REPORT OF THE COMMITTEE ON ZONING & PLANNING

Voting Members:
Esther Kia'āina, Chair; Tommy Waters, Vice-Chair;
Radiant Cordero, Val A. Okimoto, Andria Tupola

Committee Meeting Held
September 24, 2026

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning & Planning, which considered Bill 38 (2026) entitled:

"A BILL FOR AN ORDINANCE RELATING TO TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT,"

which passed Second Reading and was the subject of a public hearing held at the Council meeting on September 9, 2026, reports as follows:

The purpose of Bill 38 (2026) is to amend the Land Use Ordinance ("LUO"), Chapter 21, Revised Ordinances of Honolulu 2021 ("ROH"), to add the three Skyline station areas that are within the East Kapolei Neighborhood Transit-Oriented Development Plan ("East Kapolei TOD Plan) area to the Transit-Oriented Development ("TOD") Special District, and incorporate land use development standards and guidelines for these areas.

This Bill to amend the LUO is one of the three bills that would implement the East Kapolei TOD Plan, which was adopted by the Council by Resolution 20-222, CD1. The Bill amends the TOD Special District regulations in LUO Article 9, to expand the TOD Special District to include the Kualaka'i (East Kapolei), Keone'ae (University of Hawai'i West O'ahu), and Honouliuli (Ho'opili) station areas. The Bill also modifies existing regulations that apply to the entire TOD Special District, and adds certain provisions applicable only the East Kapolei station areas.

ADOPTED ON OCT 7 2026

COMMITTEE REPORT NO. 263(26)

At the Committee's meeting on August 27, 2026, the State Department of Education ("DOE") expressed concerns about plans for a new elementary school and high school in the area, indicating that public school campuses have operational, safety, and security requirements that differ and potentially conflict with the TOD development standards intended for commercial, residential, and mixed-use developments.

Specifically, the DOE suggested excluding the proposed public high school site from the TOD Special District boundary; requiring coordination between the City and the DOE; and providing flexibility from TOD development 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.

At the Committee's meeting on August 27, 2026, D.R. Horton, which is developing a master-planned community within and around the Honouliuli (Ho'opili) and Keone'ae (UH West O'ahu) station areas, expressed concerns about conflicts between the LUO and the Subdivision Ordinance regarding the undergrounding of utilities. According to D.R. Horton, the LUO requires the undergrounding of all utility lines within the East Kapolei TOD Plan area, but the Subdivision Ordinance only requires the undergrounding of utility lines of 15 kilovolts or less, but not electric distribution and transmission systems exceeding 15 kilovolts.

Your Committee finds that the Planning Commission, after a public hearing held on April 29, 2026, at which one public and two written testimonies were received in support of the LUO amendment, voted unanimously to approve the DPP Director's recommendations in the attachment to Departmental Communication 318 (2026).

Your Committee finds that at a public hearing on this Bill held by the City Council on September 9, 2026, public testimony was received in support of and commenting on the Bill.

Your Committee set forth detailed background information relating to this Bill in Committee Report No. 248 (2026), which the Council adopted at its meeting on September 9, 2026.

At your Committee's meeting on September 24, 2026, the Department of Planning and Permitting ("DPP") TOD Administrator testified in support of the Resolution, and responded to questions from Councilmembers.

In response to a request from the Committee Chair to address the concerns expressed by the DOE and D.R. Horton at the August Committee meeting, the DPP TOD Administrator stated that D.R. Horton agreed that current language in the LUO that requires the undergrounding of all electrical utilities allows the DPP Director to provide for exemptions, particularly if the State Public Utilities Commission makes a determination on whether high voltage electrical lines should be overhead or underground. D.R. Horton plans to confirm with the DPP, in writing, D.R. Horton's particular situation, and the DPP is committed to further researching this matter to determine whether any amendments to ROH § 21-9.20-4 are needed, which could be made when the Airport Area Transit-Oriented Development Plan area is added to the TOD Special District later next year.

The DPP TOD Administrator also stated that the DOE agreed that the zoning waiver process under ROH § 21-2.130 applies to public uses in the TOD Special District, so the DOE could request a zoning waiver to provide an exception from the strict application of TOD development or design standards.

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With regard to maximum off-street parking requirements, the DPP TOD Administrator indicated that the DPP has a master contract with a planning consultant that the DPP will use to recommend whether there are other tools or mechanisms that could be used to limit the number of off-street parking provided, such as counting parking towards a project's floor area ratio, or an analysis of the parking ratios (ratio of the number of parking spaces per dwelling unit) that is appropriate for each neighborhood TOD plan area.

The DPP Land Use Permitting Division Chief indicated that multimodal connectivity (pedestrian, bicycle, etc.) among projects developed on adjacent zoning lots could be considered as a part of each project's community benefits package as projects are developed.

One individual testified in support of the Bill.

Your Committee received no written testimony on the Bill.

Your Committee finds that the Bill carries out the purpose of the General Plan and Development Plans of the City and is in the best interests of the people of the City and County of Honolulu.

Your Committee on Zoning & Planning is in accord with the intent and purpose of Bill 38 (2026) and recommends that it pass Third Reading. (Ayes: Cordero, Kia'āina, Tupola, Waters – 4; Noes: None; Absent: Okimoto – 1.)

Respectfully submitted,

Committee Chair

HONOLULU CITY COUNCIL
Ke Kanihela o ke Kalana o Honolulu
CITY AND COUNTY OF HONOLULU

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