HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 26-150

RESOLUTION

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

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, and the applicable development plans or sustainable community plans, and to promote and protect the public health, safety, and welfare; and

WHEREAS, large detached dwellings were first regulated under Ordinance 19-3 to preserve and protect the character and livability of O'ahu's residential areas in response to the impacts of large residences on surrounding neighborhoods; and

WHEREAS, the main community concerns with large detached dwellings involve physical impacts (size of the home, parking congestion, and increased property values), and illegal occupancy (short-term rentals, dormitory use, and multi-unit dwellings); and

WHEREAS, Ordinance 19-3 addressed the size and bulk of large detached dwellings in the residential zoning districts, and among other requirements, imposed a maximum density of a floor area ratio ("FAR") of 0.7, and required that additional standards be satisfied if the FAR exceeded 0.6, including increasing the side and rear yard setbacks from 5 feet to 8 feet; and

WHEREAS, Ordinance 20-41 updated the off-street parking and loading requirements in LUO Article 6 to provide that parking requirements for residential and lodging uses are one parking space per 1,000 square feet of dwelling or lodging area, and if five or more parking spaces are provided, then the spaces must be arranged so that no maneuvering into or from any street is needed in order for a vehicle to enter or leave a space, and all vehicles must enter the street in a forward-facing manner; and

WHEREAS, illegal occupancy concerns in the residential zoning districts were addressed through other ordinances that regulate land uses; and

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

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No. 26-150

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WHEREAS, the size and bulk of large detached dwellings, which are largely determined by maximum height and density restrictions, continue to be of concern in the residential neighborhoods; and

WHEREAS, since the maximum height in the residential zoning districts is already restricted and ranges from 25 to 30 feet, one approach is to consider how the floor area ratio for large detached dwellings is calculated and whether floor area that is currently excluded from the calculation should be included; and

WHEREAS, a potential solution is to include certain parking areas as floor area for purposes of calculating the floor area ratio for large detached dwellings but continue to exclude parking areas for purposes of calculating parking requirements; 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

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, Chapter 2, Article 24, Part A of the Revised Ordinances of Honolulu ("ROH") establishes procedures and deadlines for the processing of Council proposals to revise or amend the general plan, the development plans, the zoning ordinances, 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 Charter Section 6-1513 and ROH Chapter 2, Article 24, Part A, 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; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting is directed to inform the Council upon the transmittal of the Director's report and the proposed Land Use Ordinance amendment to the Planning Commission; and

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 26-150

RESOLUTION

BE IT FINALLY RESOLVED that, pursuant to ROH Chapter 2, Article 24, Part A, the Clerk shall transmit copies of this resolution and the Exhibit A 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's report and accompanying proposed ordinance are required to be submitted to the Planning Commission.

INTRODUCED BY:

DATE OF INTRODUCTION:

JUN 17 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 LARGE DETACHED DWELLINGS

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

SECTION 1. Purpose. The purpose of this ordinance is to address large detached dwellings.

SECTION 2. Section 21-3.70-1, Revised Ordinances of Honolulu 2021 ("Residential uses and development standards") is amended by amending subsection (c) to read as follows:

"(c) *Additional development standards.*

(1) *Maximum height.* The maximum height of structures is determined by the building envelope created as the result of the intersection of two planes. The first plane is measured horizontally across the parcel at 25 feet above the high point of the buildable area boundary line. The second plane runs parallel to grade, as described in § 21-4.60(b), measured at a height of 30 feet. If the two planes do not intersect, then the building envelope is determined by the first plane (see Figure 21-3.10).

(2) *Height setbacks.*

(A) Any portion of a structure exceeding 15 feet must be set back from every side and rear buildable area boundary line 1 foot for each 2 feet of additional height over 15 feet (see Figure 21-3.10); and

(B) Any portion of a structure exceeding 20 feet must be set back from the front buildable area boundary line 1 foot for every 2 feet of additional height over 20 feet.

(3) Except for cluster housing and planned development housing developed pursuant to § 21-8.50, for zoning lots with dwelling units:

(A) The maximum density is a floor area ratio of 0.7.

(B) The number of wet bars in each dwelling unit may not exceed one.

(C) The number of laundry rooms in each dwelling unit may not exceed one.

(D) The number of bathrooms in each dwelling unit may not exceed the following:

Zoning lot size (square fee)	**Number of bathrooms per dwelling unit may not exceed:**	
	One dwelling unit on zoning lot	**Two or more dwelling units on zoning lot**
Up to 6,999	4	2
7,000 to 9,999	6	3
10,000 and up	8	4

If the dwelling unit is an accessory dwelling unit, this paragraph should not be construed to waive any requirement under § 21-5.50-3(a).

(E) The conversion or alteration of a wet bar, laundry room, or bathroom is prohibited unless the conversion or alteration is specifically allowed under a valid building permit.

(F) The conversion of a portion of a structure that is excluded from the calculation of floor area pursuant to § 21-10.1 to a portion of the structure that is included in the calculation of floor area is prohibited unless the conversion is allowed under a valid building permit and complies with the applicable standards of this subdivision.

(G) For dwelling units constructed pursuant to building permits applied for after May 1, 2019, the impervious surface area of a zoning lot may not exceed 75 percent of the total zoning lot area.

(H) If the floor area ratio exceeds 0.6, the following additional standards apply:

(i) [~~Side and rear yards.~~] *Side and rear yards.*

(aa) In the R-3.5 zoning district, side and rear yards must be at least 8 feet; and

(bb) In the R-5, R-7.5, R-10, and R-20 zoning districts, side and rear yards must be at least 11 feet.

(ii) *Owner-occupancy.* Each unit in the dwelling must be owner-occupied, and the occupant shall deliver to the department evidence of a real property tax home exemption for the subject property prior to issuance of a temporary certificate of occupancy.

(iii) *Parking areas.* Parking areas up to a maximum of 400 square feet for each dwelling unit, accessory dwelling unit, or ohana unit may be excluded from the floor area, and the remaining parking areas, including maneuvering areas and bicycle parking areas are included as floor area for purposes of calculating the floor area ratio under this paragraph; provided that under § 21-6.20(b)(2)(D), floor area dedicated to parking is excluded for purposes of calculating parking requirements.

[~~(iii)~~](iv) *Subsequent inspections.*

(aa) Upon the completion of construction and the determination by the department that the dwelling unit complies with all applicable codes and other laws, conforms to the plans and requirements of the applicable building permit, and is in a condition that is safe and suitable for occupancy, the department may issue a temporary certificate of occupancy that is effective for a period of two years after issuance;

(bb) During the two-year period that a temporary certificate of occupancy is in effect, the department may, with reasonable notice to the holder of the building permit, conduct periodic inspections of the dwelling unit to confirm that it is in the same structural form as when the temporary certificate of occupancy was issued; and

(cc) At the end of the two-year period that a temporary certificate of occupancy is in effect, the department may, upon final inspection, issue a certificate of occupancy for the dwelling unit and close the building permit."

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 26-150

Introduced: 06/17/26 By: TOMMY WATERS Committee: ZONING & PLANNING (ZON)

Title: PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 2021 (THE LAND USE ORDINANCE), RELATING TO LARGE DETACHED DWELLINGS.

Voting Legend: * = Aye w/Reservations

06/17/26	INTRO	Introduced.
06/25/26	ZON	Postponed. 5 AYES: CORDERO, KIA'ĀINA, OKIMOTO, TUPOLA, WATERS
08/27/26	ZON	Reported out for adoption. CR-252(26) 5 AYES: CORDERO, KIA'ĀINA, OKIMOTO*, TUPOLA, WATERS
09/09/26	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