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," "Transit-Oriented Development Area," 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 3 of the bill, amending ROH Section 32-2.2 ("Permitted uses"), amends the proposed permitted use in the business zoning districts to allow affordable rental housing projects as a permitted use in the business zoning districts only in the transit-oriented development area.

C. 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 as follows:

a. For zoning lots located within a special district established in Sections 21-9.30 through 21-9.90-6, the maximum height is 60 feet or the maximum height permitted by the underlying zoning district, whichever is less; provided that for zoning lots within the Punchbowl or Waikiki special district, the maximum height is 60 feet or the maximum height permitted by the underlying zoning district, whichever is greater;

b. For zoning lots not located within a special district established in Sections 21-9.30 through 21-9.90-6, the maximum height is 75 feet or the maximum height permitted by the underlying zoning district, whichever is greater;

(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 that, for buildings over 75 feet in height, the portion of the building that is above 40 feet in height must be set back from every side and rear buildable area boundary line 1 foot for each 10 feet of additional height;

5. Add a transitional height setback provision stating that where a zoning lot adjoins a zoning lot in a residential zoning district, the residential zoning district height setbacks are not applicable;

6. Add provisions relating to off-street parking stating that affordable rental housing projects are encouraged to provide off-street parking to the extent reasonably feasible based on the size, configuration, location, and other characteristics of the project site, including proximity to public transit and transportation alternatives;

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 all zoning lots when public curbside refuse collection is utilized; and

8. Amend the yard encroachment standards (renamed to "Yard encroachments and screening") to add that reasonable maneuvering areas are allowed in the side and rear yards and, 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, notwithstanding ROH Section 32-2.4, neither fencing nor a wall is required along a side yard that abuts a street.

D. Adds new bill SECTIONS as follows:

1. Adds a new SECTION 6 of the bill to repeal ROH Section 32-2.7, which contains example figures illustrating possible configurations of maximum building height;

2. Adds a new SECTION 7 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; and

3. Adds a new SECTION 9 of the bill to add a new ROH section (proposed ROH Section 32-2.__, titled "Construction wages") that sets forth minimum construction wages for any affordable rental housing project that exceeds 60 feet in height and is located on a zoning lot with a lot area that exceeds 20,000 square feet. Adds requirements relating to the submission of an

affidavit prior to building permit issuance and the annual submission of payroll records to the Department of Planning and Permitting ("DPP").

Renumbers subsequent bill SECTIONS.

E. In renumbered SECTION 10 of the bill:

1. Repeals ROH Section 32-3.2(a), (b), (c)(8), and (d), which included modified building height and area, construction type, water and fire sprinkler piping material, and fire protection system standards, respectively. Re-letters subsections as appropriate;

2. Amends ROH Section 32-3.2(c) (designated in the bill as proposed ROH Section 32-3.2(a)) to provide that the fire-resistance-rated construction standards set forth in subdivision (1) apply to all affordable rental housing projects and the standards set forth in subdivisions (2) through (7) apply only to affordable rental housing projects with a building height of 75 feet or less and constructed on a zoning lot with a maximum size of 20,000 square feet. Redesignates subdivisions as appropriate;

3. Removes the limitation that the means of egress, exterior glass, and fire and smoke alarm standards (designated in the bill as proposed ROH Section 32-3.2(b), (d), and (f)) only apply to affordable housing rental housing projects with a building height of 60 feet or less; and

4. Amends ROH Section 32-3.2(f) (designated in the bill as proposed ROH Section 32-3.2(c)), relating to standards for fire escape stairs, to clarify that:

   a. The standards apply only to affordable rental housing projects with a building height of 75 feet or less and constructed on a zoning lot with a maximum size of 20,000 square feet; and

   b. At least one fire exit stairwell (for buildings with more than 35 units) must be 36 inches wide (as currently required, instead of increasing the minimum width to 44 inches as previously proposed).

F. Adds new bill SECTIONS as follows:

1. SECTION 11, which provides that, upon the effective date of this ordinance, affordable rental housing projects developed under ROH Chapter 32 as it read on the day prior to the effective date of this ordinance must comply with the applicable nonconforming provisions of ROH Chapter 16 and Section 21-4.110; and

2. SECTION 12, amending Ordinance 19-8, as amended by Ordinance 23-12, which provides that upon the repeal of ROH Chapter 32, affordable rental housing projects must comply with the applicable nonconforming provisions of ROH Chapter 16 and Section 21-4.110.

Renumbers subsequent bill SECTIONS.

G. Amends renumbered SECTION 14 to state that the ordinance takes effect 180 days after its approval; provided that:

1. The ordinance does not affect the validity of any of the following permits and documents issued under the ordinance that were issued prior to the effective date of the ordinance:

   a. Building permits, including any amendments thereto;

   b. Inspections and related reports;

   c. Certificates of occupancy; and

   d. Ancillary permits and documents relating to the affordable housing project;

2. A building permit application under review with the DPP prior to the effective date of the ordinance may comply with the ordinance prior to the expiration of the 12-month period set forth in ROH Section 18-4.5. Upon this election, which must be made on or after the effective date of the ordinance:

   a. The applicant is deemed to have waived their right to comply with the provisions of ROH Chapter 32, as it read on the date the application was filed;

   b. The applicant must comply with ROH Chapter 32 as it read on the effective date of this ordinance; and

   c. The applicant may not combine provisions of the ordinance with the provisions of the laws, ordinances, rules, or regulations that would otherwise apply to the application pursuant to ROH Section 18-4.5; and

3. The ordinance will be repealed on the repeal date of ROH Chapter 32, as set forth in SECTION 10 of Ordinance 19-8, and any amendments made thereto.

H. 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," "Transit-Oriented Development 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 of 170 square feet of habitable space, excluding bathrooms, closets, and other non-habitable areas 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."

"***Transit-Oriented Development Area.*** An area that includes the transit-oriented development special district and any area recommended for inclusion in the transit-oriented development special district pursuant to a neighborhood transit-oriented development plan adopted by council resolution."

"***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:

A BILL FOR AN ORDINANCE

(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."

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, 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[~~.~~]; and in the business zoning districts when the zoning lot on which the affordable rental housing project will be constructed is located within the transit-oriented development area."

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~~] For zoning lots located within a special district established in §§ 21-9.30 through 21-9.90-6, the maximum height is 60 feet or the maximum height permitted by the underlying zoning district, whichever is less; provided that for zoning lots within the Punchbowl or Waikiki special district, the maximum height is 60 feet or the maximum height permitted by the underlying zoning district, whichever is greater. For zoning lots not located within a special district established in §§ 21-9.30 through 21-9.90-6, the maximum height is 75 feet or the maximum height permitted by the underlying zoning district, whichever is greater.
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.
Height setbacks	[~~None~~] For buildings over 75 feet in height, any portion of a structure exceeding 40 feet in height must be set back from every side and rear buildable area boundary line 1 foot for each 10 feet of additional height. For purposes of this section, "buildable area" and "buildable area boundary line" have the same meaning as defined in Chapter 21, Article 10.
Transitional Height Setbacks	Where a zoning lot adjoins a zoning lot in a residential zoning district, the residential zoning district height setbacks are not applicable at the buildable area boundary line of the adjoining side of the zoning lot.
Off-street parking	None; provided that affordable rental housing projects are encouraged to provide off-street parking to the extent reasonably feasible based on the size, configuration, location, and other characteristics of the project site, including proximity to public transit and transportation alternatives.

A BILL FOR AN ORDINANCE

Development Standard	**Requirement**
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. For all zoning lots, when public curbside refuse collection is approved by the city, no refuse loading area is required; instead, an area that includes a reasonable maneuvering area must be designated using appropriate signage for short-term loading and unloading by residents and delivery vehicles.
Yard encroachments and screening	Parking, including bicycle parking, [~~is~~] and reasonable maneuvering areas are 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, notwithstanding § 32-2.4, neither fencing nor a wall is required along a side yard that abuts a street.

"

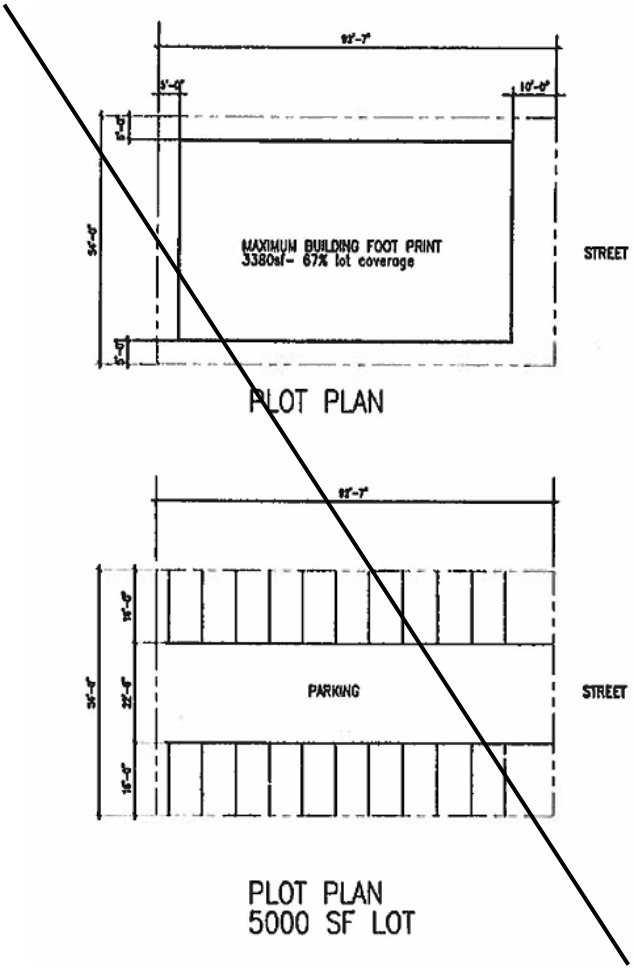
A BILL FOR AN ORDINANCE

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

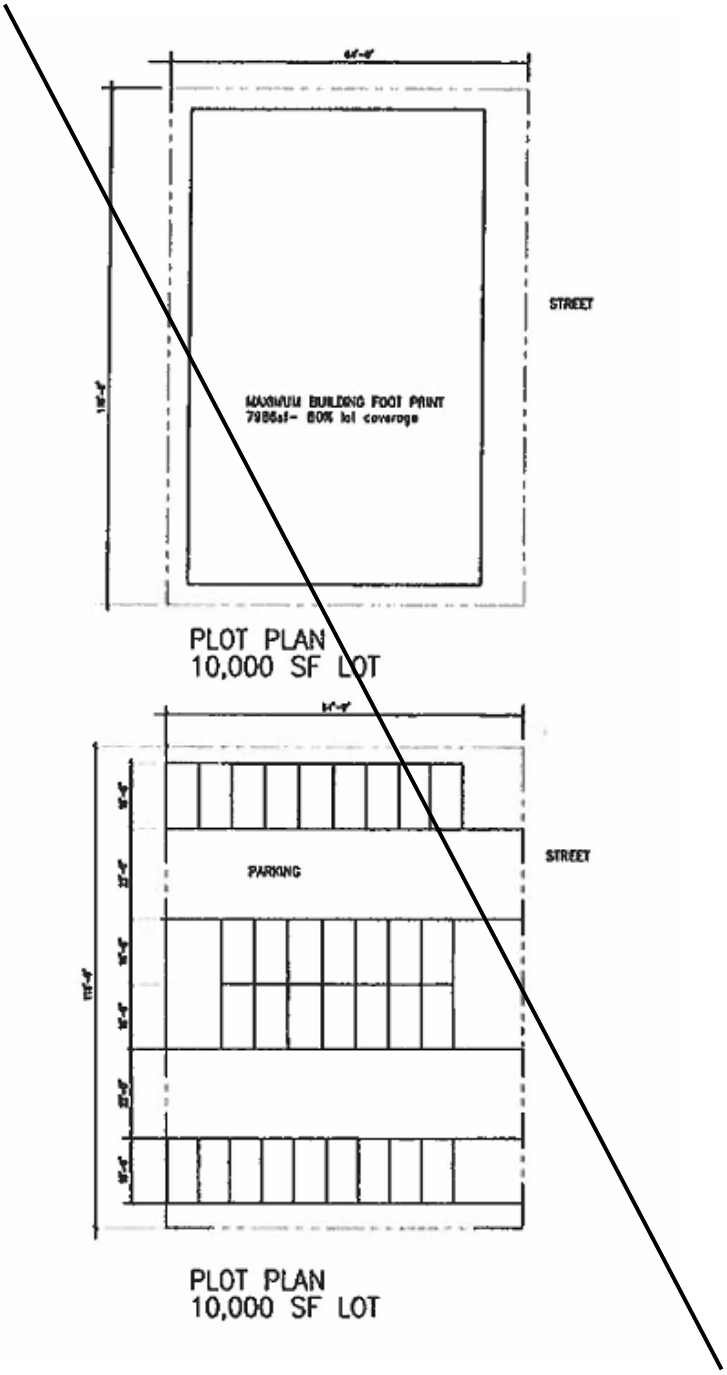
["~~§ 32-2.6 Examples of maximum building area and yards.~~

~~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:~~

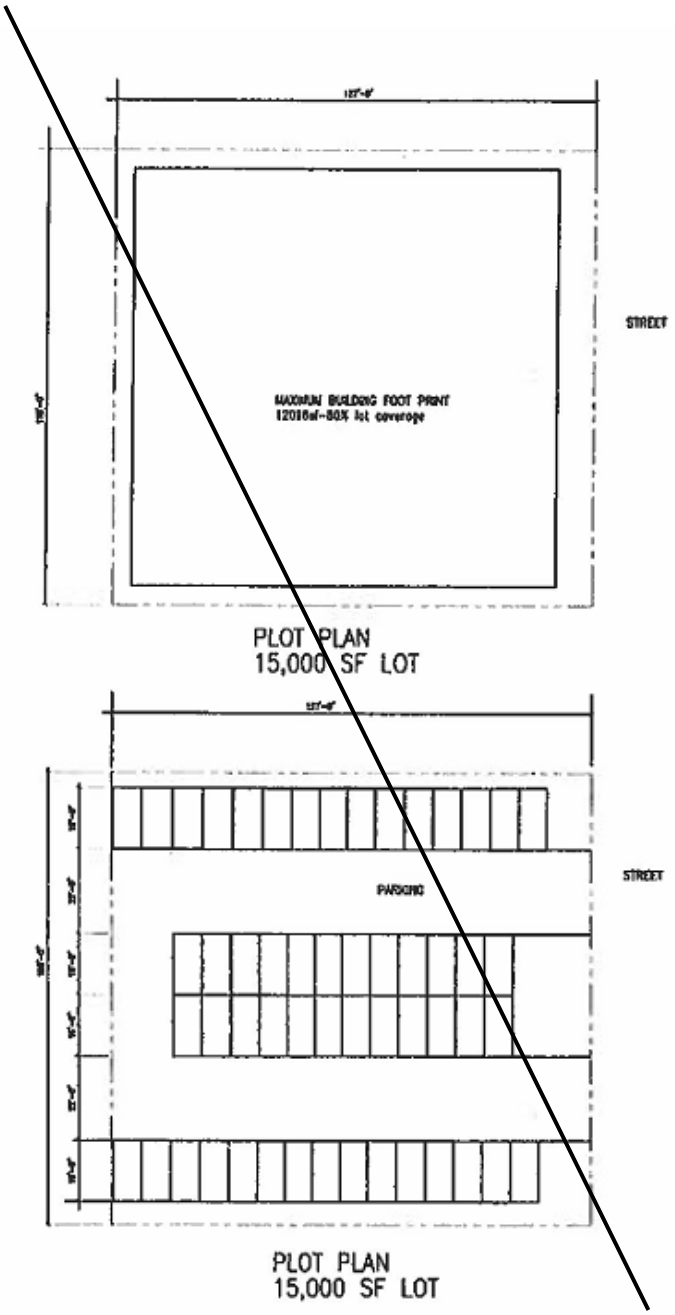
~~Figure 32-2.6~~
~~5,000 SQUARE FOOT LOT~~



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

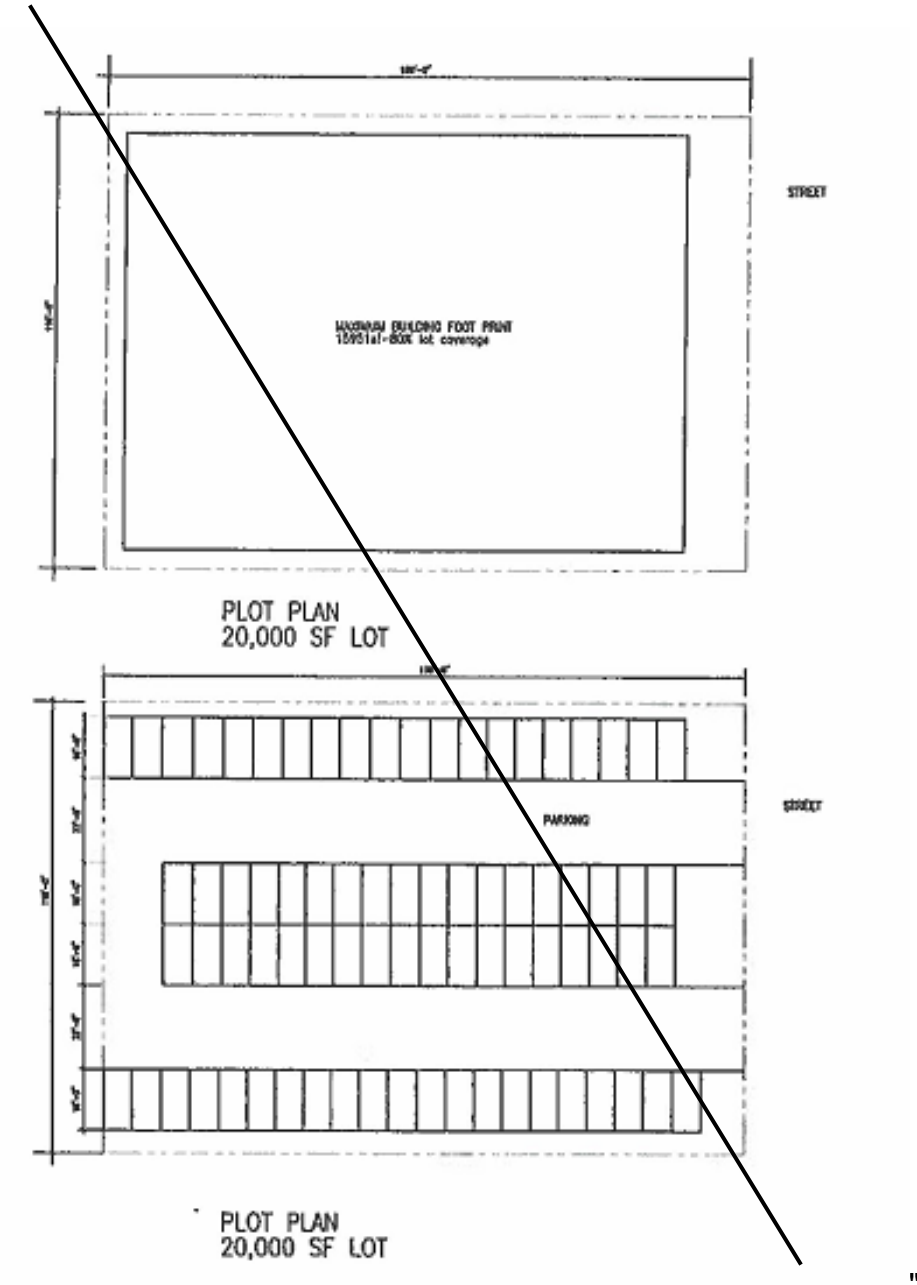


~~Figure 32-2.6~~
~~15,000 SQUARE FOOT LOT~~



A BILL FOR AN ORDINANCE

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



"]

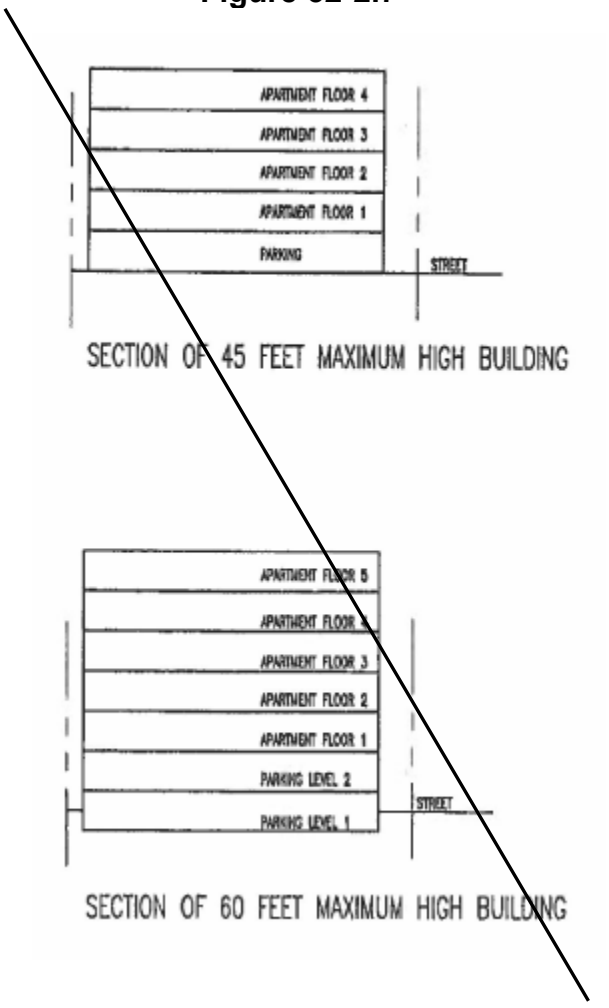
A BILL FOR AN ORDINANCE

SECTION 6. Section 32-2.7, Revised Ordinances of Honolulu 2021, is repealed.

["~~§ 32-2.7 Examples of maximum building height.~~

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

~~Figure 32-2.7~~



"]

A BILL FOR AN ORDINANCE

SECTION 7. 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 8. 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 9. Chapter 32, Article 2, Revised Ordinances of Honolulu 2021 ("Permitted Uses, Development Standards, and Other Requirements"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"**§ 32-2. Construction wages.**

(a) *Applicability.* The provisions of this section apply to the construction of an affordable rental housing project that exceeds 60 feet in height and is located on a zoning lot with a lot area that exceeds 20,000 square feet.

(b) *Construction wages.* The owner of the affordable rental housing project shall pay every laborer and mechanic performing work for the construction of the affordable rental housing project a wage that is at or above the rate of wages established pursuant to HRS Chapter 104 and the applicable rules adopted thereunder.

(c) *Affidavit.* Prior to the issuance of a building permit for an affordable rental housing project, the owner shall execute and submit to the department of planning and permitting a notarized affidavit stating that the owner will comply with the requirements of subsection (b).

(d) *Annual submission of payroll records.* The owner shall submit annual payroll records to the department of planning and permitting, due by September 30 of each year, consisting of a certified copy of all payrolls and a certified copy of a fringe benefit report that complies with HRS § 104-3."

SECTION 10. 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.~~]

The following standards apply to affordable rental housing projects.

[~~(c)~~] (a) [~~*Fire-resistance rated*~~] *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) For affordable rental housing projects with a building height of 75 feet or less and constructed on a zoning lot with a maximum size of 20,000 square feet:

(A) One-hour fire-rated corridor walls must be utilized for [~~double loaded~~] double-loaded corridors and demising walls between units;

[~~(3)~~] (B) Twenty-minute fire-rated entry doors to units with automatic closure mechanisms[~~;~~] must be utilized;

[~~(4)~~] (C) Unrated interior walls must be utilized within each unit;

[~~(5)~~] (D) One-hour fire-rated floors and roof, or heavy timber floors and roof[~~;~~], must be utilized;

[~~(6)~~] (E) Two-hour fire-rated walls must be utilized between units and building stairs or passenger elevators; and

[~~(7)~~] (F) Two-hour fire-rated walls and 90-minute fire-rated [~~door~~] doors must be utilized in [~~the~~] any 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.~~

~~(e)~~] (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.

[~~(f)~~] (c) *Fire escape stairs.* The following standards apply to affordable rental housing projects with a building height of 75 feet or less and constructed on a zoning lot with a maximum size of 20,000 square feet:

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

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

(3) 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) 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."

SECTION 11. Upon the effective date of this ordinance, affordable rental housing projects developed under Chapter 32, Revised Ordinances of Honolulu 2021 ("ROH"), as it read on the day prior to the effective date of this ordinance must comply with the applicable nonconforming provisions of ROH Chapter 16 and Section 21-4.110.

A BILL FOR AN ORDINANCE

SECTION 12. SECTION 8 of Ordinance 19-8, as amended by Ordinance 23-12, is amended to read as follows:

"SECTION 8. Upon the repeal of this ordinance[~~:~~], as may be further amended:

1. Affordable rental housing projects developed pursuant to [~~SECTION 2 of~~] this ordinance, as may be further amended, [~~will be deemed a nonconforming multi-family dwelling use and~~] must comply with the applicable nonconforming provisions of Chapter 16 and Section 21-4.110; and

2. Any real property tax exemptions pursuant to Section [~~8-10.X(b)(4) in SECTION 6 of this ordinance,~~] 8-10.33(b)(4) will remain in effect for the duration of the [~~ten-year~~] exemption period in accordance with the provisions of [~~this ordinance,~~] Section 8-10.33(b)(4) as it read on the day prior to its repeal, and any real property tax exemptions pursuant to Section [~~8-10.Y(b)(4) in SECTION 7 of this ordinance~~] 8-10.34(b)(4) will remain in effect for the duration of the exemption period as determined under Section [~~8-10.Y(e)~~] 8-10.34(e) in accordance with the provisions of [~~this ordinance.~~] Section 8-10.34(e) as it read on the day prior to its repeal."

SECTION 13. 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.

SECTION 14. This ordinance takes effect 180 days after its approval; provided that:

1. This ordinance does not affect the validity of any of the following permits and documents issued under this ordinance that were issued prior to the effective date of this ordinance:

    a. Building permits, including any amendments thereto;

    b. Inspections and related reports;

    c. Certificates of occupancy; and

d. Ancillary permits and documents relating to the affordable housing project;

2. A building permit application under review with the Department of Planning and Permitting prior to the effective date of this ordinance may comply with this ordinance prior to the expiration of the 12-month period set forth in Section 18-4.5, Revised Ordinances of Honolulu 2021 ("ROH"). Upon this election, which must be made on or after the effective date of this ordinance:

   a. The applicant is deemed to have waived their right to comply with the provisions of ROH Chapter 32, as it read on the date the application was filed;

   b. The applicant must comply with ROH Chapter 32 as it read on the effective date of this ordinance; and

   c. The applicant may not combine provisions of this ordinance with the provisions of the laws, ordinances, rules, or regulations that would otherwise apply to the application pursuant to ROH Section 18-4.5; and

A BILL FOR AN ORDINANCE

3. This ordinance will be repealed on the repeal date of ROH Chapter 32, as set forth in SECTION 10 of Ordinance 19-8, and any amendments made thereto.

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. Takes effect 180 days after its approval.

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