

SUMMARY OF PROPOSED COMMITTEE DRAFT:

**RESOLUTION 26-39
PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF
HONOLULU 2021 (THE LAND USE ORDINANCE),
RELATING TO DEVELOPMENT STANDARDS.**

The PROPOSED CD1 makes the following amendments:

A. In the resolution:

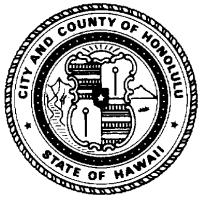
1. Adds first and second WHEREAS clauses providing background on the City's Land Use Ordinance ("LUO").
2. Amends the 10th WHEREAS clause to clarify that the BMX-4 zoning district is located within the Downtown Neighborhood Transit-Oriented Development ("TOD") Plan area, which allows for certain height and density bonuses if projects provide commensurate community benefits.
3. Adds a new 11th WHEREAS clause to provide that the Downtown Neighborhood TOD Plan has not yet been included in the TOD special district, and therefore the TOD general requirements and development standards in ROH § 21-9.100-8 do not yet apply to the Downtown Neighborhood TOD Plan area.
4. Adds a new 12th WHEREAS clause to provide that when the Downtown Neighborhood TOD Plan area is added to the TOD special district, the TOD general requirements and development standards in ROH § 21-9.100-8 will be amended to incorporate provisions specific to the Downtown Neighborhood TOD Plan area, including development standards for the BMX-4 District.
5. Adds a new 13th WHEREAS clause to provide that the provisions in ROH § 21-9.100-5, relating to interim planned development-transit ("IPD-T") projects, apply to TOD projects prior to the addition of the applicable TOD plan area to the TOD special district.
6. Amends the 14th WHEREAS clause to read:

WHEREAS, the City Council ("Council") finds that amending the development standards of the LUO to increase the maximum density in the underlying BMX-4 zoning district and increase the maximum density for IPD-T projects would facilitate the development of needed housing units and further the goals and vision of the General Plan, the PUC DP, and the Downtown Neighborhood TOD Plan; and

B. In the Exhibit A bill:

1. In SECTION 1 of the bill, broadens the purpose of the ordinance to amend the LUO development standards relating to maximum density (floor area ratio), instead of providing increased density in the BMX-4 zoning district.
2. In SECTION 2 of the bill, reformats Table 21-3.4, and amends the maximum floor area ratio ("FAR") with an open space bonus in the BMX-4 District from an FAR of 12 to an FAR of 10.
3. Replaces SECTION 3 of the bill with a new SECTION 3 that amends ROH § 21-9.100-5(e), relating to IPD-T projects, to provide that the maximum FAR may be up to twice that allowed by the underlying zoning district or 12 (instead of 7.5), whichever is lower; provided that where a draft or approved neighborhood TOD plan identifies greater density for the site, a project on that site may seek the specified density contained in the plan.

C. Makes miscellaneous technical and nonsubstantive amendments.



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CITY AND COUNTY OF HONOLULU

No. **26-39, CD1**
PROPOSED

RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 2021 (THE LAND USE ORDINANCE), RELATING TO DEVELOPMENT STANDARDS.

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 to encourage orderly development in accordance with adopted land use policies, including the O'ahu general plan ("General Plan"), and the applicable development plans or sustainable community plans, and to promote and protect the public health, safety, and welfare; and

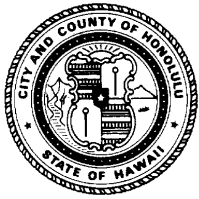
WHEREAS, the lack of affordable housing units is a serious and ongoing concern for the City, and additional housing units need to be developed to meet the projected housing demand; and

WHEREAS, the O'ahu general plan ("General Plan"), Section I (Population), Objective B, Policy 1, calls for facilitating the full development of the primary urban center through higher-density redevelopment and the provision of adequate infrastructure; and

WHEREAS, the General Plan, Section IV (Housing and Communities), Objective A, Policy 12, calls for promoting higher-density, mixed-use development where appropriate, including rail transit-oriented development, to increase the supply of affordable and market housing in convenient proximity to jobs, schools, shops, and public transit; and

WHEREAS, Primary Urban Center Development Plan ("PUC DP") policies stipulate facilitating office-to-residential conversions in downtown Honolulu to increase the residential population and for encouraging new mixed-use infill development; and

WHEREAS, Section 21-3.120(a), Revised Ordinances of Honolulu 2021 ("ROH"), provides, in part, that the business mixed-use districts are intended to provide residences in very close proximity to employment and retail opportunities; and



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WHEREAS, the BMX-4 Central Business Mixed Use ("BMX-4") zoning district encompasses downtown Honolulu and provides the highest land use intensity for commerce, business, and housing out of all the business mixed-use zoning districts in the City; and

WHEREAS, the development standards for the City's BMX-4 zoning district are contained in Table 21-3.4, within the LUO (ROH Chapter 21); and

WHEREAS, the BMX-4 zoning district is also located within the Downtown Neighborhood Transit-Oriented Development ("TOD") Plan area, which allows for certain height and density bonuses if projects provide commensurate community benefits; and

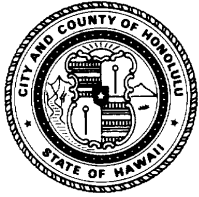
WHEREAS, the Downtown Neighborhood Transit-Oriented Development Plan area has not yet been included in the TOD special district, and therefore the TOD general requirements and development standards in ROH Section 21-9.100-8 do not yet apply to the Downtown Neighborhood TOD Plan area; and

WHEREAS, when the Downtown Neighborhood TOD Plan area is added to the TOD special district, the TOD general requirements and development standards in ROH Section 21-9.100-8 will be amended to incorporate provisions specific to the Downtown Neighborhood TOD Plan area, including development standards for the BMX-4 District; and

WHEREAS, the provisions in ROH Section 21-9.100-5, relating to interim planned development-transit ("IPD-T") projects, apply to TOD projects prior to the addition of the applicable TOD plan area to the TOD special district; and

WHEREAS, the City Council ("Council") finds that amending the development standards of the LUO to increase the maximum density in the underlying BMX-4 zoning district and increase the maximum density for IPD-T projects would facilitate the development of needed housing units and further the goals and vision of the General Plan, the PUC DP, and the Downtown Neighborhood TOD Plan; and

WHEREAS, Charter Section 6-1513 provides that "[a]ny revision of or amendment to the zoning ordinances may be proposed by the council and shall be processed in the same manner as if proposed by the director [of planning and permitting]"; and



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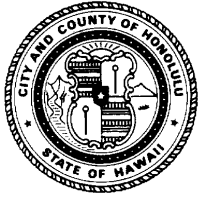
RESOLUTION

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, a development plan, a zoning ordinance, 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 Section 6-1513, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, and Chapter 2, Article 24, Part A, Revised Ordinances of Honolulu 2021 ("ROH"), 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 of Planning and Permitting; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director of Planning and Permitting'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 City Clerk shall transmit copies of this resolution and the exhibit 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 of Planning and Permitting's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

Matt Weyer

Tyler Dos Santos-Tam

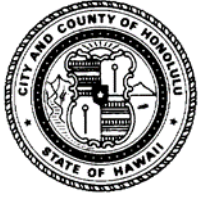
DATE OF INTRODUCTION:

February 19, 2026

Honolulu, Hawai'i

Councilmembers

EXHIBIT A



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

ORDINANCE _____

BILL _____

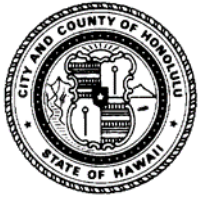
A BILL FOR AN ORDINANCE

RELATING TO DEVELOPMENT STANDARDS.

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

SECTION 1. The purpose of this ordinance is to amend the development standards of Chapter 21, Revised Ordinances of Honolulu 2021 ("Land Use Ordinance"), relating to maximum density (floor area ratio).

SECTION 2. Table 21-3.4, Revised Ordinances of Honolulu 2021 ("Resort, Business, and Business Mixed-Use District Development Standards"), is amended to read as follows:



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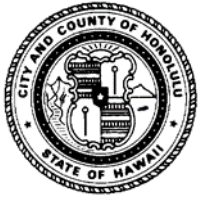
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A BILL FOR AN ORDINANCE

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Table 21-3.4						
Resort, Business, and Business Mixed-Use Zoning District Development Standards						
Development Standard		District				
		Resort	B-1	B-2	BMX-3	BMX-4
Minimum lot area (square feet)		15,000 ¹	5,000	5,000	5,000	5,000
Minimum lot width and depth (feet)		70 ¹	50	50	50	50
Yards (feet)	Front	25	10	10 for dwellings, 5 for other uses ⁴	10 for dwellings, 5 for other uses ⁴	5 ^{4, 5}
	Side and Rear	20 ²	10 for [multi-family] multi-unit dwellings, 0 ³ for other uses	10 for [multi-family] multi-unit dwellings, 0 ³ for other uses	5 ² for dwellings, 10 for multi-unit dwellings, 0 ³ for other use	0 ³
Maximum building area (percent of zoning lot)		50	not regulated			
Maximum density (FAR) resort district only		Lot area (sq. ft.)		FAR calculation		
		Less than 10,000		FAR = (.00006 x lot area) + 0.4		
		10,000 – 30,000		FAR = (.00002 x lot area) + 0.8		
		Over 30,000		FAR = 1.4		
Maximum density (FAR) for other districts		see above	1.0	2.5	2.5	[4.0] <u>7.0</u>
Open space bonus	Available	No		Yes, see § 21-3.110-1(c)	Yes, see § 21-3.120-2(c)	
	Max FAR	n/a	n/a	3.5	3.5	[7.5] <u>10</u>
Maximum height (feet)		per zoning map	40	per zoning map	per zoning map	per zoning map, see § 21-3.120-1 for additional height
Height setbacks		per § 21-3.100-1(c)	per § 21-3.110-1(c)		per § 21-3.120-2(c)	



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- ¹ There is no minimum lot area, width, or depth for remote parking facilities.
- ² For duplex-unit dwelling zoning lots, 5 feet for any portion of any structure not located on the common property line; the required side yard is zero feet for that portion of the lot containing the common wall.
- ³ Where the side or rear property line of a zoning lot adjoins the side or rear yard of a zoning lot in the residential, apartment, or apartment mixed-use zoning district, the side or rear yard must conform to the yard requirements for dwelling use of the adjoining district. In addition, see § 21-4.70-1 for landscaping and buffering requirements.
- ⁴ Where a zoning lot adjoins a residential, apartment, or apartment mixed-use zoning district, and forms a continuous front yard, the lot or the first 100 feet of the lot (whichever is less) must conform to the front yard requirements for the dwelling use of the adjoining zoning district (see Figure 21-3.6).
- ⁵ Five feet for structures up to 12 feet in height; provided that where the adjacent street is greater than 50 feet in width, an area of open space or an arcade equivalent to the required yard area may be provided elsewhere on the zoning lot (see Figure 21-3.8).

n/a = Not applicable

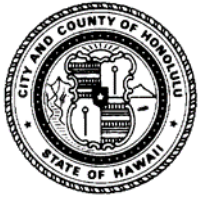
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SECTION 3. Section 21-9.100-5, Revised Ordinances of Honolulu 2021 (Interim planned development-transit (IPD-T) projects), is amended by amending subsection (e) to read as follows:

"(e) *Site development and design standards.* The standards set forth in this subsection are general requirements for IPD-T projects. When, in the subdivisions below, the standards are stated to be subject to modification or reduction, the modification or reduction must be for the purpose of accomplishing a project design consistent with the goals and objectives of § 21-9.100-4 and this subsection. In addition, pursuant to subsection (b), the modification or reduction in the following standards must be commensurate with the contributions and community benefits provided in the project plan, and the project must be generally consistent with the draft or approved neighborhood TOD plan for the area, unless otherwise specified in this subsection.

(1) *Density.*

(A) The maximum floor area ratio (FAR) may be up to twice that allowed by the underlying zoning district or ~~[7-5;]~~ 12, whichever is lower; provided that where a draft or approved neighborhood TOD



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plan identifies greater density for the site, a project on that site may seek the specified density contained in the plan;

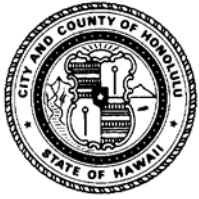
- (B) For public housing projects as defined in subsection (a), the FAR may not exceed 7.5; provided that if the maximum FAR under the draft or approved neighborhood TOD plan is greater than 7.5, then the FAR specified in the plan will prevail; and
- (C) For lots in the B-2, BMX-3, BMX-4, and IMX-1 districts, the maximum increase will apply in addition to any eligible density bonuses for the underlying zoning district; that is, the FAR may be doubled after any FAR bonuses for public open space or arcade space are added to the base FAR.

(2) *Height.*

- (A) For project sites where there is no draft neighborhood TOD plan, the maximum building height may be up to twice that allowed by the underlying zoning district, or 450 feet, whichever is lower;
- (B) Where there is a draft or approved neighborhood TOD plan, the maximum height may not exceed the maximum height specified in the plan; provided that where existing height limits exceed those in the plan, the existing height limit will prevail; and
- (C) For public housing projects as defined in this section, the maximum building height may be up to 400 feet, unless the maximum height specified in the draft or approved neighborhood TOD plan is higher, in which case the maximum height specified in the plan will prevail.

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

(4) *Buildable area.* Yards and the maximum building area must be as specified by the approved conceptual project plan; provided that building placement will not cause adverse noise, privacy, or wind effects to adjacent uses, and street character will not be adversely affected.



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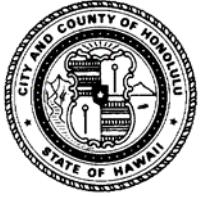
A BILL FOR AN ORDINANCE

(5) *Open space.*

- (A) Project open space must be as specified in the approved conceptual project plan, with a preference for publicly accessible, highly usable parks, and gathering spaces rather than buffering or unusable landscaped areas.
- (B) Where appropriate, usable open space may be:
 - (i) Transferred to another accessible site within the vicinity of the project that will be used as a public park, plaza, or gathering place for the affected community; or
 - (ii) Provided in the form of connections or improvements, or both, to nearby open spaces, pedestrian ways, or trails, including but not limited to streetscape and intersection improvements, pedestrian walkways or bridges, arcades, or promenades;

or both subparagraphs (i) and (ii).

- (C) Where public open space is being offered as a community benefit to achieve height or density bonuses, required yards may be included in the calculation and the landscaping requirement will be reduced to 20 percent of the total area.
- (6) *Landscaping and screening.* Landscaping and screening standards will be as specified in the approved conceptual project plan and project landscaping must include adjacent rights-of-way. Streetscape landscaping, including street trees or planting strips, or both, should be provided near the edge of the street, rather than adjacent to the building, unless infeasible.
- (7) *Parking and loading.* Parking and loading standards are as follows:
- (A) The number of parking and loading spaces must be provided in accordance with Article 6;



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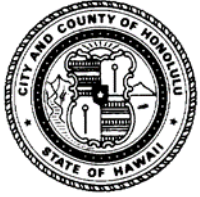
ORDINANCE _____

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A BILL FOR AN ORDINANCE

- (B) Service areas and loading spaces must be located at the side or rear of the site, unless the size and configuration of the lot renders this infeasible;
 - (C) Vehicular access must be provided from an existing access or driveway, or from a secondary street whenever possible and placed in the location least likely to impede pedestrian circulation; and
 - (D) The provision of car-sharing programs and electric vehicle charging stations is encouraged.
- (8) *Bicycle parking.* Bicycle parking must be accommodated on the project site in accordance with Article 6.
- (9) *Signs.* All projects must include appropriate measures to accommodate TOD-related way-finding signage that will be considered "public signs" for purposes of Article 7."

SECTION 4. Ordinance material to be repealed is bracketed and stricken. 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 brackets, the bracketed and stricken material, or the underscoring.



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A BILL FOR AN ORDINANCE

SECTION 5. 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 ("LUO"); Business Mixed-Use Zoning Districts ("BMX"); Floor Area Ratio ("FAR"); General Plan; Primary Urban Center Development Plan; Downtown Honolulu; Planning Commission; Department of Planning and Permitting ("DPP"); Interim Planned Development-Transit ("IPD-T") Project; Downtown Neighborhood Transit Oriented Development Plan; Transit Oriented Development ("TOD")

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