BILL038(26)
Testimony

MISC. COMM. 347

*ZONING & PLANNING (ZON)

***ZONING & PLANNING (ZON) Meeting**

Meeting Date: Aug 27, 2026 @ 09:00 AM

Support: 5

Oppose: 0

I wish to comment: 2

Name:	Email:	Zip:
Luis Salaveria	watland@hawaii.edu	96822
Representing:	Position:	Submitted:
University of Hawaii	Support	Aug 20, 2026 @ 09:37 AM

Name:	Email:	Zip:
Jacob Wiencek	jacob.m.wiencek@pm.me	96815
Representing:	Position:	Submitted:
Self	Support	Aug 23, 2026 @ 11:33 AM

Testimony:

Aloha Councilmembers,

As the critical design overlay to the companion rezoning under Bill 39, this measure ensures that new vertical density is thoughtfully paired with active ground-floor streetscapes, pedestrian-first spaces, and protected view corridors. Incorporating multi-use greenways along Kaloʻi Gulch and community gathering hubs near our Skyline stations will create the walkable, connected neighborhoods our residents deserve. Furthermore, streamlining permit classifications and permitting residential units above commercial spaces will meaningfully accelerate the delivery of housing along our transit line. I strongly urge this committee to SUPPORT Bill 38 to maximize our rail investment and build complete, livable communities for local families.

Name:	Email:	Zip:
Sam Kim	skim@hrcc-hawaii.com	96817
Representing:	Position:	Submitted:
Hawaii Regional Council of Carpenters	Support	Aug 24, 2026 @ 04:04 PM

Name:	Email:	Zip:
Keith T. Hayashi	keith.hayashi@k12.hi.us	96813
Representing:	Position:	Submitted:
Hawaii State Department of Education	Support	Aug 25, 2026 @ 11:31 AM

Name:	Email:	Zip:
Tracy Tonaki	TSTonaki@drhorton.com	96813
Representing:	Position:	Submitted:
D.R. Horton Hawaii	I wish to comment	Aug 25, 2026 @ 08:30 PM

Name:	Email:	Zip:
Seiji Ogawa	seiji.ogawa@hawaii.gov	96815
Representing:	Position:	Submitted:
DLNR Land Division	Support	Aug 26, 2026 @ 03:41 PM

Name:	Email:	Zip:
Sebastian Buffa	sebb@inspire.church	96797
Representing:	Position:	Submitted:
Inspire Church	I wish to comment	Aug 26, 2026 @ 05:48 PM

UNIVERSITY OF HAWAIʻI SYSTEM
ʻŌNAEHANA KULANUI O HAWAIʻI

Testimony
Hōʻike Manaʻo

Testimony Presented Before the
Honolulu City Council
Committee on Zoning and Planning
August 27, 2026 at 9:00 a.m.
By
Luis P. Salaveria
Vice President for Budget and Finance/Chief Financial Officer
University of Hawaiʻi System

Bill 38 (2026) – RELATING TO TRANSIT-ORIENTED DEVELOPMENT (TOD) SPECIAL DISTRICT FOR THE EAST KAPOLEI NEIGHBORHOOD TOD

Chair Kiaʻāina, Vice Chair Waters, and Members of the Committee:

Thank you for the opportunity to present written testimony on this issue. The University of Hawaiʻi (UH or University) is supportive of Bill 38, which approves the TOD Special District for the East Kapolei Neighborhood TOD. Related to this effort, we are also submitting testimony in support of Bill 39 (2026) Related to the Rezoning of Land Situated at Kapolei and Honouliuli.

The University has been working in coordination with the City and County of Honolulu, Department of Planning and Permitting (DPP), and other State and City agencies as we develop and refine our long-range plan for the UH West Oʻahu lands. As a result of this coordinated effort, our vision and current planning efforts for the University's lands have been incorporated into the East Kapolei Neighborhood TOD Plan.

We believe that the East Kapolei Neighborhood TOD Plan will allow for the University's lands to be a vibrant, multi-modal transit-oriented campus community, providing a mix of educational, employment, and housing opportunities for our island residents.

We appreciate the effort and coordination that DPP has provided to move the East Kapolei Neighborhood TOD planning efforts forward, and strongly support Bill 38 (2026).

Thank you for your consideration of our testimony.

HAWAII REGIONAL COUNCIL OF CARPENTERS

August 27, 2026

TO: The Honorable Esther Kiaʻāina, Chair
The Honorable Tommy Waters, Vice Chair
Members of the Honolulu City Council Committee on Zoning & Planning

RE: TESTIMONY IN STRONG SUPPORT OF BILL 38 (2026) RELATING TO THE TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT.

Aloha Chair Kiaʻāina, Vice Chair Waters, and Members of the Zoning & Planning Committee,

The Hawaii Regional Council of Carpenters (HRCC), representing over 6,000 union carpenters and tradespeople across the Hawaiian Islands, submits this testimony in **support of Bill 38 (2026)**, which extends the Transit-Oriented Development (TOD) Special District to three station areas in East Kapolei, adopts the design objectives of the East Kapolei Neighborhood TOD Plan, and amends the special district's project classification table.

The Skyline alone does not produce transit-oriented development. Whether a station area becomes a walkable and mixed-use neighborhood is determined not by the physical stations themselves but by the land use policy this Council adopts around it. Bill 38 is that policy for three stations in Oʻahu's primary designated growth area.

Today, the land around these three stations is still governed by old zoning rules written for a low-density suburban pattern, before the rail line existed. Bill 38 updates those rules to match a neighborhood built around transit, and applies them to the land closest to the rail the City has already built. Among other things, buildings facing the main streets, parks, and station entrances would need active ground floors, meaning shops, restaurants, and other spaces people can walk into instead of blank walls and parking.

Bill 38 also sets a clear picture of what these neighborhoods should look like: a town center with taller apartment and mixed-use buildings at Honouliuli, a university village with a main street feel at Keoneʻae, a festival street for public events, walking and biking paths along the rail line and the old Kaloʻi Gulch, and protected views of the Waiʻanae and Koʻolau mountains. Landowners, builders, and residents all know up front what is expected.

Just as important, the bill cuts red tape. Bigger projects on sites of an acre or more that now need a major permit would need only a minor one. Small additions and accessory buildings on those sites would need no special permit at all, and projects already moving forward under a City-approved plan would be exempt. Every month a project spends waiting on permits is a real cost that ends up in rents and home prices, so speeding up projects that already meet the district's standards is how a plan on paper becomes a building people can live in.

With consideration of these points, we respectfully ask this Committee to move Bill 38 forward. Mahalo for the opportunity to testify.

Respectfully Submitted,

Sam Kim
Government Relations
Hawaii Regional Council of Carpenters

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JOSH GREEN, M.D.
GOVERNOR

KEITH T. HAYASHI
SUPERINTENDENT

STATE OF HAWAIʻI
DEPARTMENT OF EDUCATION
KA ʻOIHANA HOʻONAʻAUAO
P.O. BOX 2360
HONOLULU, HAWAIʻI 96804

OFFICE OF THE SUPERINTENDENT

August 25, 2026

Ms. Esther Kiaaina, Chair
Members of the Zoning & Planning Committee
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Re: Bill 38 (2026), Relating to the Transit-Oriented Development Special District Testimony of the Hawaii State Department of Education – Support with Requested Amendments

Dear Chair Kiaaina and Members of the Committee:

The Hawaii State Department of Education (Department) respectfully submits this testimony in support of Bill 38 (2026) with requested amendments. The Department appreciates the Honolulu City Council (Council) and the Department of Planning and Permitting's (DPP) effort to expand the Transit-Oriented Development (TOD) Special District to the East Kapolei Neighborhood TOD Plan area, but with an alternative compliance pathway for schools under Section 21-9.100-7.

The Department is planning two new public schools, an elementary school and a high school, within the Honouliuli (Hoopili) station area to serve the population growth projected for East Kapolei. Both facilities are central to the Department's long-range plan for meeting enrollment demand in the region, and both will be sited within the TOD special district boundaries established under this bill.

Application of TOD Standards to Public School Facilities

While the Department supports the objectives of Bill 38, public school campuses have operational, safety, and security requirements that differ from those of commercial, residential, and mixed-use developments.

School facilities must accommodate student safety, campus security, bus operations, parent drop-off and pick-up activities, and other educational needs that require flexibility in site design. These requirements often necessitate design features that differ from TOD development standards governing building placement, parking configuration, loading areas, campus access, and perimeter security.

For example, school sites require:

- Safe and efficient student drop-off and pick-up operations;
- Dedicated bus loading and staging areas;
- Secure and observable parking facilities;
- Controlled campus access points;
- Appropriate setbacks and buffers between school activities and public roadways; and
- Security fencing and other protective measures necessary for K-12 educational environments.

As a result, strict application of TOD standards that are principally intended for commercial and mixed-use projects create design constraints that conflict with established school safety and operational requirements.

Requested Amendment

The Department requests that Exhibit 21-9.25 be amended to exclude the proposed public high school site from the TOD Special District boundary. As a regional public facility, the high school will serve a broad area of East Kapolei and will include academic, athletic, transportation, and support facilities that differ substantially from the commercial and mixed-use development patterns contemplated by the TOD Special District. Excluding the high school would also be consistent with the original Hoopili planning framework, which envisioned the high school as a community-serving institutional use outside the core mixed-use center.

Requested Amendment to Section 21-9.100-2

The Department requests that Section 21-9.100-2 Neighborhood TOD plans, Part (j) The primary design objectives of the East Kapolei Neighborhood TOD Plan be amended to include: Item (8) Coordinate with the Department regarding the planning and development of the proposed public elementary school and public high school within the Honouliuli (Hoopili) station area.

Requested Amendment to Section 21-9.100-7

The Department requests that Section 21-9.100-7 be amended to provide that public elementary and secondary schools operated by the Department may deviate from TOD standards relating to building placement and setbacks, surface parking location, bus loading and unloading facilities, student drop-off and pick-up areas, campus access and

circulation; and security fencing and related safety infrastructure when necessary to satisfy educational, health, safety, security, and operational requirements. This flexibility would allow public schools to meet educational and safety requirements while remaining compatible with the goals of the East Kapolei Neighborhood TOD Plan.

The Department supports Bill 38 and appreciates the Council's efforts to implement the East Kapolei Neighborhood TOD Plan. The Department respectfully requests amendments to: (1) exclude the proposed public high school site from the TOD Special District boundary; (2) include coordination with the Department in the planning and development of the two proposed schools; and (3) provide flexibility from TOD development standards when necessary to address school safety, security, and operational requirements. These amendments would support the successful development of much-needed public school facilities while preserving the intent and objectives of the TOD Special District.

Sincerely,



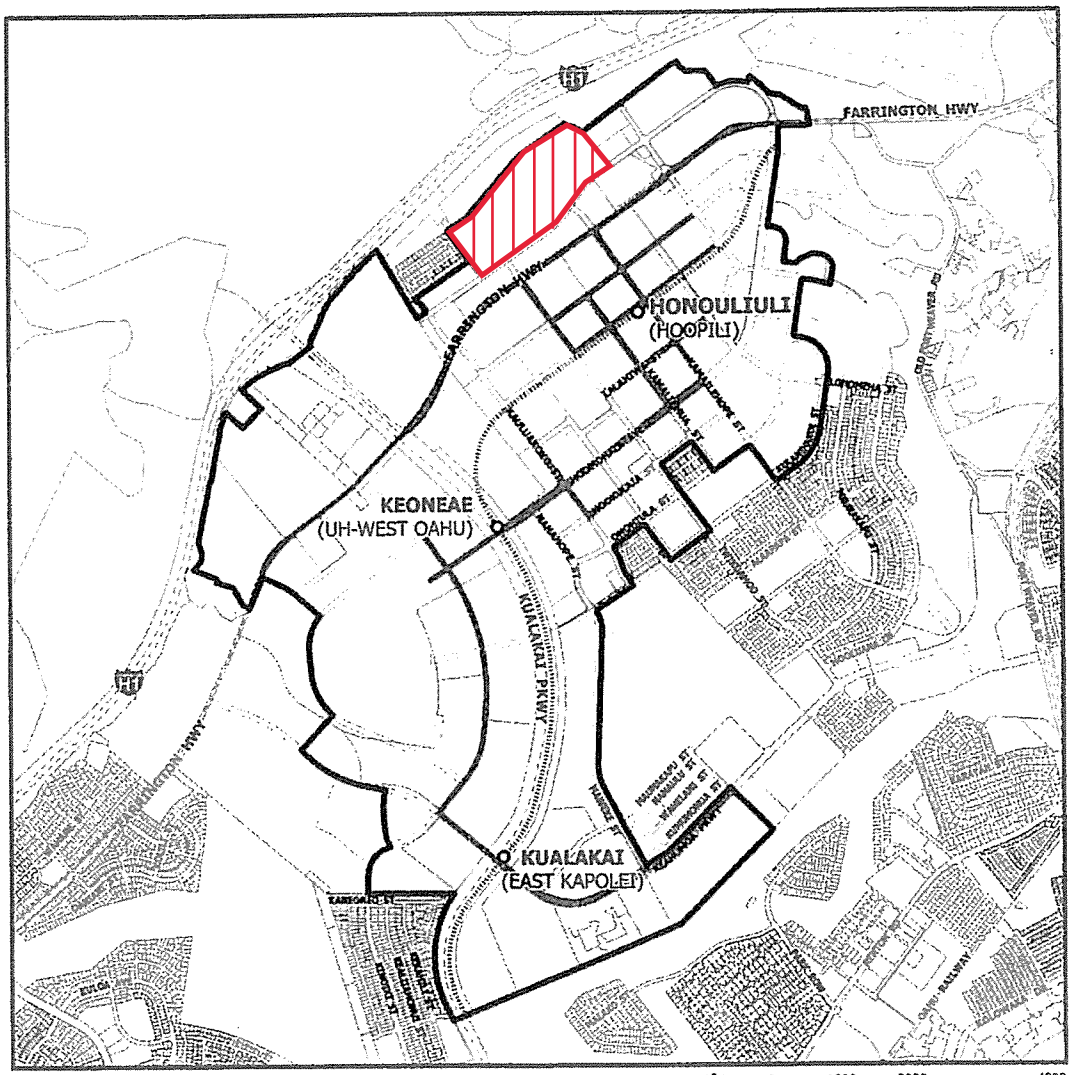
Keith T. Hayashi
Superintendent

KTH:ju
Attachment

c: Jesse Souki, Deputy Superintendent of Operations
Richard D. Fajardo, Assistant Superintendent, Office of Facilities and Operations
Facilities Development Branch

A BILL FOR AN ORDINANCE

"EXHIBIT 21-9.25
Kualaka'i (East Kapolei), Keone'ae (University of Hawai'i-West O'ahu), and Honouliuli (Ho'opili) Station Areas



East Kapolei TOD Neighborhood

LEGEND

- TOD Special District Boundary
- Key Street
- Bike-Walk Greenway
- Rail Station

Public High School Site proposed to be removed from Honouliuli (Ho'opli) Station Area / East Kapolei Neighborhood TOD

D·R·HORTON®
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HAWAII

August 25, 2026

The Honorable Esther Kia'aina, Chair
The Honorable Tommy Waters, Vice Chair
Members of the Committee on Zoning and Planning
City and County of Honolulu
Honolulu, Hawaii 96813-3077

RE: **Bill 38 (2026), RELATING TO THE TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT (East Kapolei)**
Meeting: August 27, 2026 @ 9:00am

Dear Chair Kia'aina,

Mahalo for the opportunity to provide **COMMENTS** on Bill 38, which would expand the Transit-Oriented Development ("TOD") Special District to include the Skyline station areas within the East Kapolei Neighborhood TOD Plan and establish applicable development standards and guidelines.

We appreciate the extensive stakeholder engagement conducted by the Department of Planning and Permitting ("DPP") throughout this process and would like to commend the TOD Division for their thoughtful leadership, collaboration, and commitment to advancing the City's transit-oriented development objectives.

D.R. Horton Hawaii is humbled and proud to be one of Hawaii's largest homebuilders, serving Hawaii's families for more than 53 years. We specialize in providing affordable and workforce housing opportunities across Oahu and have long supported both the City's investment in Skyline and its vision for creating vibrant transit-oriented communities along the rail corridor.

As a major landowner and homebuilder within the proposed East Kapolei TOD Special District ("EKTOD"), D.R. Horton Hawaii began planning Ho'opili, our master-planned community located within and around the Honouliuli (Ho'opili) and Keone'ae (UH West O'ahu) station areas, well before construction of Skyline began. Today, nearly 3,600 families call Ho'opili home, many of whom are already benefiting from the transportation options and lifestyle opportunities created by Skyline.

We respectfully offer the following comments for consideration in the interest of managing infrastructure costs and supporting continued housing production:

1.) Identify an apparent inconsistency between Chapters 22 and 21 of the Revised Ordinances of Honolulu ("ROH");
2.) Explain how that inconsistency could unintentionally increase infrastructure and housing costs, potentially stalling housing production within the EKTOD; and
3.) Recommend a clarifying amendment to maintain consistency with existing subdivision requirements while preserving DPP's policy objectives.

1.) Apparent inconsistency between Chapters 22 and 21:

Currently, there appears to be an inconsistency between Chapter 22 and Chapter 21 of the Revised Ordinances of Honolulu (“ROH”) as they relate to utility undergrounding requirements for greenfield development within the proposed EKTOD.

a. ROH Chapter 22 - Subdivision of Land

ROH Chapter 22 establishes the standards governing the development of new subdivisions, including affordable and workforce housing communities such as those being developed within the EKTOD. Chapter 22, Article 5, Utility Lines, specifically Sections 22-5.1 and 22-5.2, provide:

Section 22-5.1 Installation of Utility Lines (in part):
"Notwithstanding any ordinance or regulation to the contrary, utility lines... shall be installed underground in all subdivisions..."

Section 22-5.2 Exception:
"(3) Electric distribution or transmission systems in excess of 15kV."
Accordingly, Chapter 22 requires utility lines of 15kV or less to be installed underground, expressly exempting electric distribution and transmission systems exceeding 15kV.

b. ROH Chapter 21 - Land Use Ordinance

Bill 38 proposes to apply the following provision within the East Kapolei TOD Special District:

Section 21-9.20-4 Utility Lines (in part):
"Notwithstanding any ordinance or regulation to the contrary, utility companies shall place their utility lines underground within any special district."

Based on our discussions with DPP, we understand this provision was originally adopted for special districts where redevelopment and infill development predominate. The provision does not distinguish between nor exempt electrical distribution and transmission system by kV. Thus, DPP has interpreted this provision to require all electrical distribution and transmission systems 15kV or less as well as those exceeding 15kV to be undergrounded in any special district

As currently drafted, Chapter 21 requires undergrounding of all utility lines within the EKTOD, including electric distribution and transmission systems exceeding 15kV, despite Chapter 22's longstanding exemption for those facilities within new subdivisions.

Furthermore, while Section 21-9.20-4 assigns responsibility to utility companies for placing lines underground, we are aware of regulatory processes that could result in costs associated with undergrounding of high voltage facilities to be ultimately allocated to development projects under certain circumstances.

As a result, the interaction of these provisions creates uncertainty regarding the applicable electrical infrastructure requirements for future housing development within the EKTOD.

2.) Potential Impact on Housing Production:

The City has made increasing affordable and workforce housing production a priority, particularly in areas served by Skyline and planned for transit-oriented growth.

Electrical transmission and sub-transmission facilities exceeding 15kV serve broad regional infrastructure needs and are substantially more expensive to underground than distribution systems 15kV and lower. We believe this cost differential is one of the reasons Chapter 22 has historically exempted such facilities from mandatory undergrounding requirements for greenfield subdivision development.

If the proposed TOD regulations are interpreted to require undergrounding of electrical facilities exceeding 15kV, the resulting substantial increase in costs would ultimately impact the viability of future affordable and workforce housing projects. In a market already challenged by rising infrastructure costs and capital financing risk, introducing additional uncertainty regarding utility undergrounding requirements would certainly create a substantial barrier to and potentially stall the delivery of much-needed housing.

Importantly, we do not believe this outcome was intended by DPP nor do we believe Bill 38 was intended to alter the longstanding utility standards that have governed large-scale subdivision development under Chapter 22.

Rather, we believe the issue is an unintended policy inconsistency that can be addressed through a simple clarifying amendment.

3.) Proposed Clarifying Amendment:

To maintain consistency between Chapters 22 and 21 while preserving the broader objectives of the East Kapolei TOD Special District, we respectfully recommend the following added amendment:

Sec. 21-9.100-8 General Requirements and Development Standards.

(f) Utility lines.

Electric distribution and transmission systems in excess of 15kV shall be exempted from the requirements of Sec. 21-9.20-4 in the TOD station areas corresponding to Exhibit 21-9.25.

This amendment would clarify that the existing Chapter 22 standards applicable to greenfield subdivision development remain intact while continuing to advance the City's TOD vision and housing objectives. We have also shared this proposed amendment with DPP.

D.R. Horton Hawaii strongly supports the City's efforts to promote transit-oriented development and maximize the public investment in Skyline. We believe Bill 38 represents an important step toward achieving those objectives within East Kapolei.

We respectfully request the Council's consideration of this clarifying amendment to ensure consistency between existing City ordinances, avoid unintended infrastructure costs, and support the continued production of affordable and workforce housing within the East Kapolei TOD Special District.

Mahalo for the opportunity to provide comments. We appreciate your time and consideration. Please feel free to contact me at ttonaki@drhorton.com or 808-782-4109 should you have any questions.

Sincerely,

Tracy Tonaki
President
D.R. Horton Hawaii

JOSH GREEN, M.D.
GOVERNOR | KE KIAʻĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIAʻĀINA

RYAN K.P. KANAKAʻOLE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAIʻI | KA MOKUʻĀINA ʻO HAWAIʻI
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA ʻOIHANA KUMUWAIWAI ʻĀINA
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August 26, 2026

Chair Esther Kiaʻāina
Vice Chair Tommy Waters
Honolulu City Council
530 South King St. Suite #100
Honolulu, HI 96813

SUBJECT: TESTIMONY IN STRONG SUPPORT OF BILLS 37, 38, AND 39

Dear Chair Kiaʻāina, Vice Chair Waters, and Members of the Committee on Zoning and Planning,

Thank you for the opportunity to submit testimony in strong support of the East Kapolei Transit-Oriented Development legislative package: Bill 37, Bill 38, and Bill 39, including the Proposed CD1. Together, these three measures establish the regulatory framework necessary to fully implement the East Kapolei Neighborhood TOD Plan and maximize the public benefit of Oʻahu's rail investment across the Kualakaʻi, Keoneʻae, and Honouliuli station areas.

This package provides a cohesive, forward-looking path. Bill 37's boundary amendment reclassifying approximately 14.8 acres to the Urban district properly aligns state land use designations. Bill 38's expansion of the TOD Special District ensures that future development adheres to walkable, human-scaled design standards rather than auto-centric sprawl. Bill 39 and its Proposed CD1 establish the underlying mixed-use zoning needed to support housing, commerce, and vibrant public spaces, while thoughtfully refining boundary alignments to avoid split-zoning issues and protect community spaces.

The Department of Land and Natural Resources (DLNR) holds substantial state property within this immediate TOD corridor. Passage of these bills directly enables public land assets—including DLNR parcels—to be utilized in complete alignment with the master plan. Updating these land use and zoning controls unlocks opportunities for cohesive state-level development, strategic inter-agency planning, and optimal land utilization surrounding the transit stations, ensuring that state properties actively contribute to a thriving, integrated community hub.

By concentrating mixed-use development, diverse housing options, and economic opportunity near high-capacity transit and educational anchors like UH West O‘ahu, these bills address our region’s pressing housing demands while protecting surrounding agricultural and conservation lands. Aligning transit infrastructure with proactive land use planning fulfills the broader vision for transit-oriented growth in East Kapolei.

I urge the Committee to pass Bills 37, 38, and 39 with Proposed CD1. Mahalo for your leadership and consideration of this testimony.

Sincerely,



Seiji Ogawa
State Lands Administrator

Docusign Envelope ID: CC7DF787-B6EC-80D8-809E-F018810E1828

inspirechurch

Re: Bill 38 (2026), Relating to Transit-Oriented Development (TOD) Special District — Concerns Regarding East Kapolei Neighborhood TOD Plan - Ground-Floor Active Use Requirements as Applied to Places of Worship and Schools

Dear Chair Kia'aina, Vice-Chair Waters, and Members of the Committee:

Inspire Church supports the City and Council's vision for vibrant, connected communities around Skyline. We believe, however, that **Bill 38 as presently drafted goes further than necessary by applying TOD design standards without adequately accounting for the different functional needs of schools and places of worship.** We respectfully ask the Council to address this issue before advancing these requirements in their present form.

After more than 25 years of serving West O'ahu, Inspire Church has joined in that vision by investing in a new church and preschool near the Honouliuli Skyline station—a larger, permanent home designed for greater community engagement and service for generations to come.

As we have planned our new campus and worked with DPP, the process has revealed that **current TOD standards do not fully account for the functional needs of schools and places of worship.** The result severely constrains the very spaces the Council seeks to cultivate for safe access, gathering, outreach, and vibrant community activity.

The difference is practical. Commercial parking primarily serves vehicle storage and may appropriately be screened or located away from the street. On a church or school campus, parking and open areas also become active spaces for recreation, outreach, food distribution, youth activities, and community gatherings that are visible and inviting to the public.

Our church and preschool also bring significant pedestrian activity, with families and children arriving and moving throughout the campus at the same time. Building location, parking, and pedestrian and vehicle circulation must therefore work together safely. **Appropriate flexibility allows these community uses to remain visible, welcoming, active, and safe while contributing to the vibrant, connected community envisioned by the Council.**

For Inspire, the need for clarity is urgent. Our acquisition is approaching a closing deadline that depends upon obtaining a conditional use permit. **We respectfully ask the Council to recognize this distinction as Bill 38 moves forward and provide a path to address its application to schools and places of worship.**

Thank you for your thoughtful consideration and service to our community.

Respectfully submitted,

Signed by:
Sebastian Buffa
5B4E0A4B179439...

Sebastian Buffa, CFO & COO
Inspire Church