
From: Lynell Yuu [lyuu@lurf.org]
Sent: Wednesday, February 03, 2010 9:03 AM
To: HSGtestimony
Cc: 'David Arakawa'; 'Shannon Alivado'; uejo@hawaii.edu
Subject: HB 2526 - AFF HSG 45 Day Permit Approval
Attachments: 100203 HB 2526 AFF HSG 45 Day Permit Approval.doc

Aloha Committee on Housing:

Attached is the testimony of the Land Use Research Foundation (LURF) in **strong support with major comments and concerns to HB 2526**, which will be heard by HSG/WLO:

HEARING DATE: Wednesday, February 3, 2010
HEARING TIME: 10:00 AM
ROOM: 325

Please feel free to contact us, if you have any questions.

Mahalo, Dave

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LATE TESTIMONY

Mahalo,

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LATE TESTIMONY



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Via E-Mail: HSGtestimony@Capitol.hawaii.gov

February 3, 2010

Strong support to HB 2526
Relating to Affordable Housing
(45 Day Permit Approval)

Honorable Chair Rida Cabanilla, Vice Chair Pono Chong and Members
the Committee on Housing:

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF strongly supports this bill and has major comments and concerns.

Expedites the construction of affordable housing units by requiring ministerial permits associated with the project to be issued by the state or county within forty-five days of acceptance of the permit application for the project.

LURF'S SUPPORT TO HB 2526. LURF respectfully **supports** **HB 2526**, based on, among other things, the following:

LURF has **major comments and concerns, but also strongly supports HB 2526**, which expedites the construction of affordable housing units by requiring ministerial permits associated with the project to be issued by the state or county within forty-five days of acceptance of the permit application for the project. The counties have legitimate and major concerns regarding whether the deadlines are unrealistic and unreasonable, given current circumstances. Thus, we strongly encourage the private and public affordable housing stakeholders to work together with the counties to develop policies, procedures and funding

opportunities which can lead to realistic and reasonable implementation of this bill.

In August 2007, Hawaii accepted an invitation by the United States Department of Housing and Urban Development to join the National Call to Action for Affordable Housing Through Regulatory Reform. The Call to Action presented an opportunity for Hawaii to receive technical assistance from the federal government and collaborate with other states, counties, municipalities, and organizations to knock down the barriers imposed by governments in hopes of building more affordable housing. Governor Lingle convened a statewide task force comprised of representatives from the counties, business, labor, developers, architects, nonprofit providers of services, the executive branch, and the legislature to carry out the mission of the Call to Action and recommend solutions to address barriers to affordable housing. LURF was a member of this Call to Action Affordable Housing Task Force, and supports the purpose of HB 2526, which is to implement the legislative recommendations of the Task Force.

The State recognizes that the need for more affordable housing in Hawaii remains a significant problem affecting all segments of society. Although there is a process in place that provides an opportunity for expedited state and county land use and zoning approvals for affordable housing projects, the ministerial permits that are issued subsequent to project approval may take a significant amount of time to issue. This delay adds costs to the affordable housing project, ultimately affecting the buyer or renter, and lengthens the time it takes for the unit to be constructed and occupied. Accordingly, the purpose of HB 2526 is to place standard timeframes on agency issuance of ministerial permits for approved affordable housing projects after the permit applications are "accepted" by the agency.

The counties have a legitimate and major concern, however, which should be addressed - they are concerned that the 45-day permit approval requirement would impose an unrealistic deadline and restriction on the counties' review of ministerial permits for affordable housing projects under Section 201H, Hawaii Revised Statutes. Ministerial permits for building, grading, construction, etc., are meant to ensure public health and safety, and ministerial permits which are not properly reviewed may create health, safety, financial, legal and other related problems. County officials correctly note that the main reason for permit review delays are because the initial application and plans are incomplete, or the applicant fails to address the county reviewer's comments and/or provide the requested documentation. The County has also indicated that in certain circumstances, county employees may be forced to work overtime to meet a 45-day deadline, and funding may become a problem.

We would respectfully recommend that your Committees consider amendments and/or recommend further policies or rules, which would place responsibility on the project's developer and consultants to ensure that their permit applications are complete, that timely responses to county comments are provided and request documentation or corrections are made on a timely basis. We are also

confident that private and public stakeholders could work together with the counties to develop policies, procedures and funding opportunities which can lead to realistic and reasonable implementation of this bill.

We appreciate the opportunity to present our **major comments, concerns and strong support of HB 2526**, and we ask for your favorable consideration of this bill.

Thank you for the opportunity to express our **support to HB 2526**.



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

LATE TESTIMONY

TESTIMONY OF KAULANA H. R. PARK, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEES ON HOUSING AND
WATER, LAND AND OCEAN RESOURCES
ON **HB 2526 RELATING TO AFFORDABLE HOUSING**

February 3, 2010

Chair Cabanilla, Chair Ito and Members of the Committees:

The Hawaiian Homes Commission and Department of Hawaiian Home Lands support HB 2526 which helps expedite permitting processes to support affordable housing projects.

As a member of the Governor's task force, I respectfully urge your committees to pass legislation like this that assist in the construction of much needed affordable units in Hawai'i. The Department of Hawaiian Home Lands is the largest housing developer in the state and we have observed firsthand how the permitting process can often hinder construction and consequently delay a family's home ownership opportunity. HB 2526 will support projects on Hawaiian home lands as well as other affordable housing projects throughout the state.

Thank you for the opportunity to testify on this measure.