



February 9, 2021

1:00 p.m.

Conference Room 225

**To: Senate Committee on Housing
Sen. Stanley Chang, Chair
Sen. Dru Mamo Kanuha, Vice Chair**

**From: Grassroot Institute of Hawaii
Joe Kent, Executive Vice President**

RE: SB1276 — RELATING TO DETACHED DWELLINGS

Comments Only

Dear Chair and Committee Members:

The Grassroot Institute of Hawaii would like to offer its comments on [SB1276](#), which would require each county to adopt ordinances authorizing the construction and occupation of detached dwellings in areas zoned as residential, provided that the dwellings in question meet certain minimum specifications.

We commend the Legislature for considering new ways to help address the state housing crisis. It is easy to focus solely on new building projects and overlook how much it could help to lift the zoning restrictions that hamper creative solutions to the lack of affordable housing.

Recently, the Grassroot Institute has distributed two publications to legislators on the ways zoning and other regulations throttle the growth of housing.

One was our policy report, [“Reform the Hawaii LUC to encourage more housing,”](#) which advocates giving the counties more authority to make decisions at the county level, thus reducing the amount of bureaucracy in development and preventing the LUC from becoming a kind of state zoning commission.

The other was a zoning reform toolkit, [“How to Build Affordable, Thriving Neighborhoods”](#) which explores different ways to grow housing and improve affordability by reforming state

and local zoning restrictions. We summarized proposals from the toolkit in a commentary published in The Maui News, ["50 ways — at least — to update Maui's zoning code."](#)

We are pleased to see that SB1276 embraces two principles in the zoning toolkit: It allows for the creation of different kinds of housing, such as tiny homes; and it creates a more streamlined process for building approval, allowing homebuilders to know that certain pre-approved building plans must be approved by the county.

By requiring counties to authorize the construction of certain detached dwellings, SB1276 would comprise a positive step toward addressing the state housing shortage.

Thank you for the opportunity to submit our comments.

Sincerely,

Joe Kent

Executive Vice President, Grassroot Institute of Hawaii



February 9, 2021

The Honorable Stanley P. Chang, Chair
The Honorable Dru Mamo Kanuha, Vice Chair
Senate Committee on Housing
State Capitol
Honolulu, Hawai'i 96813

Dear Chair Chang, Vice Chair Kanuha, and Members:

HI Good Neighbor is a group of concerned citizens from around the island who are strongly opposed to the proliferation of large detached dwellings (“LDDs”), also called “monster homes,” throughout Oahu’s residential neighborhoods.

We provide comments on SB1276, which would require each county to adopt ordinances authorizing detached dwelling units that meet certain minimum standards.

We appreciate that the bill would require detached dwelling units that automatically receive approval to be owner-occupied [Section (b)(1)]; limits the number of bathrooms per dwelling unit to the numbers found in Honolulu’s Ordinance 20-43 [Section (b)(3)]; limits the amount of impervious surface area to 75% of the zoning lot area [Section (b)(5)]; and limits the number of wet bars to one [Section (b)(6)].

We note that Ordinance 20-43 put additional setback requirements on dwelling units between 0.6 and 0.7FAR, and we would recommend that this bill also add in similar requirements, either specifically for homes within that FAR range, or for all homes which would receive automatic approval.

Furthermore, we note that Honolulu Land Use Ordinance Section 21-3.70-1 permits subsequent inspections for homes with high FARs after issuance of a permit but before the issuance of a Certificate of Occupancy. We might suggest that rather than utilizing the word “approval,” the bill clarify that a county shall not deny issuance of a building permit for dwelling units meeting the strict criteria outlined in the bill. This more specific language would preserve the right of a County to conduct additional, subsequent inspections to determine whether a dwelling unit met the specified criteria before issuing a Certificate of Occupancy.

Mahalo nui loa,

HI Good Neighbor

Tyler Dos Santos-Tam | Sarah Chinen | Melissa Mai'i
Aurora Muir | Christine Otto Zaa | Reyna Sueoka
Pat Watson | Trisha Kehaulani Watson | Steven Yamashiro