SUMMARY OF PROPOSED COMMITTEE DRAFT:

BILL 18 (2026), CD1
RELATING TO AFFORDABLE HOUSING.

The PROPOSED CD2 makes the following amendments:

A. In SECTION 2 of the bill:

1. Adds new definitions of "Efficiency Dwelling Unit" and "Urban High-Service Bus Stop"; and

2. Amends the definitions of "Affordable Rental Housing Project" (to include efficiency dwelling units and add a new paragraph 7 relating to property management) and "Multifamily Dwelling" (to reflect the updated defined term ("Multi-Unit Dwelling") in the Land Use Ordinance).

B. In SECTION 4 of the bill, amends the development standards in ROH Section 32-2.3 to:

1. Amend the maximum building area to delete the proviso stating that the required yards of the underlying zoning district still apply;

2. Amend the maximum building height to 75 feet or the height limit of the underlying zoning district, whichever is greater; provided that for zoning lots located in a special district, the maximum building height is 60 feet or the height limit required by the special district, whichever is less (instead of 60 feet or the maximum building height of the underlying zoning district, whichever is greater);

3. Increase the maximum allowable density (floor area ratio or "FAR") from 4.0 to 5.0 for zoning lots located within the Primary Urban Center Development Plan area;

4. Add a "nonresidential uses" development standard for affordable rental housing projects located in the B-1 or B-2 zoning districts that requires a portion of the affordable rental housing project to be devoted to nonresidential (*e.g.*, commercial) uses;

5. Add, for buildings over 75 feet in height, for the portion of the building that is above 40 feet in height, a 1-foot horizontal height setback requirement for every 10 feet of additional height or portion thereof;

6. Add off-street parking requirements for affordable rental housing projects containing more than 60 dwelling units and located on a zoning lot outside of a transit-oriented development special district;

7. Delete the minimum vertical clearance required for off-street loading areas for zoning lots exceeding 7,500 square feet and add additional off-street loading requirements for public curbside refuse collection; and

8. Amend the yard encroachments standards to add that, for corner lots or lots fronting multiple streets, a single yard may be designated as the front yard by the owner of the zoning lot and fencing is not required along a side yard that abuts a street.

C. Adds a new SECTION 6 of the bill proposing to amend the formula to calculate the maximum number of affordable rental housing units for each zoning lot that was previously included in SECTION 6 of the as-introduced version of the bill. Renumbers the subsequent bill SECTIONS accordingly.

D. In renumbered SECTION 8 of the bill, deletes ROH Section 32-3.2(a), (b), (c), and (d), which included modified building height, area, and construction type; fire-resistance rated construction; and fire protection system standards; provided that the modified requirements pertaining to fire-rated exterior walls with openings (currently codified as ROH Section 32-3.2(c)(1)) were not deleted. Redesignates subsections and subdivisions as appropriate.

E. Makes miscellaneous technical and nonsubstantive amendments.

HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL **18 (2026), CD2**
PROPOSED

A BILL FOR AN ORDINANCE

RELATING TO AFFORDABLE HOUSING.

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

SECTION 1. Purpose. The purpose of this ordinance is to amend provisions relating to affordable rental housing.

SECTION 2. Section 32-1.1, Revised Ordinances of Honolulu 2021 ("Definitions"), is amended as follows:

1. By adding new definitions of "Efficiency Dwelling Unit," "Reasonable Maneuvering Area," and "Urban High-Service Bus Stop" to be appropriately inserted by the Revisor of Ordinances and to read as follows:

"***Efficiency Dwelling Unit.*** Notwithstanding any provision to the contrary, including any provision in Chapter 16A or 18, a dwelling unit with a minimum habitable floor area totaling 170 square feet that otherwise complies with all applicable laws."

"***Reasonable Maneuvering Area.*** An area that allows a vehicle that has entered a loading space in a forward manner to exit the loading space in a forward manner after no more than two back-and-forth movements."

"***Urban High-Service Bus Stop.*** Any bus stop that is located within the primary urban center development plan area and is served by at least one bus route with a frequency of service interval of 16 minutes or less at any point during the week."

2. By amending the definitions of "Affordable Rental Housing Project" and "Multifamily Dwelling" to read as follows:

"***Affordable Rental Housing Project.*** A [~~multifamily~~] multi-unit dwelling containing [~~only~~] dwelling units, including efficiency dwelling units, that meet all of the following criteria:

(1) (A) At least 80 percent of the total units are rented to households earning 100 percent and below of the AMI; and

(B) For a period of at least 15 years after a certificate of occupancy is issued for the affordable rental housing project, the affordable units are rented at or below the rental rate limits established by

the United States Department of Housing and Urban Development for households earning 100 percent of the AMI for the applicable household size;

(2) No more than 20 percent of the total units in the affordable rental housing project are occupied by the property owners or individuals who are related by blood, marriage, or adoption to the property owners;

(3) Households occupying affordable rental housing units must have a lease for the unit with a minimum [~~six month~~] six-month term, and a prohibition against subleasing;

(4) All leases for dwelling units must allow the lessee to terminate the lease early if the lessee or any member of the lessee's family residing with the lessee is rendered unable to access the unit by reason of an accident or medical condition;

(5) The fee owners of the land on which an affordable rental housing project is situated shall execute a declaration of restrictive covenants, and shall file a copy thereof with the department of planning and permitting prior to the issuance of a building permit for the affordable rental housing project; [~~and~~]

(6) A certification must be filed annually with the director of budget and fiscal services using a form provided by the director of budget and fiscal services, affirming that at least 80 percent of the total units in the affordable rental housing project are affordable rental housing units and no more than 20 percent of the total units in the affordable rental housing project are occupied by the property owners or individuals who are related by blood, marriage, or adoption to the property owners[~~.~~]; and

(7) The affordable rental housing project must be professionally managed by a property manager or property management company. A 24-hour emergency contact must be designated, and the contact information must be publicly posted; provided that nothing in this subdivision is to be construed as requiring an on-site or live-in property manager."

"[~~*Multifamily*~~] ***Multi-Unit Dwelling.*** Has the same meaning as defined in § 21-10.1."

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SECTION 3. Section 32-2.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 32-2.2 Permitted uses.**

Affordable rental housing projects are a permitted use in the apartment, apartment mixed-use, business, and business mixed-use zoning districts, and in the apartment precinct, including the apartment mixed-use subprecinct, of the Waikiki special district, pursuant to Chapter 21."

SECTION 4. Section 32-2.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 32-2.3 Development standards.**

Affordable rental housing projects are subject to the following development standards and [~~off-street parking and loading~~] requirements[~~, as illustrated in Figures 32-2.6 and 32-2.7~~]:

A BILL FOR AN ORDINANCE

Development Standard	**Requirement**
Maximum lot area	[~~20,000 square feet~~] 40,000 square feet.
Minimum front yard	10 feet, or the minimum front yard required by the underlying zoning[~~,~~] district, whichever is less.
Minimum side and rear yards	5 feet, or the minimum side and rear yards required by the underlying zoning[~~,~~] district, whichever is less.
Maximum building area	[~~80% of the zoning lot~~] None.
Maximum building height	[~~60 feet~~] 75 feet or the height limit of the underlying zoning district, whichever is greater; provided that for zoning lots located in a special district, the maximum building height is 60 feet or the height limit required by the special district, whichever is less.
Maximum density (FAR)	4.0 [~~FAR~~]; provided that for zoning lots located within the Primary Urban Center Development Plan area, the maximum density (FAR) is 5.0.
Nonresidential uses	For affordable rental housing projects located in the B-1 or B-2 zoning districts, either: (1) All residential uses and occupancies must be located on consecutive floors that are positioned above all nonresidential uses and occupancies in the affordable rental housing project; provided that a residential lobby of up to 1,500 square feet of floor area and other necessary points of ingress or egress may be located on the ground floor, and the affordable rental housing project must have at least one nonresidential use; or (2) The affordable rental housing project must have a minimum nonresidential floor area ratio of 0.2 developed on the lot. All nonresidential uses must be fully enclosed within a building and do not include areas used for parking.
Height setbacks	[~~None~~] For buildings over 75 feet in height, for the portion of the building that is above 40 feet in height, a 1-foot horizontal setback must be provided for every 10 feet of additional height or portion thereof.

A BILL FOR AN ORDINANCE

Development Standard	**Requirement**
Off-street parking	None; provided that for an affordable rental housing project containing more than 60 dwelling units and located on a zoning lot outside of a transit-oriented development special district, the ground floor must be primarily devoted to off-street parking and associated vehicular circulation, loading, refuse, bicycle parking, building access, utilities, and other necessary accessory uses, or active ground floor activities as defined in the Land Use Ordinance.
Bicycle parking	None.
Off-street loading	[~~None, provided that loading and garbage~~] For a zoning lot of 7,500 square feet or less: Loading and refuse storage must be accommodated on site. For a zoning lot exceeding 7,500 square feet: An area with minimum horizontal dimensions of 16 feet in length and 7 feet 6 inches in width and a reasonable maneuvering area; provided that alternative measurements may be approved by the department of planning and permitting traffic review branch. Refuse storage must be accommodated on site. When public curbside refuse collection is approved by the city, no refuse loading area is required; instead, an area must be designated using appropriate signage for short-term loading and unloading by residents and delivery vehicles.
Yard encroachments and fencing	Parking, including bicycle parking, is allowed in the side and rear yards. One loading space may encroach a maximum of 5 feet into the front yard. Required fire exit stairwells and fire corridors may encroach into the front yard by a maximum of 5 feet. For corner lots or lots fronting multiple streets, a single yard may be designated as the front yard by the owner of the zoning lot, and fencing is not required along a side yard that abuts a street.

"

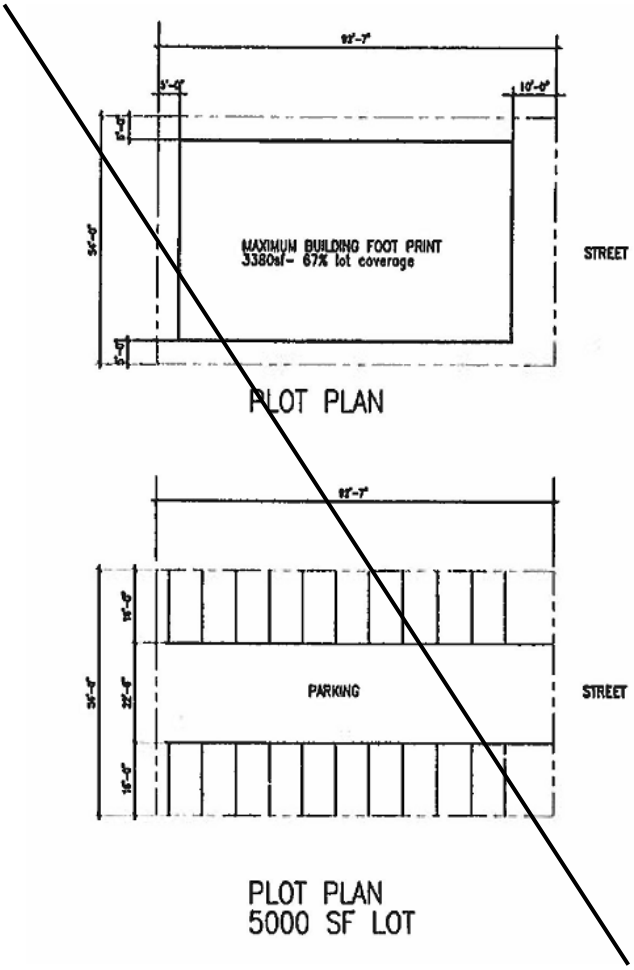
A BILL FOR AN ORDINANCE

SECTION 5. Section 32-2.6, Revised Ordinances of Honolulu 2021, is repealed.

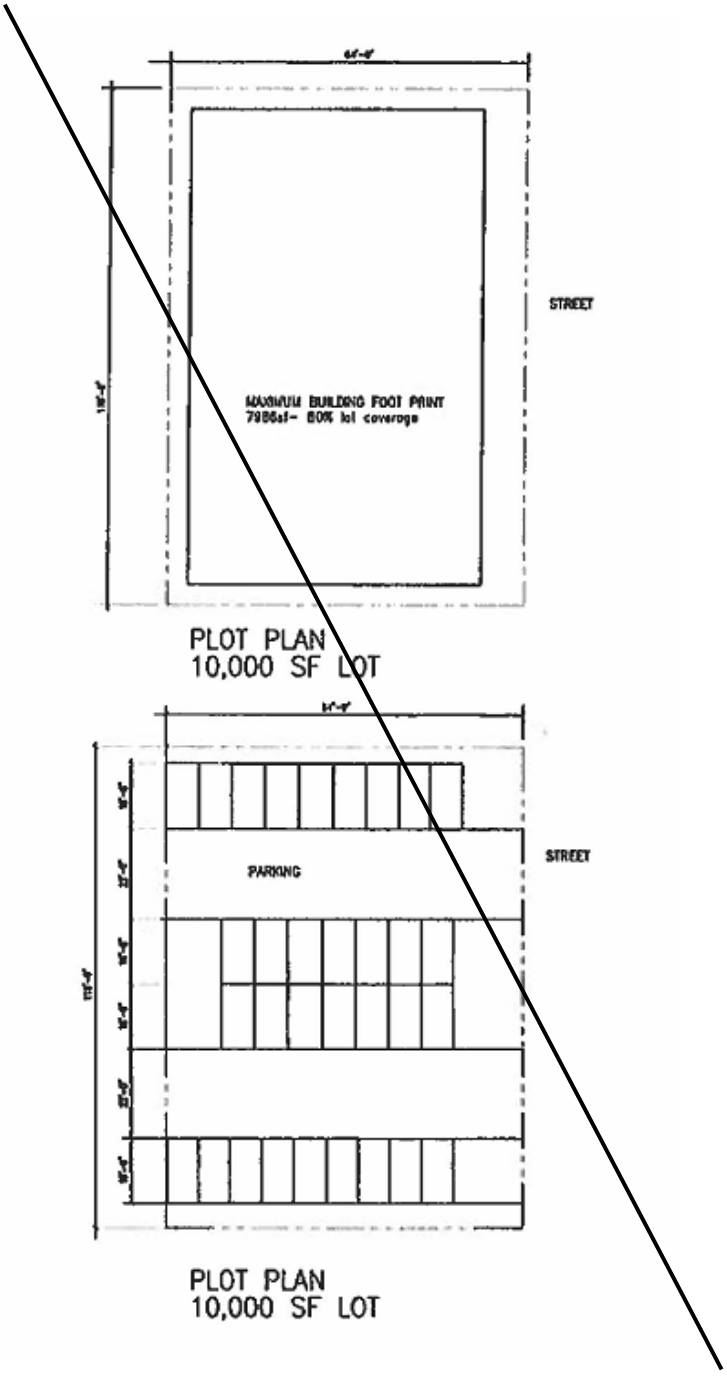
["~~§ 32-2.6 Examples of maximum building area and yards.~~

~~The following figures illustrate possible configurations of maximum building area and required yards; however, they do not necessarily reflect acceptable parking configurations or compliance with all other development standards:~~

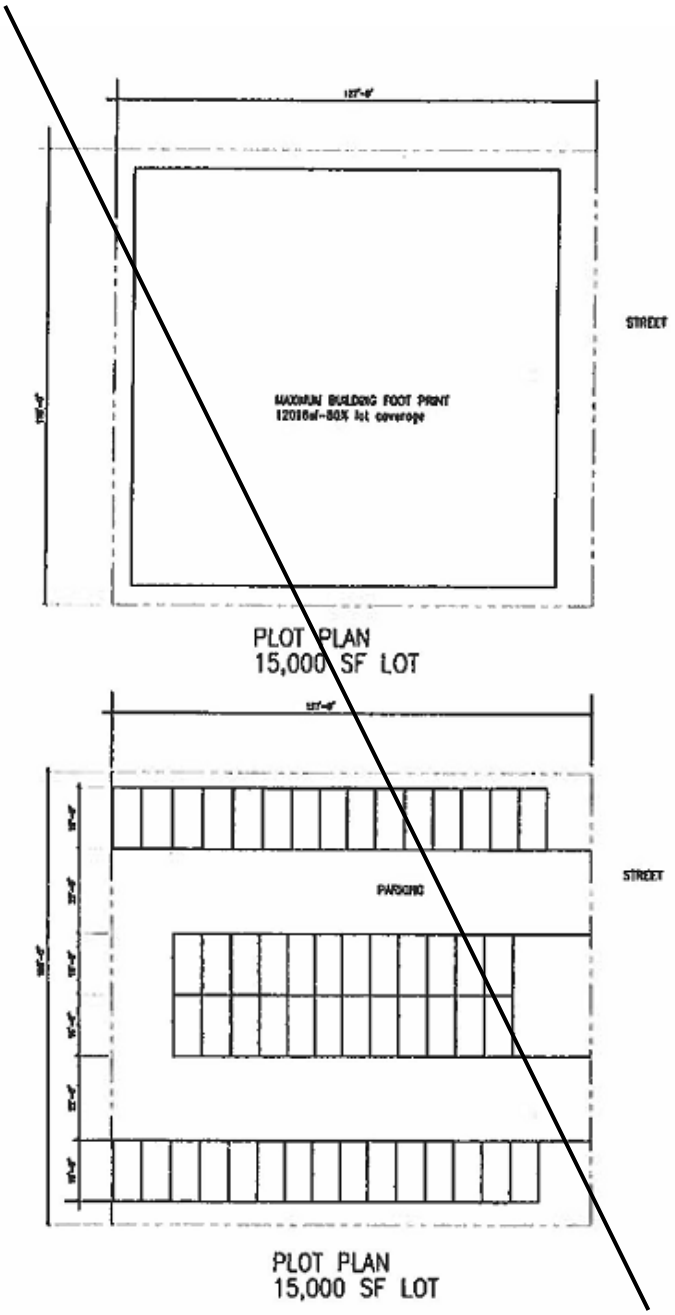
~~Figure 32-2.6~~
~~5,000 SQUARE FOOT LOT~~



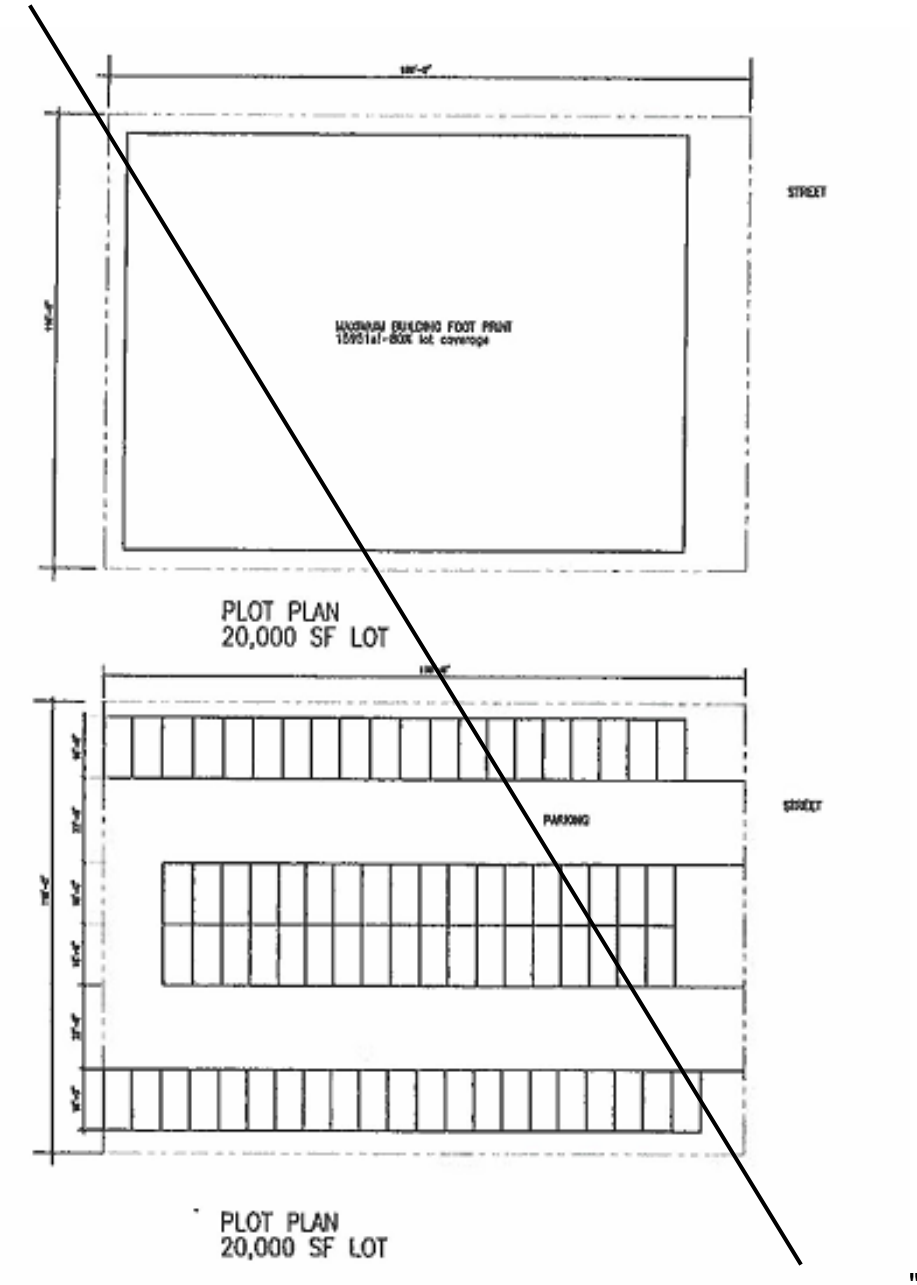
~~**Figure 32-2.6**~~
~~**10,000 SQUARE FOOT LOT**~~



~~**Figure 32-2.6**~~
~~**15,000 SQUARE FOOT LOT**~~



~~**Figure 32-2.6**~~
~~**20,000 SQUARE FOOT LOT**~~



"]

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SECTION 6. Section 32-2.8, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 32-2.8 Maximum number of units.**

The maximum number of affordable rental housing units for each zoning lot is determined by dividing the square footage [~~equivalent of the maximum allowable FAR for that zoning lot, excluding any public open space bonus FAR, by a factor of 800, and rounding down to the nearest whole number.~~] of the zoning lot by a factor of 130 and rounding down to the nearest whole number; provided that if the zoning lot is located within 2,000 feet of an urban high-service bus stop at the time of application for a building permit to construct an affordable rental housing project, the maximum number of affordable rental housing units is determined by dividing the square footage of the lot by a factor of 120 and rounding down to the nearest whole number."

SECTION 7. Section 32-2.9, Revised Ordinances of Honolulu 2021, is repealed.

["~~§ 32-2.9 Maximum size of units.~~

~~The maximum size of an affordable rental housing unit in an affordable rental housing project is as follows:~~

~~Number of Bedrooms and Bathrooms~~	~~Maximum Floor Area (square feet)~~
~~Studio with 1 bathroom~~	~~500~~
~~One bedroom with 1 bathroom~~	~~650~~
~~One bedroom with 1.5 bathrooms~~	~~700~~
~~One bedroom with 2 bathrooms~~	~~750~~
~~Two bedrooms with 1 bathroom~~	~~800~~
~~Two bedrooms with 1.5 bathrooms~~	~~900~~
~~Two bedrooms with 2 bathrooms~~	~~1,000~~
~~Three bedrooms with 1.5 bathrooms~~	~~1,100~~
~~Three bedrooms with 2 bathrooms~~	~~1,200~~
~~Three bedrooms with 2.5 bathrooms~~	~~1,250~~
~~Four bedrooms with 2 bathrooms~~	~~1,300~~

~~**Number of Bedrooms and Bathrooms**~~	~~**Maximum Floor Area (square feet)**~~
~~Four bedrooms with 2.5 bathrooms~~	~~1,350~~

"]

SECTION 8. Section 32-3.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"**§ 32-3.2 Standards.**

[~~(a) *Building heights and areas.* The building height permitted by Table 32-A will be increased in accordance with Section 504 of the building code. The building area of a one-story building must not exceed the limitations set forth in Table 32-A, except as provided in Section 506 of the building code.~~

~~**TABLE 32-A**~~					
~~TYPE OF CONSTRUCTION~~	~~ALLOWABLE HEIGHT AND BUILDING AREAS FOR MID-RISE MULTI-FAMILY RESIDENTIAL BUILDINGS. Height Limitations shown as stories and feet above grade plane. Area limitations as determined by the definition of Area, building, per story~~				
	~~IB~~	~~IIA~~	~~IIIA~~	~~HT~~	~~VA~~
	~~MAXIMUM HEIGHT (feet)~~				
	~~60~~	~~60~~	~~60~~	~~60~~	~~50~~
~~Height/Area~~	~~Maximum Height (stories) and Maximum Area (sq. ft.)~~				
~~H~~	~~7~~	~~7~~	~~7~~	~~7~~	~~5~~
~~A~~	~~80% of land area~~	~~80% of land area~~	~~80% of land area~~	~~80% of land area~~	~~80% of land area~~

~~(b) *Type of construction.* The minimum type of construction must comply with Chapter 6 of the building code and Table 32-A.~~]

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The following standards apply to affordable rental housing projects.

[~~(c)~~] (a) *Fire-resistance rated construction and requirements.* [~~The following requirements apply to affordable rental housing projects:~~

~~(1)~~] Where an exterior wall is less than 10 feet from the property line, one-hour fire-rated exterior walls with openings comprising no greater than 25 percent [~~openings per~~] of the area for each wall surface[~~;~~] must be utilized; provided that the windows in the openings may be unrated[~~;~~].

~~[(2) One-hour fire-rated corridor walls for double loaded corridors and demising walls between units;~~

~~(3) Twenty-minute fire-rated entry doors to units with automatic closure mechanisms;~~

~~(4) Unrated interior walls within each unit;~~

~~(5) One-hour fire-rated floors and roof, or heavy timber floors and roof;~~

~~(6) Two-hour fire-rated walls between units and building stairs or passenger elevators;~~

~~(7) Two-hour fire-rated walls and 90-minute fire-rated door in the booster pump room described in subsection (d)(5); and~~

~~(8) All domestic water and fire sprinkler piping must be made of noncombustible material; provided that alternate fire-rated piping material may be used in an affordable rental housing project when: the affordable rental housing project is not constructed of heavy timber construction; the affordable rental housing project does not use a single water supply and distribution system for domestic water and fire sprinkler systems; and use of the alternate fire-rated piping material complies with Chapter 16 and Chapter 20 fire sprinkler requirements.~~

~~(d) *Fire protection system.* The installation of automatic sprinkler systems for protection against fire hazards must be designed and installed in compliance with section 903 of the building code; or, for residential occupancies of seven or fewer stories in buildings not exceeding 60 feet in height above grade, an automatic sprinkler system must be provided as follows:~~

~~(1) A common sprinkler/domestic main must be installed throughout the building;~~

~~(2) Vertical risers must be provided with a secured shutoff valve locked in the open position. All required outages must be provided with a fire watch;~~

~~(3) All sprinkler heads must be installed prior to the last plumbing fixture served within the unit. All sprinkler piping serving a sprinkler head must be kept to a minimum and no greater than 16 inches in length;~~

~~(4) The discharge density must be 0.05 gallons per minute per square-foot with a maximum of four sprinkler heads within each compartment;~~

~~(5) A booster pump must be provided to accommodate the domestic water and greatest hydraulic demanding sprinklers within a unit. The booster pump must provide a minimum of 40 pounds per square inch at the top of the riser;~~

~~(6) A manual wet stand pipe must be precharged from a domestic water supply tap. The stand pipe must be located in an exterior open stairwell with two-hour rated walls;~~

~~(7) For exterior walls that are between 5 and 10 feet from the property line with a wall opening greater than a 10 percent, there must be a sprinkler head at all wall openings to provide a water curtain when the sprinkler head is activated;~~

~~(8) For buildings over 40 feet in height with type VA construction, a National Fire Protection Association 13 sprinkler system is required; and~~

~~(9) A mechanical engineer licensed in the State of Hawaii shall prepare the plans for the automatic sprinkler system required by this section.~~]

[~~(c)~~] (b) *Means of egress.* Exterior corridors and balconies that are open with guards of a minimum one-hour fire-rated construction, or composed of other noncombustible fascia surfaces may be constructed up to 5 feet from the property line.

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[~~(f)~~] (c) *Fire escape stairs.* The following requirements apply:

[~~(1)~~] (A) All fire stair exits may be open; provided that the walls adjoining any unit are two-hour fire-rated walls.

[~~(2)~~] (B) Except as provided in [~~subdivision (3),~~] paragraph (C), at least one fire exit stairwell must be a minimum width of [~~36~~] 44 inches, and if no elevator is provided, a second fire exit stairwell with a minimum width of 36 inches must be provided.

[~~(3)~~] (C) Buildings with 35 or fewer units may have a single fire exit stairwell; provided that the total length of the building does not exceed 100 feet and the stairwell is a minimum [~~width~~] of 48 inches [~~and~~] wide, is constructed of non-combustible material or heavy timber construction[~~; provided that the total length of the building must not exceed 100 feet. The stairwell~~], and [~~must exit~~] exits to the ground floor.

[~~(4)~~] (D) The fire chief may, at the fire chief's discretion, approve of alternative fire exits in lieu of a second fire exit stairwell, including a drop ladder system or a narrower second fire exit stairwell.

[~~(g)~~] (d) *Exterior glass.* Exterior glass in an affordable rental housing project [~~will be~~] is exempt from the requirements of Chapter 16B (the Building Energy Conservation Code).

[~~(h)~~] (e) *Accessibility.* [~~Design~~] The design of the building and facilities must comply with the federal Fair Housing Act, 42 USC §§ 3601 et seq. Elevators are not required unless mandated by Section 1007.2.1 of the building code, or required by applicable federal accessibility laws. Elevators may be provided in affordable rental housing projects, even [~~though~~] when they are not otherwise required.

[~~(i)~~] (f) *Fire and smoke alarm systems.* Smoke detectors with audio alarms that are electronically powered must be installed in all bedrooms. An alarm pull box that is electronically connected to set off an audio alarm must be installed on each floor."

A BILL FOR AN ORDINANCE

SECTION 9. 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 material that has been bracketed and stricken, or the underscoring.

A BILL FOR AN ORDINANCE

SECTION 10. This ordinance takes effect upon its approval and will be repealed on the repeal date of Ordinance 19-8, as further amended by Ordinance 23-12; provided that the provisions of this ordinance may apply to any eligible affordable rental housing project for which a building permit application is accepted as complete by the Department of Planning and Permitting prior to the repeal of this ordinance.

INTRODUCED BY:

Andria Tupola

DATE OF INTRODUCTION:

February 11, 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

Report Title:
Real Property; Affordable Rental Housing; Affordable Housing; Development Standards; Building Construction Standards; Bill 7 (2019) Projects (Ordinance 19-8); Land Use Ordinance ("LUO"); Building Code; Department of Planning and Permitting ("DPP")

Description:
Amends various development standards, building construction standards, and other requirements for affordable rental housing projects developed under ROH Chapter 32.

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