a building.

Street Tree Plan. A street tree planting plan approved in accordance with the city "Standards and Procedures for the Planting of Street Trees."

TOD. Transit-oriented development.

TOD Development Regulations. The regulations establishing the permitted uses and structures and development standards within a TOD special district, which will be established by the council by ordinance, pursuant to this section. TOD development regulations may include provisions specific to certain rail station areas.

TOD Special District. That area surrounding rail stations along the rail alignment and designated in § 21-9.100-12. Lands within a TOD special district are subject to TOD development regulations.

TOD Station Area *or* ***Station Area.*** The parcels of land around a rail station subject to the TOD development regulations. Generally, the TOD station area will consist of that land within approximately 0.5 miles of the related rail station, which is roughly the distance of a 5- to 10- minute walk from the station, as identified on the exhibits set forth at the end of this article."

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SECTION 3. Section 21-9.100-5, Revised Ordinances of Honolulu 2021 ("Interim planned development-transit (IPD-T) projects"), is amended by amending subsection (g) to read as follows:

"(g) *Community benefits.*

(1) Community benefits must be proposed in the IPD-T project application to justify height and density bonuses, or to mitigate the impacts related to the modification of TOD special district development standards.

(2) [~~Where~~] When a proposed community [~~benefits are proposed, they~~] benefit is included among the types of community benefits listed in § 21-9.100-9(e), it must meet the standards set forth [~~in § 21-9.100-9(e).~~] therein.

(3) For projects that include a hotel component, the community benefits proposed in the IPD-T project application must include one or both of the following:

(A) Affordable housing provided in addition to any affordable housing requirements applicable to the project under Chapter 29. The affordable housing proposed as community benefits must meet the following minimum requirements:

(i) For-sale affordable dwelling units must be sold to households earning 120 percent [~~and~~] or below of the AMI. At least one-half of those units must be sold to households earning 100 percent [~~and~~] or below of the AMI;

(ii) For-rental affordable dwelling units must be rented to households earning 80 percent [~~and~~] or below of the AMI;

(iii) The affordable dwelling units must remain affordable for a minimum period of [~~at least~~] 30 years;

(iv) The affordable dwelling units must be marketed as provided in § 29-1.6 for affordable units required by Chapter 29; and

(v) Application of the department's rules to implement the city's affordable housing [~~requirement rules,~~] requirements.

including the room factor calculation, is required. If, after applying the room factor, additional affordable dwelling units are required, the additional required affordable dwelling units may not be created by dividing previously proposed affordable dwelling units into more dwelling units; or

(B) City multimodal transportation system improvements.

For purposes of this subdivision:

AMI. Has the same as meaning defined in § 29-1.2;

Hotel. Has the same meaning as defined in § 21-10.1, and includes condo-hotels owned under a condominium property regime; and

City Multimodal Transportation System Improvements. Improvements associated with the Honolulu rail transit system, the city bus transit system, or the city special transit services. Improvements may include but are not limited to easements on, over, and across private property; construction or maintenance of rail transit stations or bus stations or stops; provision of informational or directional signage; and monetary contributions to fund the cost of such improvements."

SECTION 4. Section 21-9.100-9, Revised Ordinances of Honolulu 2021 ("TOD special district permits"), is amended by amending subsection (e) to read as follows:

"(e) Community benefits must be proposed in the TOD special district permit application to justify height and density bonuses, or to mitigate the impacts related to the modification of TOD special district development standards. Where community benefits are proposed, they must meet the following standards:

(1) Where open space is provided as a community benefit for a TOD special district permit, it must meet the following minimum qualifications:

(A) The area dedicated to open space must be at least 2,000 contiguous square-feet, or an area equal to at least 5 percent of the maximum permitted floor area on the zoning lot, not including floor area bonuses being sought, whichever is greater;

(B) The land dedicated to open space may include required yards; provided that all open space must have a minimum average width and depth of 20 feet and a slope no greater than 10 percent across the open space;

(C) Quality open space will involve publicly accessible, highly usable parks and gathering spaces. These spaces should be pedestrian-oriented and provide public accommodations, including but not limited to benches and seating, shaded areas, restrooms, trash and recycling receptacles, facilities for recharging electronic devices, telecommunications facilities, and bicycle facilities. Open space must be surfaced with a combination of trees, landscaped groundcover, and hardscape materials. It must include benches or other seating, shade structures, drinking fountains, water features, public art, trash receptacles, information kiosks, performance areas, or other similar amenities; and

(D) The open space may be provided onsite, ~~[off-site]~~ offsite within the same ~~[special district,]~~ neighborhood TOD plan area, or through a combination of both;

(2) Where affordable housing is provided as a community benefit for a TOD special district permit, the affordable housing must be in addition to the affordable housing requirements of Chapter 29; ~~[and]~~

(3) Where streetscape improvements are provided as a community benefit for a TOD special district permit, the improvements must be in compliance with any adopted complete streets guide, manual, or ordinance~~[.]~~; and

(4) Where gray water reuse systems are provided as a community benefit for a TOD special district permit, the gray water reuse systems must be in compliance with State of Hawaii department of health rules and guidelines pertaining to such gray water reuse systems, as they may be amended."

SECTION 5. Section 21-9.100-10, Revised Ordinances of Honolulu 2021 ("Planned development-transit (PD-T) projects"), is amended by amending subsections (b), (c), and (d) to read as follows:

"(b) *Standards for review.*

(1) All of the development standards of a TOD special district will apply to PD-T projects, except as otherwise provided in this section.

(A) Greater height and density bonuses are available to PD-T projects and the development standards may be modified in any way that would normally be allowed through a special district permit.

(B) The degree of flexibility sought through the PD-T process must be commensurate [~~to~~] with the community benefits provided.

(C) The highest degree of flexibility may be authorized by this permit for those projects that demonstrate those standards enumerated in § 21-9.100-8(a)(1)(E) and described in § 21-9.100-9(b).

(D) For projects that include a hotel component, the community benefits proposed in the PD-T project application must include one or both of the following:

(i) Affordable housing provided in addition to any affordable housing requirements applicable to the project under Chapter 29. The affordable housing proposed as a community benefit must meet the following minimum requirements:

(aa) For-sale affordable dwelling units must be sold to households earning 120 percent or below of the AMI. At least one-half of those units must be sold to households earning 100 percent or below of the AMI;

(bb) For-rental affordable dwelling units must be rented to households earning 80 percent or below of the AMI;

(cc) The affordable dwelling units must remain affordable for a minimum period of 30 years;

(dd) The affordable dwelling units must be marketed as provided in § 29-1.6 for affordable units required by Chapter 29; and

(ee) Application of the department's rules to implement the city's affordable housing requirements, including the room factor calculation, is required. If, after applying the room factor, additional affordable dwelling units are required, the additional required affordable dwelling units may not be created by dividing previously proposed affordable dwelling units into more dwelling units; or

(ii) City multimodal transportation system improvements.

For purposes of this paragraph:

AMI. Has the same meaning as defined in § 29-1.2;

Hotel. Has the same meaning as defined in § 21-10.1, and includes condo-hotels owned under a condominium property regime; and

City Multimodal Transportation System Improvements. Improvements associated with the Honolulu rail transit system, the city bus transit system, or the city special transit services. Improvements may include but are not limited to easements on, over, and across private property; construction or maintenance of rail transit stations or bus stations or stops; provision of informational or directional signage; and monetary contributions to fund the cost of such improvements.

(2) PD-T projects must be generally consistent with the approved neighborhood TOD plan for the area.

(3) When an applicant seeks to exceed the base height or density through a PD-T permit, the conclusions set forth in § 21-9.100-8(a)(1)(F) must be reached.

(c) *Site development and design standards.* The standards set forth by this subsection are general requirements for PD-T projects. When applicants seek the modification of TOD special district standards, the modification must be for the purpose of accomplishing the goals and objectives of the TOD special

district. Also, the modification must be commensurate with the community benefits provided in the project plan, and the project must be generally consistent with the neighborhood TOD plan for the area.

(1) [~~*Density.*~~] The maximum allowable density is specified in § 21-9.100-8(a)(1)(A) by zoning district.

(2) The maximum height must not exceed the bonus height limit shown as the parenthetical number on the zoning maps.

(3) Transitional height or height setbacks may be modified if adjacent uses and street character will not be adversely affected.

(4) PD-T projects must satisfy the applicable affordable housing requirements of Chapter 29[~~. Affordable housing that is provided as a community benefit must be in addition to the affordable housing requirements of Chapter 29~~], which are based on a percentage of the total number of dwelling units in the principal project, and include higher percentages for IPD-T, PD-T, and TOD special district projects seeking bonus height or density, or both.

(5) When a proposed community benefit is included among the types of community benefits listed in § 21-9.100-9(e), it must meet the standards set forth therein.

(d) *Application requirements.* An application for approval of a PD-T project must contain:

(1) A project name;

(2) A location map;

(3) A site plan showing property lines, the locations of buildings and other major structures on the same and adjacent zoning lots[~~,~~]; building access and activity zones[~~,~~]; the proposed open space and landscaping system[~~,~~]; access and circulation for [~~vehicles,~~] bicycles, other vehicles, and pedestrians[~~,~~]; bus or trolley stops[~~,~~]; and other major activities;

(4) A narrative description of [~~the~~];

(A) The overall development and urban design concept; [~~the building~~]

(B) Building height and density; [~~the~~]

(C) The basic form and number of structures; [~~the~~]

(D) The relationship of buildings to each other and the streets[~~; the~~], and how it is used to create active public space;

(E) The general mix of uses; [~~the~~]

(F) The estimated number of proposed dwelling or lodging units[~~;~~], affordability restrictions to be observed, and the proposed mix of housing types; [~~the ways~~]

(G) How the project positively contributes to TOD; [~~the~~]

(H) The ways the project is consistent with the applicable neighborhood TOD plan; [~~the~~]

(I) Plans for usable, publicly-accessible space [~~and landscape plans; how~~], accommodations, and landscaping;

(J) How the project supports walking, bicycling, and active living; [~~proposals~~]

(K) Proposals to enhance multimodal circulation and access; [~~the proposed~~]

(L) Proposed off-street parking and loading; and [~~the possible~~]

(M) Possible impacts on security, public health and safety, infrastructure, and public utilities;

(5) Details of the project, including calculations of proposed floor area, FAR, height limits, open spaces, landscaped areas, areas dedicated to parking, and any other significant calculations;

(6) A narrative description of the proposed public amenities and community benefits the project will provide. The narrative must describe how the amenities and benefits are commensurate with the design flexibility being requested, and how they will benefit the TOD special district and the neighborhood;

(7) An open space plan, showing the reservation of land for public, semi-public, and private open space, including parks, plazas, and playgrounds, and an integrated circulation system plan, showing the proposed movement of vehicles, goods, pedestrians, and bicyclists within the project area and adjacent areas, including streets and driveways, sidewalks and pedestrian ways, bicycle lanes, bicycle tracks, and multi-use paths, off-street parking, and loading areas;

(8) A discussion of any impacts to any cultural or historic resources, as well as to any public view protected by law or ordinance;

(9) A parking and loading management plan [~~or~~], a transportation demand management plan, or both;

(10) A wind and shadow study to analyze the effects of mid-rise and high-rise structures, particularly anticipated effects at the ground level. [~~Where~~] If adverse effects are anticipated, mitigative measures must be included in the proposal;

(11) If applicable, a discussion of how the proposed project will satisfy the affordable housing requirements of Chapter 29; [~~and~~]

(12) A dollar amount estimate of:

(A) The value of requested height bonuses;

(B) The value of requested density bonuses; and

(C) The cost to the developer for each category of proposed community benefits;

accompanied by an explanation of how the estimated values and costs were calculated; and

[~~(12)~~](13) Any other information deemed necessary by the director to ascertain whether the project meets the requirements of this section."

SECTION 6. 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 include the brackets, the material that has been bracketed and stricken, or the underscoring.

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 21 (2026)

A BILL FOR AN ORDINANCE

SECTION 7. This ordinance takes effect upon its approval.

INTRODUCED BY:

(br)

DATE OF INTRODUCTION:

MAR 2 2026
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