HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 26-105

RESOLUTION

PROPOSING AN AMENDMENT TO CHAPTER 22, REVISED ORDINANCES OF HONOLULU 2021 (THE SUBDIVISION ORDINANCE), RELATING TO THE ADOPTION OF RULES.

WHEREAS, Section 6-1503(h), Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended (the "Charter"), expressly requires the Director of Planning and Permitting to prepare the land subdivision code and rules and regulations, and any amendments thereto; and

WHEREAS, the land subdivision code of the City and County of Honolulu ("City") is set forth in Chapter 22 (the "Subdivision Ordinance"), Revised Ordinances of Honolulu 2021 ("ROH"); and

WHEREAS, Charter Section 6-1506, relating to the powers, duties, and functions of the Planning Commission ("Commission"), does not require the Commission to make recommendations on proposals to adopt or amend the Subdivision Ordinance; and

WHEREAS, ROH § 22-3.5 provides that the Commission is required to adopt rules and regulations governing the subdivision or consolidation of land, but this conflicts with Charter Sections 6-1503(h) and 6-1506, which clearly place the responsibility to adopt Subdivision Ordinance rules and regulations on the Director of Planning and Permitting; and

WHEREAS, since Charter provisions take precedence over ROH provisions, the Council wishes to amend ROH § 22-3.5 to be consistent with Charter Sections 6-1503(h) and 6-1506; and

WHEREAS, the draft bill, attached hereto as Exhibit A, proposes an amendment to the Subdivision Ordinance by revising ROH § 22-3.5 to provide that the Director of Planning and Permitting, not the Commission, is responsible for adopting rules governing the subdivision or consolidation of land; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Director of Planning and Permitting is directed, pursuant to Charter Section 6-1503(h), and ROH Chapter 2, Article 24, Part A, to process the proposed amendment to ROH Chapter 22 (the Subdivision Ordinance), attached hereto as Exhibit A, in the same manner as if the proposal had been proposed by the Director; 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 A attached hereto to the Director of Planning and Permitting, and shall advise the Director in writing of the date by which the Director's report and accompanying proposed ordinance are required to be submitted to the Council.

INTRODUCED BY:

Esther Kiaaina

Councilmembers

DATE OF INTRODUCTION:

MAY 4 2026

Honolulu, Hawai'i

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 AN AMENDMENT TO CHAPTER 22, REVISED ORDINANCES OF HONOLULU 2021 (THE SUBDIVISION ORDINANCE).

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

SECTION 1. Purpose. The purpose of this ordinance is to amend the provisions in Chapter 22, Revised Ordinances of Honolulu 2021 (the Subdivision Ordinance) relating to the agency responsible for the adoption of rules for the subdivision and consolidation of land.

SECTION 2. Section 22-3.5, Revised Ordinances of Honolulu 2021 ("Regulations governing the subdivision or consolidation of land"), is amended by amending subsection (a) to read as follows:

"(a) The [~~planning commission~~] director shall adopt rules and regulations governing the subdivision or consolidation of land, including the procedure and conditions precedent to the approval thereof."

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

A BILL FOR AN ORDINANCE

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

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 26-105

Introduced: 05/04/26 By: ESTHER KIA'ĀINA Committee: ZONING & PLANNING (ZON)

Title: PROPOSING AN AMENDMENT TO CHAPTER 22, REVISED ORDINANCES OF HONOLULU 2021 (THE SUBDIVISION ORDINANCE), RELATING TO THE ADOPTION OF RULES.

Voting Legend: * = Aye w/Reservations

05/04/26	INTRO	Introduced.
05/21/26	ZON	Reported out for adoption. CR-151(26) 4 AYES: KIA'ĀINA, OKIMOTO, TUPOLA, WATERS 1 ABSENT: CORDERO
06/03/26	CCL	Committee report and Resolution were adopted. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

CHADD KADOTA, ACTING CITY CLERK

TOMMY WATERS, CHAIR AND PRESIDING OFFICER