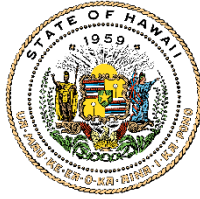


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKUAĀINA 'Ō HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'ŌIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committees on
HOUSING,
WATER AND LAND,
and
JUDICIARY AND HAWAIIAN AFFIARS

Monday, February 12, 2024
02:30 PM
State Capitol Room 325 & Via Videoconference

In consideration of
HOUSE BILL 2090
RELATING TO HOUSING

House Bill 2592 amends Chapter 46, Hawaii Revised Statutes (HRS), authorize homes in areas zoned commercial, and adaptive reuse of commercial buildings for residential purposes. **The Department of Natural Resources (Department) supports this measure and offers comments.**

The Department believes that reuse of commercial buildings for residential purposes can make an important contribution to easing Hawai'i's housing shortage. The commercial centers of most older communities had a mix of commercial and residential uses. Residential units were frequently found on the upper floors of commercial structures above the commercial spaces. Reintroducing such mixed uses is a return to the historic character of these communities, while increasing the stock of available housing units. Such reuse also supports protection of the historic character of these commercial centers, which are often defining elements of their physical and social character.

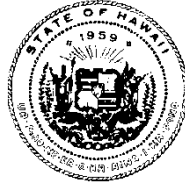
Adaptive reuse of existing structures is often significantly less expensive than building new, even when the building being rehabilitated is significantly deteriorated and in need of introduction of critical upgrades to meet contemporary expectations and standards.

Finally, an approved rehabilitation of a historic income producing structure can qualify for a 20% federal income tax credit, and income producing or not a 30% State of Hawai'i income tax credit on qualifying rehabilitation expenses.

Mahalo for the opportunity to testify in support of this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
HONOLULU, HAWAII 96813
FAX: (808) 587-0600

Statement of
DEAN MINAKAMI

Hawaii Housing Finance and Development Corporation
Before the

**HOUSE COMMITTEE ON HOUSING
HOUSE COMMITTEE ON WATER & LAND
AND
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS**

February 12, 2024 at 2:30 p.m.
State Capitol, Room 325

In consideration of
**H.B. 2090
RELATING TO HOUSING.**

HHFDC **supports** HB 2090, which allows limited residential uses in areas zoned for commercial to be considered permitted with certain provisions and requires the counties to adopt ordinances to promote adaptive reuse of existing commercial buildings, among other things. The bill includes a carveout for Hawaii Community Development Authority-zoned lands.

This bill has the potential to expand Hawaii's housing inventory while also facilitating the creation of more vibrant communities. It does so by allowing the development of housing in commercial districts (located above building ground floors) and encouraging the repurposing of older commercial buildings that are underutilized due to market conditions or functional obsolescence. Many older buildings with potential for residential conversion are in central business districts that can become desirable communities, as they tend to be proximate to public services, community facilities, entertainment venues, and the like in addition to employment centers.

Thank you for the opportunity to testify on this bill.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8162 TTY

February 12, 2024

TESTIMONY TO THE HOUSE COMMITTEES ON HOUSING, AND WATER AND LAND, AND JUDICARY AND HAWAIIAN AFFAIRS

House Bill 2090 – Relating to Housing

The Disability and Communication Access Board (DCAB) offers comments on House Bill 2090 – Relating to Housing.

This bill addresses the housing crisis by allowing residential uses in areas zoned for commercial to be considered permitted as long as the residential use is limited by ordinance to floors above the ground floor of a building or structure and development standards are met, but exempts areas zoned under chapter 206E, HRS, relating to the Hawaii Community Development Authority. Requires each county to adopt ordinances that allow for adaptive reuse of existing commercial buildings in the county's building codes.

The housing crisis is magnified for people with disabilities as many units are not designed to be accessible. In addition to addressing the housing shortage, legislation should address the quantity of supportive housing units that are accessible to people with mobility and communication disabilities. The Americans with Disabilities Act Standards for Accessible Design (ADA Standards) specifies the minimum percentage of accessible housing units in public facilities. The ADA Standards only requires five percent of units to be accessible for mobility disabilities and two percent of units to be accessible for communication disabilities. The Fair Housing Act (FHA) design and construction requirements specifies the minimum number of adaptable housing units in public and private buildings containing four or more units. The FHA requires all dwelling units to be adaptable for mobility disabilities in buildings with an elevator, but only requires ground floor units to be adaptable for mobility disabilities in buildings without an elevator. The FHA does not require units to be adaptable for communication disabilities.

According to the U.S. Census Bureau's 2021 Disability Characteristics for the State of Hawaii, 19.1 percent of Hawaii's residents that are sixty five years and older have mobility difficulty, 12.6 percent have hearing difficulty, and 4.7 percent have vision difficulty. The following adjustments that exceed minimum accessibility and adaptability requirements would provide Hawaii residents with disabilities the opportunity to live independently:

- In public facilities with residential dwelling units, at least twenty percent, but no fewer than one unit, of the total number of residential dwelling units shall provide mobility features that comply with applicable technical requirements in the ADA Standards.
- In public facilities with residential dwelling units, at least thirteen percent, but no fewer than one unit, of the total number of residential dwelling units shall provide communication features that comply with applicable technical requirements in the ADA Standards.

- In multi-story buildings with four or more residential dwelling units, an elevator shall connect each story and all dwelling units shall comply with the FHA design and construction requirements.

Investing in accessible housing would ensure that more residential units would be available for individuals with disabilities and their families.

Thank you for considering our position.

Respectfully submitted,



KIRBY L. SHAW
Executive Director

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 9, 2024

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 2090, RELATING TO HOUSING
AND
HB 1630, RELATING TO URBAN DEVELOPMENT
House Committee on Housing
House Committee on Water & Land
House Committee on Judiciary & Hawaiian Affairs
Monday, February 12, 2024
2:30 p.m.
Conference Room 325
Via Videoconference**

Dear Chair Evslin, Chair Ichiyama, Chair, Tarnas, and Members of the Committees:

Thank you for this opportunity to provide testimony in SUPPORT of HB 2090, Relating to Housing and HB 1630, Relating to Urban Development. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 2090 and HB 1630, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 2090 and HB 1630. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:slr

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 11, 2024

TO: The Honorable Representative Luke A. Evslin, Chair, and
Members of the House Committee on Housing
The Honorable Representative Linda Ichiyama, Chair, and
Members of the House Committee on Water & Land
The Honorable Representative David A. Tarnas, Chair, and
Members of the House Committee on Judiciary & Hawaiian Affairs

FROM: Alice L. Lee
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

SUBJECT: **HEARING OF FEBRUARY 12, 2024; TESTIMONY IN SUPPORT OF
HB 2090, RELATING TO HOUSING**

I **support** this measure to require counties 1) to consider residential uses to be permitted in areas zoned for commercial use, and 2) to require counties to adopt ordinances to allow for adaptive reuse of existing commercial buildings.

I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Maui County already largely permits residential uses in areas zoned for commercial use.
2. Adaptive reuse of existing commercial buildings for residential use supports the development of much-needed infill housing in areas convenient to commerce and transportation.
3. Commercial retail and workplace vacancies are widespread, and adaptive reuse of those buildings represents efficient use of resources and allows for open space preservation while preventing blight, sprawl, and waste.

Thank you for your consideration.

February 12, 2024

Representative Luke Evslin, Chair
Representative Micah Aiu, Vice Chair
Committee on Housing

Representative Linda Ichiyama, Chair
Representative Mahina Poepoe, Vice Chair
Committee on Water and Land

Representative David Tarnas, Chair
Representative Gregg Takayama, Vice Chair
Committee on Judiciary

RE: **HB 2090 – RELATING TO THE HOUSING CODE**
Hearing date – February 12, 2024 at 2:30 P.M.

Aloha Chairs Evslin, Ichiyama, and Tarnas, and members of the Committees,

Thank you for allowing NAIOP Hawaii to submit testimony providing **in STRONG SUPPORT of HB 2090 – RELATING TO THE HOUSING CODE**. NAIOP Hawaii is the Hawaii chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders and other professionals.

HB 2090 allows residential uses in areas zoned for commercial to be considered permitted as long as the residential use is limited by ordinance to floors above the ground floor of a building or structure and development standards are met, but exempts areas zoned under chapter 206E, HRS, relating to the Hawai'i Community Development Authority. Specifically, this measure requires each county to adopt ordinances that allow for adaptive reuse of existing commercial buildings in the county's building codes and:

(1) Allow for the construction of micro units with a minimum size of two hundred twenty square feet;

(2) Allow for adaptive reuse to meet the interior environment requirements of the International Building Code; and

(3) Provide for an exemption to any requirements regarding additional off-street parking or park dedication; provided that the building's floor area, height, and setbacks do not change as a result of adaptive reuse.

NAIOP Hawaii is strongly supportive of requiring the county the Housing Code to align the building requirements of the city with the International Building Code ("IBC") especially in relation to light and ventilation. The measure will help address the requirements imposed on building construction which differ from the IBC. Specifically, the measure amends Chapter 16A, Revised Ordinances of Honolulu 2021 ("ROH") to provide an exemption for property, buildings and structures that are subject to the requirements of ROH section 16-1.1.

As background, Honolulu is the only county in the state that has a Housing Code that is imbedded into the building code. The Housing Code specifically requires operable windows to allow for natural lighting and direct ventilation for living rooms and bedrooms. Honolulu's building code dictates that IBC governs except as maybe contrarily specified in the Housing Code. This bill seeks to allow for more consistency between the Housing Code and the IBC.

NAIOP Hawaii supports this measure which will encourage adaptive reuse projects which require flexible design options. Most office buildings do not have sufficient windows to provide direct window access. The measure allows for the conversion of office buildings resulting in gaining additional housing units for Honolulu residents. The splitting of existing "larger" units into more units and or bedrooms will increase available inventory in the market.

The IBC approved the change in 2012 and Hawai'i adopted the changes in 2018. The new code allows for indirect or artificial light and mechanical ventilation options to consider rooms to become "bedrooms" and living rooms. By requiring adequate lighting and ventilation, the changes continue to protect the life and safety of potential residents.

Furthermore, prior to the Housing Code that was created for Honolulu (circa 1990's) there were residential buildings built without operable windows including Central Center, Executive Center and many of the older hotels. Additionally, 1132 Bishop had recently gone through 201H to convert to residential. There are several decaying buildings that could be converted with by-right permitting, without the expense and time delays of processing 201H applications. Many small infill lots within the urban core could be developed with higher densities such as the 67-unit Fort St mall senior affordable project being built on a 6,900 sf lot. Many of the downtown conversion projects could become more financially viable for residential conversions.

Lastly, the IBC code is an international code. Advances in technology for artificial lighting and ventilation methodologies with proven application in living spaces have been

validated by the IBC. Further, the IRC is still in effect to address smaller projects such as single family, duplex and or projects smaller than 3 stories.

Ultimately, Hawaii is currently in a housing crisis which is continuing to worsen due to the ongoing economic changes. NAIOP Hawaii supports this measure which seeks to encourage the conversion of commercial units into residential units. NAIOP Hawaii is dedicated to the creation of affordable housing for our communities. Thank you for the opportunity to testify on this measure and we look forward to working with all interest stakeholders to address this issue.

Mahalo for your consideration,

Reyn Tanaka, President
NAIOP Hawaii



Hawai'i YIMBY
Honolulu, HI 96814

hawaiiyimby.com
admin@hawaiiyimby.com

Monday, February 12, 2024

House Committee on Housing, House Committee on Water & Land, and House Committee on
Judiciary & Hawaiian Affairs

Hawai'i State Capitol

Honolulu, HI 96813

RE: SUPPORT for HB 2090 - RELATING TO HOUSING

Aloha Chairs, Vice Chairs, and Members of the Committees,

On behalf of Hawai'i YIMBY, I'm writing to express our strong support for HB 2090, which will legalize mixed-use residential in commercial zones above ground-floor businesses.

An obstacle in the fight against our devastating housing supply shortage is that Hawai'i has limited urban zoned land on which to build. But we have plenty of space available above stores and businesses. So why don't we use it? When we talk to developers and ask them why they usually don't attempt to add mixed-use housing above commercial developments, we consistently hear that the regulatory red tape involved would cause commercial projects not to pencil.

We need to be encouraging mixed-use residential above retail, not blocking it. The idea that homes don't belong intermingled with stores in business zones is hopelessly outdated and actively harmful not only to housing costs, but to our environment as well. The United Nations Intergovernmental Panel on Climate Change estimates that we can reduce greenhouse gas emissions 23-26% by 2050 through "co-location of higher residential and job densities, mixed land-use, and transit-oriented development" (*IPCC Sixth Assessment Report, 2022*). With Hawai'i's high dependence on cars, we are severely behind on our contribution to that goal. By passing HB 2090, we can unlock housing in commercial zones and start reversing this.

Hawai'i YIMBY (*Yes In My Backyard*) is a volunteer-led grassroots advocacy organization dedicated to supporting bold and effective solutions for Hawai'i's housing crisis. We urge your support for this bill, and thank you for the opportunity to testify.

Sincerely,

Matt Popovich

Co-Lead, Hawai'i YIMBY



Feb. 12, 2024, 2:30 p.m.
Hawaii State Capitol
Conference Room 325 and Videoconference

To: House Committee on Housing

Rep. Luke A. Evslin, Chair
Rep. Micah P.K. Aiu, Vice-Chair

House Committee on Water & Land

Rep. Linda Ichiyama, Chair
Rep. Mahina Poepoe, Vice-Chair

House Committee on Judiciary & Hawaiian Affairs

Rep. David A. Tarnas, Chair
Rep. Gregg Takayama, Vice-Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB2090 — RELATING TO HOUSING

Aloha Chairs Evslin, Ichiyama and Tarnas, Vice-Chairs Aiu, Poepoe and Takayama, and Committee Members,

The Grassroot Institute of Hawaii would like to offer its strong support for [HB2090](#), which would direct the counties to allow for residential uses in all areas zoned for commercial use — except areas under the authority of the Hawai'i Community Development Authority — starting no later than Jan. 1, 2026.

It also would allow for the construction of “micro units” with a minimum size of 220 square feet; “allow for adaptive reuse to meet the interior environment requirements of the International Building Code; and provide for an exemption to any requirements regarding additional off-street parking or park dedication; provided that the building’s floor area, height, and setbacks do not change as a result of adaptive reuse.”

Together, these changes would boost Hawaii’s housing stock and foster the creation of vibrant, walkable communities, as discussed in the Grassroot Institute’s recent policy report, “How to facilitate more homebuilding in Hawaii.”¹

Our report recommended that Hawaii’s counties allow “residential uses in all existing business-related zones,” and that “such residential uses should not be limited to either the ground floor or floors above the ground floor; all floors should be available for use as dwelling units.”²

This bill currently would allow the counties to limit residential use in converted commercial buildings to only floors above the ground floor. Nevertheless, this bill would be a major step toward recognizing the economic and social value that mixed-use neighborhoods can have on our local communities.

In the brief, Grassroot discussed how it was common prior to the advent of the automobile to find buildings with both commercial and residential uses in the same neighborhoods.³

“It was normal for watchmakers, bakers, lawyers and all sorts of other business people to live in the same buildings in which they worked,” the report said. “Their stores or offices were usually on the bottom floors, and their living quarters were typically on the floor or floors above or in an apartment in back.”

Economically speaking, it makes sense to build more housing in urban areas because water and wastewater infrastructure is usually already present. It also is sometimes cheaper to convert a commercial building to housing than it is to start a structure from scratch.

From a social standpoint, research indicates that mixed-use buildings save people money on transportation and promote walking, which can lead to many health benefits. Just as important, they give people a variety of lifestyles to choose from when deciding where to live.

Our policy brief also noted the success that Los Angeles has had with its adaptive reuse ordinance, which it authorized in 1999.⁴ As stated in brief, the LA ordinance:

>> Allowed buildings to change uses from commercial to residential “by right” — that is, automatically — without going before a council or commission where the project could be voted up or down.

>> Exempted adaptive reuse projects from California Environmental Quality Act review.

>> Relaxed parking and loading-space mandates.

¹ Jonathan Helton, [“How to facilitate more homebuilding in Hawaii,”](#) Grassroot Institute of Hawaii, December 2023.

² [Ibid](#), p. 16.

³ Jonathan Helton, [“How to facilitate more homebuilding in Hawaii,”](#) Grassroot Institute of Hawaii, December 2023, p. 15.

⁴ [Ibid](#), pp. 8-10.

>> Allowed one-story rooftop additions automatically.

>> And added a new building code section to specify requirements for adaptive reuse projects.

These policy changes enabled builders to bypass regulations that would have held up their efforts to create new housing or otherwise find new uses for existing buildings — and have led to the construction of 12,000 units in the city’s downtown area since the ordinance was enacted.

I hope all this information will encourage you to approve HB2090.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law and Economic Justice
Support for H.B. 2090 – Relating to Housing
Joint House Committees on Housing, Water & Land, and Judiciary & Hawaiian Affairs
Monday, February 12, 2024, at 2:30 PM, Conf. Rm. 325 and via Videoconference

Dear Chair Evslin, Vice Chair Aiu, Chair Ichiyama, Vice Chair Poepoe, Chair Tarnas, Vice Chair Takayama, and fellow committees members:

Thank you for the opportunity to express our **SUPPORT for HB2090**, which would allow the counties to implement sensible zoning reforms to allow for residential housing in certain commercial zones.

A wide array of housing options are sorely missed in Hawaii's current development landscape largely due to our restrictive county zoning rules. HB2090 is an important part in addressing our ongoing housing crisis by encouraging mixed-used development for those who would like the opportunity to live, work, and play in close proximity to their daily needs.

Lack of diverse housing options drive up prices and push many locals out of Hawai'i. Current practices across the counties are not aligned in encouraging development which allows people to live closer to things that they need. Development above or reuse of commercial zoned areas is sustainable in that it can capitalize on existing infrastructure and utilize underused or vacant spaces, reduce "dead space" where commercial units sit empty, and help revitalize these areas without the need for extensive new construction.. Providing more options in our housing market is necessary to prevent the displacement of long-standing residents and ensure that Hawai'i remains accessible to the diverse range of housing needs.

Increasing our housing supply through promoting residential over existing commercial buildings or adaptive reuse of empty commercial buildings is not new; this is a housing form which was of common practice in Hawaii and across the globe. Residents used to be able to live above or behind their shops in places like Paia, Kapa'a, Hilo, Chinatown, and many other iconic Hawai'i places. HB2090 draws from this tradition while modernizing zoning regulations to meet contemporary housing needs.

Allowing residential development in commercial zones and repurposing commercial buildings for housing we can increase the housing supply through more diverse housing options. The current limited restrictive options for residential zoning does not reflect the needs of Hawaii's people. Housing needs change over time, our zoning rules should accommodate those changes, and we should not be baselessly restricting our options as to where residential housing can occur. HB2090 would allow for a wider and more diverse array of housing options and give greater opportunities for residents to stay in Hawaii and give more choice to housing forms.

Mahalo for the opportunity to testify.

Hawaii Zoning Atlas: In Support

Chairs Evslin, Ichiyama, and Tarnas

HSG-WAL-JHA

HB2090

2/12/2024, 2:30pm

Conference Room 325

In Support

The Hawai'i Zoning Atlas is part of a nationwide research collective revealing how zoning laws have been used to restrict housing supply and reduce housing affordability. On behalf of our dedicated team of volunteers and student researchers, **we urge the Chairs to advance HB2090**, which would permit residential uses above ground level in commercial zones across Hawai'i. Mixed use development is wise urban planning that can offer low-cost housing near businesses and essential services and reduce burdens on outlying land and infrastructure.

Mixed use development is wise urban planning

The American Planning Association, the national professional organization of urban planners has endorsed the ideas this bill enacts. Their [Equity in Zoning Policy Guide](#) recommends widespread use of mixed-use zoning districts to “increase opportunities for historically disadvantaged and vulnerable populations to live closer to sources of quality employment, goods, and services (p.17).” Failing to pass HB2090 now would mean ignoring the experts on our most pressing policy issue.

Planners also recognize health and safety benefits of mixed-use development. It [encourages](#) walking and biking for able-bodied residents, offers proximity to shopping and services for residents with mobility challenges, and reduces traffic congestion.

Mixed use development reduces burdens on outlying land and infrastructure

Land use policy experts have found that planned, compact growth reduces land conversion at the urban edge by [20 to 45](#) percent. These mixed-use developments can help ease the pressure to develop Hawai'i's [threatened](#) agricultural lands and reduce [transportation emissions](#). Well-designed mixed-use development can reduce infrastructure costs as infill development and redevelopment is concentrated on land served by [existing infrastructure](#).

HB2090 targets specifically designated urban districts that can support commercial and residential uses together, unlocking a small but significant amount of land for development that can alleviate the housing crisis. As such, HB2090 would provide low-cost housing options in desirable locations for Hawai'i households while conserving land and infrastructure spending.

Trey Gordner and Devon Chodzin, Hawai'i Zoning Atlas

Testimony of The Pew Charitable Trusts
Gabe Kravitz, Housing Policy Initiative
February 12, 2024

HI HB 2090: Related to Housing

I'm Gabe Kravitz from the Housing Policy Initiative at The Pew Charitable Trusts.

The foremost issue affecting housing costs is a national shortage of 4-7 million homes, including a shortfall of more than 10,000 in Hawai'i. To address this shortage and improve affordability, several states have passed laws legalizing apartments on all lots zoned for commercial purposes. This means that property owners have the flexibility to meet housing needs rather than being forced to focus only on commercial businesses.

The rationale for these policies is that if a five-story office building is allowed on a main road, then a five-story apartment building should be allowed there too. The sorts of small and mid-rise apartment buildings allowed under these laws consistently rent for less than single-family homes and high rises. Apartments or townhouses built near commerce can enable both affordability and walkability, reducing car dependency and benefiting seniors, students, those with disabilities, and those with low incomes. This solution has become more relevant with many areas experiencing high post-pandemic office vacancy rates.

To pave the way for more housing, bipartisan legislative majorities in California, Florida, and Montana recently passed laws to allow apartments in commercial areas, addressing in the process the onerous requirements that have previously stymied apartment construction, such as large parking mandates or long and uncertain permitting processes.

Pew's research has found cities and towns that have allowed more apartments near commerce have held rent growth far lower than nearby jurisdictions and the U.S. overall. These policies are also popular, with Pew's recent housing survey finding that 75% of Americans favor allowing apartments to be built in areas mostly used commercially, including 74% of homeowners. Thank you, and I welcome any questions.

HB-2090

Submitted on: 2/10/2024 1:20:44 PM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Duncan	Individual	Support	Written Testimony Only

Comments:

I support HB 2090. I hope the state will issue more like this bill making the counties become creative for re purpose use of commercial space. A multi faceted approach with many avenues to create more housing of different types is the best solution for our housing crisis.

Aloha Regina Duncan

HB-2090

Submitted on: 2/10/2024 4:13:45 PM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Joe P. Moss	Individual	Support	Written Testimony Only

Comments:

Dear Honorable Representatives: I support this bill. I believe it will help with the need for housing for locals and also give flexibility to the property owners. It has been done successfully in other locations Thank you, Joe Moss

HB-2090

Submitted on: 2/10/2024 7:25:02 PM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Bernard Markowicz	Individual	Support	Written Testimony Only

Comments:

My name is Bernard Markowicz, and I am a full-time resident of Kauai. I have a master’s degree in urban planning from Princeton University. I all heartedly support proposed bill HB 2090, "A BILL FOR AN ACT RELATING TO HOUSING", which recognizes the need for Hawaii to increase its housing supply to meet local demand, mitigate housing cost increases, and prevent displacement of residents and homelessness. The proposed bill acknowledges high housing costs resulting from regulatory restrictions on homebuilding and proposes allowing mixed commercial and residential uses, which could create vibrant neighborhoods, reduce commutes, decrease traffic congestion and lower carbon emissions. **This proposed bill is a “win-win”**. By encouraging the adaptation of commercial buildings for residential use, as is now commonly seen on the mainland, the proposed bill will help preserve Hawaii’s natural beauty and agricultural land.

Respectfully yours,

Bernard Markowicz, PhD

HB-2090

Submitted on: 2/11/2024 9:32:46 AM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerry Clarin	Individual	Support	Written Testimony Only

Comments:

Aloha esteemed members of the Committee,

I am writing to express my enthusiastic support for HB 2090, a bill that holds immense potential in addressing the critical need for affordable housing while fostering vibrant, sustainable communities across our beautiful state of Hawai'i. As a teacher who still resides with my parents due to the daunting challenges of homeownership, I understand firsthand the urgent necessity for initiatives that enable individuals like myself to achieve the dream of owning a home.

HB 2090 presents a forward-thinking approach to community development by promoting the creation of mixed-use communities. By integrating residential, commercial, and recreational spaces, this bill lays the foundation for dynamic neighborhoods where people can live, work, shop, and play—all within close proximity. This not only enhances the overall quality of life for residents but also fosters a sense of belonging and community cohesion.

One of the most compelling aspects of HB 2090 is its emphasis on creating walkable communities. By designating areas where residents can easily access amenities and services without the need for a car, the bill not only promotes healthier, more active lifestyles but also helps individuals save money on transportation costs. For educators like myself, who often face financial constraints, the prospect of reducing transportation expenses represents a significant opportunity to allocate resources towards achieving homeownership.

Furthermore, HB 2090 prioritizes the development of housing on already developed land, rather than encroaching upon valuable agricultural land. This strategic approach not only safeguards our precious natural resources but also promotes sustainable land use practices that are essential for the long-term well-being of our communities and ecosystems.

Additionally, the bill recognizes the potential of repurposing old and vacant commercial spaces into housing units. By revitalizing underutilized areas, HB 2090 breathes new life into our communities, transforming blighted spaces into vibrant hubs of activity and opportunity. This not only addresses the pressing need for housing but also contributes to economic revitalization and community revitalization.

In conclusion, HB 2090 represents a visionary approach to community development that aligns with the aspirations and needs of Hawai'i residents, including educators like myself who are eager to establish roots and contribute to the fabric of our communities. I urge you to support HB

2090 and take decisive action to create affordable, inclusive neighborhoods where all individuals have the opportunity to thrive.

Mahalo for your dedication to this vital issue and for your consideration of my testimony.

Sincerely,

Gerry Clarin

HB-2090

Submitted on: 2/11/2024 11:20:18 AM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please suport this bill to allow more flexible residential uses in areas zoned for commercial use. We need modernization options for our urban core and for commercial buidlings that are no longer in demand. Our housing crisis warrants many new solutions. This bill could help, breathing new life and homes into dis-used commercial buidlings. The future success of our state depends on building more housing in our urban core (keep the country country), with mass transit and retail access so that people don't need as many cars.

So, I hope you will pass this bill and require each county to adopt ordinances that allow for adaptive reuse of existing commercial buildings in the county's building codes. Bring it on!

Thank you for your consideration of my testimony.

Ellen Carson, Honolulu, Hawaii.

HB-2090

Submitted on: 2/11/2024 7:27:55 PM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Ola Popovich	Individual	Support	Written Testimony Only

Comments:

Aloha

Please pass this bill to allow for more housing to be built. It will enable the creation of walkable communities that are much more pleasant to live in and be better for the environment because it will require less driving.

Mahalo

Ola Popovich

HB-2090

Submitted on: 2/11/2024 8:34:38 PM

Testimony for HSG on 2/12/2024 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Faith Christy Soliven	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing to support HB 2090, which advocates for mixed-use and adaptive reuse development.

Mixed-use saves transportation costs and commute times, creates more housing and job opportunities, and conserves undeveloped land.

Fostering a walkable environment and efficient public transit allows shorter commute times and costs needed to drive regularly. Individuals can better access their needs and connect with their community when schools, shops, workplaces, and recreational places are closer and more accessible. It can also be physically, socially, and mentally healthier when we have more time out of the car and in the community and environment. Since everyone seeks different needs in transit and housing, it is at least essential to make mixed-use an option for those who cannot afford a car or long transit.

Mixed-use may also provide opportunities for workforce housing, allowing limited jobs like medical professions and trade jobs to stay in Hawai'i.

Adaptive reuse and mixed-use allow more opportunities to utilize already developed areas and conserve undeveloped land. It relieves the pressure to sprawl into our limited space on the islands, especially when they are reserved for cultural significance and agricultural uses.

Finally, I hope our leaders will make the best decisions to ensure that future generations can stay or return home. To instill faith that it may be possible, we need to implement sustainable and promising solutions to the best of our abilities for the people of Hawai'i.

Mahalo, thank you for your review and consideration.