

OFFICE OF PLANNING STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR
OFFICE OF PLANNING

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Statement of
MARY ALICE EVANS
Director, Office of Planning
before the
HOUSE COMMITTEE ON WATER AND LAND
Thursday, February 11, 2021
8:30 AM
Via Videoconference

in consideration of
HB 497
RELATING TO COUNTY ZONING ORDINANCES.

Chair Tarnas, Vice Chair Branco, and Members of the House Committee on Water and Land.

The Office of Planning (OP) offers **comments** on HB 497 which amends the county zoning law of Hawaii Revised Statutes (HRS) § 46-4, to prohibit the counties from requiring, as part of a county zoning ordinance or county rule, a developer with more than one residential unit to obtain the approval of any State agency unless that approval is expressly required by law, and to void any county zoning ordinance or rule in conflict with this subsection to any such development.

We understand that this bill is intended to address the deep economic downturn caused by COVID-19, providing additional economic and housing opportunities for the State's residents by addressing inefficiencies in the permitting and regulatory process between the counties and various State agencies. However, we believe that this measure may not result in much streamlining or cost savings, as there are very few, if any, State agency development approvals that are not required by law. There may also be unintended consequences resulting from frustration with safeguards adopted and established to protect public health, safety, and Hawaii's unique cultural and natural resources.

Thank you for this opportunity to testify.

Keli Wada
64 Hoku Puhipaka Street
Kahului, Hawaii 96732

February 9, 2021

TESTIMONY IN SUPPORT OF HB497
House Committee on Water & Land

Aloha Chair Tarnas, Vice Chair Branco, and members of the Committee:

As a lifelong resident of Hawaii, I support HD497. As a future beneficiary of the Hawaii Employee Retirement System (ERS) I am concerned about the underfunded status of the pension program. I support housing projects as opportunities to create jobs and tax revenues to support the ERS.

This bill is good for departments of the state government such as DHHL and HHFDC and private businesses. As a result of COVID-19 we need you as legislators to pass bills that facilitate job and economic growth that our state needs, therefore, I support HB497.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Keli Wada". The signature is written in a cursive, flowing style.

Keli Wada

Marilyn Stupplebeen
179 Huluhulu Street, Kahului, HI 96732

February 9, 2021

TESTIMONY IN SUPPORT OF HB497
House Committee on Water & Land

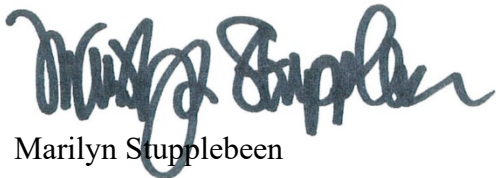
Aloha Chair Tarnas, Vice Chair Branco, and members of the Committee:

As a lifelong resident of Hawaii, I support HD497. As a future beneficiary of the Hawaii Employee Retirement System (ERS) I am concerned about the underfunded status of the pension program. I support housing projects as opportunities to create jobs and tax revenues to support the ERS.

This bill is good for departments of the State government such as DHHL, HHFDC and private businesses. As a result of COVID-19, Hawaii needs the legislature to pass bills to facilitate the job and economic growth that our State needs. Therefore, I encourage you to support HB497.

Mahalo for your consideration.

Sincerely,



Marilyn Stupplebeen

Darren K. Okimoto
68 Awela Circle #2703
Wailuku, Maui, Hawaii 96793

February 9, 2021

TESTIMONY IN SUPPORT OF HB497
House Committee on Water & Land

Good morning Chair Tarnas, Vice Chair Branco, and members of the Committee:

As a resident of Wailuku and a licensed professional engineer and land surveyor, I am writing in strong support of HB470.

Given the economic mayhem that COVID-19 has caused to Hawaii's economy the importance of private and public sector cooperation is more important than ever. I echo the testimony of others that this bill is good for the residents of Hawaii.

Thank you for your consideration.

Best regards,

A handwritten signature in black ink that reads "Darren K. Okimoto". The signature is written in a cursive, flowing style.

Darren K. Okimoto, P.E., L.S.



2/9/2021

TESTIMONY IN SUPPORT OF HB497

House Committee on Water & Land
Thursday, February 11, 2021 at 8:30
House Conference Room 430

Dear Chair Tarnas, Vice Chair Branco, and members of the Committee:

My name is Jason Fujimoto, President and CEO of HPM Building Supply. Thank you for the opportunity to submit testimony in support of HB497.

HPM is proud to be in its centennial year and we have a long tradition in Hawaii of serving our community and creating long term partnerships with our customers. Today we are 100% employee-owned and our guiding philosophy is to help our customers and community build better and live better by enhancing homes, improving lives, and transforming communities. In general, we are supportive of legislation that is balanced, good for everyone involved, and supports a thriving local community. Affordable and sufficient housing is an essential ingredient to this.

Passing this bill would streamline the approval process for much needed housing projects while still ensuring compliance with required laws. The bill would contribute to the efficiency of building projects, lower costs, and benefit the construction industry and our community by providing jobs and housing inventory. With the negative effect of COVID-19, this will support much needed stimulation in our fragile economy.

HB497 would make a positive and meaningful impact for the State, County, businesses, and all people of Hawaii. Mahalo for your time and attention.

Sincerely,

Jason Fujimoto
President & CEO



Sandra-Ann Y.H. Wong

Attorney at Law, a Law Corporation

1050 Bishop Street, #514

Honolulu, Hawaii 96813

**TESTIMONY IN SUPPORT OF HB 497
HOUSE COMMITTEE ON WATER AND LAND
THURSDAY, FEBRUARY 11, 2021 at 8:30 A.M.**

Aloha Chair Tarnas, Vice Chair Branco, and Members of the Committee:

Thank you for the opportunity to provide testimony in support of HB 497.

One of the greatest contributors to the cost of housing in Hawai`i is the draconian maze and duplication of permitting and regulatory processes between the State and County. Streamlining the process would accelerate the time needed to secure those permits. Thus, reduce carrying costs, including financing costs, and in the long run lower the cost of housing.

Providing more housing opportunities is good for the State because it adds to the housing inventory and creates much needed jobs.

Thank you for the opportunity to testify in support of this measure.



**HOUSE COMMITTEE ON WATER AND LAND
State Capitol, Via Videoconference
415 South Beretania Street
8:30 AM**

February 10, 2021

RE: HB 497, RELATING TO COUNTY ZONING ORDINANCES

Chair Tarnas, Vice Chair Branco, and members of the committee:

My name is Beau Nobmann, 2021 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is in strong support of HB 497, which would prohibit the counties from requiring developers obtain approval of a state agency unless it is expressly required by law.

This bill would help developers build housing quicker and cheaper, by removing some of the common obstacles that they face. Time and uncertainty are two of the biggest costs borne by developers. Streamlining the zoning process would help this problem.

The state of Hawaii is in a dire housing crisis which has been further exacerbated by the ongoing pandemic situation. The building industry is one of the very few economic drivers in the state throughout the COVID pandemic, and giving them more opportunity to provide our residents with affordable housing would have a positive impact on our community.

We appreciate the opportunity to express our views on HB 497.

February 7, 2021

Representative David A. Tarnas
Chair
House Committee on Water and Land
Hawaii State Capitol, Room 210
415 South Beretania Street
Honolulu, HI 96813

Dear Chair Tarnas, Vice Chair Branco, and members of the House Committee on Water & Land

Thank you for the opportunity to provide testimony in support of HB497. This bill will help simplify the approval process for housing projects. The supply of housing in Hawaii is unnecessarily restricted by a patchwork of duplicative ordinances and laws that result in a waste of state funds and high cost of housing. HB497 will eliminate one constraint of housing supply by prohibiting counties from imposing conditions that require approval of state agencies unless that approval is expressly required under state law.

This bill will offers several benefits including saving the state money by not having multiple state agencies duplicating efforts, increasing general excise tax and income tax revenues by accelerating construction, and increasing the supply of housing.

Best Regards,


Everett Dowling

1921  2021

GOODFELLOW BROS.

100 YEARS OF SERVICE

TESTIMONY IN SUPPORT OF HB497
House Committee on Water & Land
Thursday, February 11, 2021 at 8:30
House Conference Room 430

Aloha Chair Tarnas, Vice Chair Branco, and members of the Committee:

My name is Edward Brown and I am the Divisional President of Goodfellow Bros. I am writing in strong support of HB470. As a construction professional I support this bill because it will simplify the approval of housing projects. In doing so it will provide both the State with significant opportunities in the form of tax revenues and job creation.

Construction opportunities are more important than ever as the State looks for imminent solutions to the economic downturn brought on by COVID-19. This bill is good for State and County housing projects. It is also good for private businesses, construction trade unions, and in turn for the people of Hawaii.

Thank you.



Edward Brown
Divisional President Hawaii
Goodfellow Bros. LLC

Goodfellow Bros.

P.O. Box 383729, Waikoloa, HI 96738

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P.O. Box 598, Wenatchee, WA 98807

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CL# ABC-36307 | Equal Opportunity Employer

GOODFELLOWBROS.COM



**HOUSE COMMITTEE ON WATER AND LAND
State Capitol, Via Videoconference
415 South Beretania Street
8:30 AM**

February 10, 2021

RE: HB 497, RELATING TO COUNTY ZONING ORDINANCES

Chair Tarnas, Vice Chair Branco, and members of the committee:

My name is Beau Nobmann, 2021 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is in strong support of HB 497, which would prohibit the counties from requiring developers obtain approval of a state agency unless it is expressly required by law.

This bill would help developers build housing quicker and cheaper, by removing some of the common obstacles that they face. Time and uncertainty are two of the biggest costs borne by developers. Streamlining the zoning process would help this problem.

The state of Hawaii is in a dire housing crisis which has been further exacerbated by the ongoing pandemic situation. The building industry is one of the very few economic drivers in the state throughout the COVID pandemic, and giving them more opportunity to provide our residents with affordable housing would have a positive impact on our community.

We appreciate the opportunity to express our views on HB 497.



HB497
RELATING TO COUNTY ZONING
Ke Kōmike Hale o ka Wai a me ka ‘Āina

Pepeluali 11, 2021

8:30 a.m.

Room 430

The Administration of the Office of Hawaiian Affairs (OHA) will recommend that the Board of Trustees **OPPOSE** HB497, which would prohibit the counties from enacting any zoning ordinance or rule requiring residential developers to obtain the approval of any state agency on a project, unless such approval is expressly required under state law. **This measure would prohibit counties from establishing safeguards and procedures, such as consultation requirements with OHA and other state agencies, that can serve and has served to avoid or minimize unnecessary and irreparable impacts to Native Hawaiian cultural sites and resources.**

Requiring state agency review or approval is a valuable approach utilized by the counties to foster county-state partnerships and empower local governance, including and particularly with respect to protecting what may be uniquely valued natural and cultural resources. For example, the Maui County Planning Commission has included OHA review of archaeological preservation or monitoring plans among its re-zoning conditions, in cases where such review would be beneficial to the county. Such conditions, which are not expressly required under state law, would be prohibited under this measure. **This measure would directly overrule our counties' ability to enact ordinances or rules that rely on state agency resources and expertise, to help ensure that private actions align with community and state plans, and to ensure that their natural and cultural resources are appropriately protected.**

In OHA's experience, state agency participation in county zoning processes can improve their outcomes without decreasing efficiency. **As described above, OHA has regularly assisted counties in ensuring the accuracy and integrity of their project determinations by identifying undocumented cultural sites and correcting substantial technical and reporting errors regarding sites of importance to Native Hawaiians.** In nearly all of these cases, administrative permitting processes worked efficiently and effectively, with any project delays resulting largely from contractor error and poor planning. "Streamlining" county permitting processes to prohibit counties from requiring OHA review of archaeological preservation and monitoring plans may only prevent OHA from assisting them with its resources and expertise, and may endanger irreplaceable Native Hawaiian cultural and historical sites and burials without any benefit to project timelines or efficiency.

For the above reasons, OHA urges the Committee to **HOLD** HB497. Mahalo for the opportunity to testify on this measure.

HB-497

Submitted on: 2/10/2021 8:17:51 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ted Bohlen | Individual | Oppose | No |

Comments:

Oppose strongly!



HAWAI'I COMMUNITY
FOUNDATION

To: The Honorable David A. Tarna, Chair
The Honorable Patrick Pihana Branco, Vice Chair
And Members of the House Committee on Water & Land

From: Micah Kāne, Chief Executive Officer & President
Hawai'i Community Foundation

Re: Testimony in Support of HB497 Relating to County Zoning Ordinances

Date: Thursday, February 11, 2021

Time: 8:30 A.M.

Place: Via Videoconference

Conference Room 430

Aloha Chair Tarnas, Vice Chair Branco, and members of the Committee:

My name is Micah A. Kāne, CEO of the Hawai'i Community Foundation. Please accept my testimony in support of HB497 related to simplifying the approval process for housing developments and avoiding costly and unnecessary additions to the pre-development process that may delay the delivery of housing and increase the cost of homes for our residents.

The Island of Maui is facing a situation where very modest historic personal income growth, coupled with an accelerated cost of living will have a direct impact on future economic growth and opportunity for local families. Data confirms that rather than finding upward mobility on island, Maui families are choosing to depart to survive. Maui's population demographic highlights that it is the only island where the percentage of local residents has been at or below 50 percent of its total population between 2006-2017. No other island has hit that threshold.

The intent of HB497 will help to turn the tide of this unfortunate trend. The broad support of this bill from the Maui constituency is also a strong influence of our support and appreciate their voice in the process.

Now more than ever, policy that compliments expediting economic opportunity, while eliminating housing and income inequities in our state should be considered.

Hawai'i Construction Alliance

P.O. Box 179441
Honolulu, HI 96817
(808) 220-8892

February 11, 2021

The Honorable Representative David Tarnas, Chair
The Honorable Patrick Pihana Branco, Vice Chair and members
House Committee on Water & Land
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: SUPPORT for HB497

Dear Chair Tarnas, Vice Chair Branco, and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Laborers' International Union of North America, Local 368; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

We are in strong support of HB497 because it will serve to simplify the entitlement process for housing projects and provide both the State with significant opportunities in the form of economic benefits and job creation.

These opportunities are more important than ever as the State looks for imminent solutions to the economic downturn brought on by COVID-19. This bill is good for the State. It is also good for private businesses, construction trade unions, and in turn for the people of Hawai'i.

Therefore, we respectfully ask for your support to pass HB497.

Aloha,



Nathaniel Kinney
Executive Director
Hawai'i Construction Alliance
execdir@hawaiiiconstructionalliance.org