'26JUL17 AM 9:52 CITY CLERK

DEPARTMENT OF PLANNING AND PERMITTING
KA ʻOIHANA HOʻOLĀLĀ A ME NĀ PALAPALA ʻAE
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
MAYOR
MEIA

DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

REGINA MALEPEAI
2ND DEPUTY DIRECTOR
HOPE PO'O KUALUA

July 15, 2026

The Honorable Tommy Waters
Chair and Presiding Officer
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaiʻi 96813

Dear Chair Waters and Councilmembers:

SUBJECT: Receipt of Notice of Introduction of a Resolution for a Council Proposal to Amend the Zoning Ordinance
Request for Additional Accompanying Documentation Required for Processing the Land Use Ordinance (LUO) Amendment
Resolution No. 26-150, Relating to Large Detached Dwellings

This is to confirm receipt of Resolution No. 26-150, entitled:

"Proposing an Amendment to Chapter 21, Revised Ordinances of Honolulu (ROH) 2021 (The Land Use Ordinance), relating to Large Detached Dwellings."

The Resolution (copy enclosed) was sent to the Department of Planning and Permitting (DPP) by the City Clerk on June 17, 2026, and was received by the DPP on June 18, 2026. In accordance with ROH Section 2-24.3(b), the DPP has begun reviewing the Council's proposed amendments to the LUO.

The DPP recognizes that the Resolution and Draft Bill address community concerns about illegal occupancy and the size and bulk of large detached dwellings in the Residential Districts by including certain parking areas as floor area for these dwellings. Parking is generally not counted as floor area by definition; however, if this Bill were adopted, parking and maneuvering areas over 400 square feet for each dwelling unit would be included as floor area on zoning lots with a floor area ratio (FAR) of 0.6 and above.

DEPT. COM. 496(26)

The DPP has several concerns about this proposal and has identified a number of questions that will require clarity or further research. Anything the Council could do to assist us in answering these questions or addressing these comments and concerns would be greatly appreciated.

1. Has the Council had discussions with constituents and other stakeholders, including designers and homebuilders, about these changes? If so, can those conversations be shared with the DPP?

2. We believe this policy could exacerbate street parking problems associated with large dwellings. Access to off-street parking is a common community concern when it comes to large dwellings. Specific regulations relating to off-street parking arrangement were imposed to ensure sufficient parking was provided on site in a *usable* manner. It appears the proposed regulations would disincentivize homeowners from providing more than the absolute minimum parking on site, which could in turn exacerbate street parking in neighborhoods. It may also incentivize the utilization of "alternate parking" designs, like substituting bicycle and motorcycle parking for required vehicular parking spaces. Considering this, we are concerned that there may be undesirable consequences.

3. How many existing dwellings will become nonconforming if this Bill is adopted? Historically, the Council and DPP seek to avoid creating widespread nonconformities unless compelling reasons exist.

4. Has the Council considered the 'ballooning' effect for existing and proposed projects when an Applicant proposes a FAR over 0.6? Consider the following scenario:

    - On a 5,000 square (sq.) foot (ft.) lot, a person might choose to construct a 3,400 sq. ft. dwelling.

    - Three parking spaces are required for a 3,400 sq. ft. dwelling.

    - Three parking spaces would take up approximately 600 sq. ft. of space, or more.

- If 200 sq. ft. of the 600 sq. ft. parking area is added to the dwelling floor area calculation (because 400 sq. ft. would be exempt), the resulting total floor area would be 3,600 sq. ft. (3,400 + 200), which is a FAR of 0.72 (3,600 sq. ft. of floor area / 5,000 sq. ft. of lot area).

- Since the maximum FAR in the residential districts is 0.7, this would not be allowed. As a result, a dwelling would not be allowed to provide covered parking for the three required parking spaces on a lot.

- In another scenario where a builder chooses to develop a 2,950 sq. ft. dwelling on the same 5,000 sq. ft. lot, the resulting FAR is 0.59. At 0.59, all parking floor area would be exempt from floor area.

- The 2,950-sq.-ft. dwelling would also require three parking spaces, in this scenario all three spaces – and more – could be covered.

- Even though the difference in the size of the dwellings would only be 450 sq. ft., the application of the regulations would be entirely different.

- It would also mean a dwelling designed to meet the 0.7 FAR maximum density could only provide two covered parking spaces.

5. Based on our experience with a few prolific design and construction professionals, the DPP anticipates designers will bypass all these regulations by designing homes at 0.59 FAR with exempted parking areas.

6. In general, we try to make zoning regulations as clear as possible for the benefit of the development community, the public, and the DPP plan checkers who are working hard to review building permit plans quickly. If the draft bill were to pass, everyone would need to determine several separate but interconnected FAR calculations: Parking FAR, dwelling FAR, and total FAR. The parking requirement is based on the dwelling area. As we discussed in the 'ballooning' example, as the dwelling size increases and the parking area follows suit, a designer may suddenly find the dwelling exceeds the allowable FAR in the district. Similarly, minor changes to a dwelling below a FAR of 0.6 may cause the dwelling FAR to exceed 0.6, at which point all the parking area would suddenly also become floor area, and may not be allowed.

7. We are concerned that this new rule will impact older existing dwellings which may already be nonconforming. If a nonconforming dwelling was 51 percent destroyed and could not conform to this regulation, they may need to completely demolish the remaining portion of the dwelling and rebuild entirely.

In summary, we understand the objective of the bill is to consider how FAR for large detached dwellings is calculated. We are concerned the proposal may have unintended consequences and may impact existing dwellings more than it will inform the design of new dwellings. Thank you for the opportunity to ask these questions.

Should you have any questions, please contact me at (808) 768-8000.

Very truly yours,

Dawn Takeuchi Apuna
Director

Enclosure

APPROVED:

Krishna F. Jayaram, Managing Director Designate
Office of the Managing Director

CHADD KADOTA
ACTING CITY CLERK

OFFICE OF THE CITY CLERK
Ke Ke'ena o ke Kākau 'Ōlelo o ke Kūlanakauhale
CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 100
HONOLULU, HAWAI'I 96813-3077
TELEPHONE: (808) 768-3810 • FAX: (808) 768-3835

RECEIVED
26 JUN 18 A8:55
DEPT OF PLANNING AND PERMITTING
CITY & COUNTY OF HONOLULU

June 17, 2026

VIA E-MAIL AND CITY MESSENGER

TO: DAWN TAKEUCHI APUNA, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: CHADD KADOTA, ACTING CITY CLERK

SUBJECT: **NOTICE OF INTRODUCTION OF A RESOLUTION FOR A COUNCIL PROPOSAL TO AMEND THE GENERAL PLAN, THE DEVELOPMENT PLANS, THE ZONING ORDINANCES, OR THE SUBDIVISION ORDINANCE.**

RESOLUTION 26-150 entitled:

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

was introduced on June 17, 2026 and may be viewed online: https://hnldoc.ehawaii.gov/hnldoc/measure/browse/3769. Pursuant to Section 2-24.3(a), Revised Ordinances of Honolulu 2021 ("ROH"), a copy of the Resolution is transmitted herewith.

Further, ROH Section 2-24.7(b) requires the Director of Planning and Permitting to promptly stamp the date and time of receipt of this document on this transmittal letter and to notify the Council in writing of the date of receipt.

sa

Attachment: Resolution 26-150

COUNCIL COM. 129(26)

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

CITY AND COUNTY OF HONOLULU

No. 26-150

RESOLUTION

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

Report Title:
Land Use Ordinance ("LUO"); Large Detached Dwellings; Parking; Floor Area Ratio ("FAR"); Planning Commission; Department of Planning and Permitting ("DPP")

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