

BILL021(23)
Testimony

MISC. COMM. 144

ZONING (ZON)

ZONING (ZON) Meeting

Meeting Date: Apr 5, 2023 @ 09:00 AM

Support: 17

Oppose: 1

I wish to comment: 1

Name: Hawaii LECET	Email: info@hawaiiilecet.org	Zip: 96817
Representing: Hawaii Laborers & Employers Cooperation and Education Trust	Position: Support	Submitted: Apr 3, 2023 @ 09:10 AM
Name: Ted Kefalas	Email: tkefalas@grassrootinstitute.org	Zip: 96813
Representing: Grassroot Institute of Hawaii	Position: I wish to comment	Submitted: Apr 3, 2023 @ 04:16 PM
Name: Duke Hashimoto	Email: dukeh@avalonhi.com	Zip: 96707
Representing: Self	Position: Support	Submitted: Apr 3, 2023 @ 08:43 PM
<p>Testimony:</p> <p>I submit this testimony in strongly support of Bill 21 related to light and ventilation. The bill accepts the International Building Code instead of the Housing Code for light and ventilation. This Bill provides design flexibility.</p> <p>There is a huge need for flexibility in design options. Many buildings are designed for a certain use (ie offices) and are not able to provide sufficient window access. If adaptive reuse is going to be a strategy going forward we need flexibility to design around what is currently available in the market.</p> <p>Honolulu is the only county in the state that has a Housing Code that is embedded into the building code. We need to update to match the IBC.</p> <p>If changes are made many of the downtown conversion projects could become more financially viable for residential conversions. IBC code is an international code. Advances in technology for artificial lighting and ventilation methodologies and proven application in living spaces have been validated by the IBC.</p> <p>Thank You.</p>		
Name: Michael Silva	Email: mikesilva@hawaii.rr.com	Zip: 96782
Representing: Self	Position: Oppose	Submitted: Apr 3, 2023 @ 09:52 PM
Name: Toni Miller	Email: toni00miller@gmail.com	Zip: 96813
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 05:26 AM
<p>Testimony:</p> <p>I submit this testimony in strongly support of Bill 21 related to light and ventilation. The bill accepts the International Building Code instead of the Housing Code for light and ventilation. This Bill provides design flexibility.</p>		
Name: Grant Chang	Email: grant@lowneyarch.com	Zip: 96813
Representing: Lowney Architecture	Position: Support	Submitted: Apr 4, 2023 @ 07:49 AM
Name: Evan Oue	Email: eoue@imanaka-asato.com	Zip: 96813
Representing: NAIOP Hawaii Chapter	Position: Support	Submitted: Apr 4, 2023 @ 08:17 AM
Name:	Email:	Zip:

Ryan Kamo	ryan.kamo@gmail.com	96822
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 08:47 AM
Testimony: I support Bill 21 as it relates to providing design flexibility which will allow creative adaptation and support housing in Hawaii.		
Name: Stefanie Sakamoto	Email: ssakamoto@imanaka-asato.com	Zip: 96789
Representing: BIA Hawaii	Position: Support	Submitted: Apr 4, 2023 @ 08:54 AM
Name: Janice Li	Email: janice@lowneyarch.com	Zip: 96813
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 08:57 AM
Testimony: April 4, 2023 Honolulu City Council 530 S King St. Honolulu Hale, Room 202 Honolulu, HI 96813 Committee Chair Say, Vice Chair Dos Santos-Tam and Members of the Zoning Committee: I am writing in with my sincere support of Bill 21 scheduled for City Council hearing on April 5, 2023 regarding the light and air requirements for Multi-Family Housing projects. As an immigrant moving to Hawaii at the age of 12, I have had the good fortune of growing up in a very well designed and managed affordable housing project – Kukui Garden. As a practicing architect now focusing on multi-family residential projects, I aim to be part of the solution for the ongoing housing crisis and I see Bill 21 as a critical piece in helping to increase the housing stock for our community. Bill 21 supports the State Building Code, which references the International Building Code (IBC), over the Housing Code with respect for natural light and air requirements and I strongly support the passing of this bill for the following reasons: o The IBC is primarily in place to ensure buildings are designed and built safely. Light and air are not life safety issues, particularly when the IBC allows compliance through alternative means such as meeting air quality and air change requirements along with artificial light or borrowed light conditions for habitable spaces. These alternative methods allow flexibility in meeting code compliance and at the same time ensure a good quality living environment for human occupancy. o No other major US city has the Housing Code supersedes the Building Code. Major cities like San Francisco, New York, Seattle and Los Angeles allow for the same flexibility proposed by Bill 21 both for new construction and adaptive reuse projects. I recognize that we enjoy unparalleled temperate climate in Hawaii and buildings should be naturally ventilated as much as possible for human comfort and for long term sustainability to our environment. However, there is more than one way to design environmentally responsive buildings and alternative methods should be allowed to achieve the same goals. o With the surplus of office vacancies in Downtown Honolulu adaptive reuse is a smart way to reenergize the urban core and create a vibrant mixed use neighborhood along with making a dent in the housing crisis. Most office buildings have deep floor plates with limited perimeter area proportionate to the floor size. Trying to meet the Housing Code requirements for light and air create huge units which become costly and start to challenge the overall feasibility of the project. The ability to meaningfully adapt these underutilized structures into much needed housing is also a form of environmentally sustainable practices. I appreciate your time and attention to listen to the community and constituents as you make your decision and urge you to vote in support of Bill 21. Mahalo Nui, Janice Y. K. Li Studio Director - Hawaii		

808.679.7588
janice@lowneyarch.com

Name: ryan sakuda	Email: ryan@gcahawaii.org	Zip: 96819
Representing: General Contractors Association of Hawaii	Position: Support	Submitted: Apr 4, 2023 @ 09:10 AM

Name: Elisha Hirakawa	Email: ehirakawa69@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 09:28 AM

Testimony:
Dear Sir,
I submit this testimony in strong support of Bill 21 related to light and ventilation.
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 being proposed changes the Housing Code to be consistent with the nee IBC. Otherwise we are still stuck with the old code requirement.
Thank you for your consideration.

Name: Rachel Ventura	Email: rachelventura808@gmail.com	Zip: 96813
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 10:34 AM

Testimony:
I submit this testimony in strongly support of Bill 21 related to light and ventilation. The bill accepts the International Building Code instead of the Housing Code for light and ventilation. This Bill provides design flexibility.
1 Adaptive reuse requires flexible design options. Most office building do not have sufficient windows to provide direct window access. We need a code change to allow for the conversion of office buildings and also to potentially gain additional units from splitting existing "larger" units that could provide for more units and or bedrooms available in the market.
2 The IBC has 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. (change does not pose a life safety compromise)
3. 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 being proposed changes the Housing Code to be consistent with the nee IBC. Otherwise we are still stuck with the old code requirement.
4. Prior to the Housing Code that was created for Honolulu (circa 1990's) there were residential buildings built without operable windows. (Central Center, Executive Center and many of the older hotel stocks.)
5. 1132 Bishop (Bishop Place) had to go 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 of the downtown conversion projects could become more financially viable for residential conversions.
6. 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. As a 201H project the project was able to provide all one bedroom units instead of studios.
7. IBC code is an international code. Advances in technology for artificial lighting and ventilation methodologies and proven application in living spaces have been validated by the IBC.
8. The International "Residential" Code IRC is still in effect to address smaller projects such as single family, duplex and or projects smaller than 3 stories.

Name: Laurie Ann Chan	Email: laurieannchan@yahoo.com	Zip: 96819
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 11:36 AM

Testimony:

I am in strong support of Bill 21 related to light and ventilation. This bill will provide design flexibility in order to provide more housing by allowing older buildings to be reused for housing purposes. Adaptive reuse requires flexible design options. For example, most office buildings do not have sufficient windows to provide direct window access. We need a code change to allow for the conversion of office buildings, which are under utilized, to housing to provide more units in the market.

This bill accepts the International Building Code which is an international code. Advances in technology for artificial light and ventilation methodologies and proven application in living spaces have been validated by the IBC. I support this Bill because it is changing the Housing Code to be consistent with the IBC.

Name: Sterling Higa	Email: sterling@hawaiisfuture.org	Zip: 96822
Representing: Housing Hawaii's Future	Position: Support	Submitted: Apr 4, 2023 @ 12:20 PM
Name: Christopher Delaunay	Email: cdelaunay@prp-hawaii.com	Zip: 96813
Representing: Pacific Resource Partnership	Position: Support	Submitted: Apr 4, 2023 @ 01:01 PM
Name: Kevin Crummy	Email: anakama@wik.com	Zip: 96813
Representing: Douglas Emmett Management, LLC	Position: Support	Submitted: Apr 4, 2023 @ 02:49 PM
Name: Daniel Curran	Email: dancurran55@gmail.com	Zip: 96817
Representing: Self	Position: Support	Submitted: Apr 4, 2023 @ 05:58 PM
Name: Martin Nguyen	Email: martin@centre-urban.com	Zip: 96816
Representing: Centre Urban Real Estate	Position: Support	Submitted: Apr 5, 2023 @ 08:28 AM



HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST

650 Iwilei Road, Suite 285 • Honolulu, HI 96817 • Phone: 808-845-3238 • Fax: 808-845-8300

April 5, 2023

To: **The Honorable Calvin Say, Chair**
Honolulu City Council, Committee on Zoning
City & County of Honolulu
530 South King Street
Honolulu, Hawaii 96813

Re: **TESTIMONY IN SUPPORT OF BILL 21 (2023), RELATING TO THE HOUSING CODE**

FOR HEARING ON WEDNESDAY, APRIL 5, 2023 at 9:00 AM, COUNCIL CHAMBERS

Aloha Honorable Chair Say, Vice Dos Santos-Tam, and Zoning Committee Members,

The **Hawaii Laborers & Employers Cooperation and Education Trust** (Hawaii LECET) is a labor + management partnership established in 1992 between the 5,000 statewide members of the Hawaii Laborers Union and over 250 construction companies from the *General Contractors Association* and the *Building Industry Association*. The Laborers International is the largest construction trade union in North America, and Hawaii LECET is part of a network of 38 labor-management LECET Funds across the country.

Hawaii LECET strongly supports Bill 21 (2023). This Bill will facilitate more efficient adaptive reuse, and the conversion of empty and underused existing offices and commercial buildings into residential homes. Bill 21 will speed up the creation of more affordable housing for our local residents, with much of it in our urban core where it is most needed.

Bill 21 will provide flexibility in creating new housing options and help address our growing homeless crisis, by aligning the City's building requirements with the International Building Code. This Bill will allow more of our citizens to be able to acquire shelter and security, while protecting health and safety in our building codes. Thank you for this opportunity to offer our strong support for Bill 21 (2023).

Mahalo,

**Hawai'i Laborers & Employers
Cooperation and Education Trust**



April 5, 2023

9 a.m.

Honolulu City Council Chambers

To: Honolulu City and County Council, Committee on Zoning

Councilmember Calvin Say, Chair

Councilmember Tyler Dos Santos-Tam, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: Bill 21 (2023) — RELATING TO THE HOUSING CODE.

Comments Only

Dear Chair and Committee Members:

The Grassroot Institute of Hawaii would like to offer its comments on [Bill 21 \(2023\)](#), which would align the City and County of Honolulu building code with certain provisions of the International Building Code relating to light and ventilation.

This bill would make it easier to complete “adaptive reuse” projects that repurpose existing structures for new housing units.

Adaptive reuse projects have numerous benefits. They can be less expensive and more environmentally friendly than tearing down existing buildings and replacing them with new structures.¹ Further, adaptive reuse fosters a sense of place by maintaining a building’s character while ensuring it is used for productive purposes.

Should the Council want to look into adaptive reuse further, Los Angeles’ adaptive reuse ordinance could serve a model. It has been credited with helping create 12,000 housing units

¹ Jason M. Ward and Daniel Schwam, “[Can Adaptive Reuse of Commercial Real Estate Address the Housing Crisis in Los Angeles?](#)” RAND Corporation, 2022; and “[Adaptive Reuse: Reimagining Our City’s Buildings to Address Our Housing, Economic and Climate Crises](#),” Central City Association of Los Angeles, April 2021, p. 9.

since its inception in 1999,² and — while it's certainly no silver bullet — could be a valuable tool in the city's housing toolkit.

We would be happy to discuss the model further with you, and we commend the Council for considering this bill.

Thank you for the opportunity to submit our comments.

Sincerely,

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² Ibid.

April 3, 2023

Committee on Zoning
Honolulu City Council
City and County of Honolulu
530 South King Street
Honolulu Hale, Room 202
Honolulu, HI 96813

RE: Bill 21 – Relating to Housing Code

Aloha Committee Chair Say, Vice-Chair Dos Santos-Tam, Committee Members,

I am a mechanical engineer in the Department of Planning and Permitting. I am also the former Building Division Chief – Chief of Building Safety of the Department of Planning and Permitting. However, I must make it clear that I am submitting testimony as a private citizen licensed as a professional engineer in the fields of both Mechanical and Civil Engineering. I am not submitting testimony as an employee of the City.

I strongly oppose Bill 21 and the different CD versions currently under consideration, more specifically in the areas of light and ventilation requirements for the following reasons:

1. Any revisions to the Housing should be consistent with the original intent of the Housing Code.

Bill 21 and its variations simply negate the findings and intent of the Housing Code. Bill 21 simply says that these “requirements are no longer necessary” with no viable reasons. The Housing Code exists to address areas of inadequacy found in the Building Codes. The Housing Code states,

§ 16A-1.1 Findings – Intent.

- (a) *Findings*. The council finds that there are buildings, structures, properties, and portions thereof within the city that are used or designed or intended to be used for human habitation that are unfit for such habitation due to dilapidation; disrepair; structural defects; defects increasing the hazards of fire, accidents, or other calamities; **lack of adequate ventilation**, light or sanitary facilities; uncleanness; overcrowding; inadequate ingress and egress; inadequate drainage; violations of the health and fire regulations; and violations of other laws, regulations, and ordinances relating to the use of land and the use and occupancy of buildings and improvements. The council further finds that such unsafe and

unsanitary conditions affect their surrounding areas and **threaten the health, safety, and welfare of the public by creating unsafe living conditions**; fire hazards; breeding grounds for insects, rodents, and vermin; and public nuisances.

All versions of Bill 21 fail meet the intent of the Housing Code.

2. Proponents for this bill say that we should remove the requirement for natural ventilation because doing so would make us consistent with other jurisdictions. This is a faulty argument. If you lived next door to your workplace, you would not drive to work because everyone else in your workplace drove to work. You would walk because your unique situation gives you the privilege of walking. Similarly, our unique situation in the middle of the Pacific Ocean, with our unique environment, gives us the privilege of using natural ventilation. Saying that mechanical ventilation should be used in lieu of natural ventilation does not make any sense.
3. Removing the light and ventilation requirements of the Housing Code allows for unhealthy and potentially life threatening conditions. All mechanical ventilation systems will eventually fail. Whether it is a failure in one residential unit or failure for the entire building, repair of ventilation systems often take days or even weeks. That means no outside air for the duration of the repair, thus creating an unhealthy and potentially life-threatening situation. Having recently come out of the COVID pandemic, we should be keenly sensitive to this.
4. The COVID pandemic serves as a reminder for the importance of natural ventilation. Both the CDC and the EPA have updated positions regarding airborne contaminants stating that opening windows helps to increase ventilation in homes and decrease the spread of disease.
5. It is the goal of the City to become energy efficient and 100 percent renewable energy by 2045. Buildings without natural ventilation require mechanical ventilation 24 hours a day, 7 days a week. Thus, wasting energy that could be saved if the requirement for natural ventilation was kept intact. Allowing for 100% mechanical ventilation is clearly contrary to the 2045 mandate.
6. Additional rationale by proponents for this bill is that requiring operable windows in adaptive reuse buildings is cost prohibitive. This reason is difficult to stomach. Companies involved in adaptive reuse get millions in exemptions from the City. “Affordable” housing projects can also receive grants and tax exemptions. Some of the money received from the City should be used to require installation of operable windows. Furthermore, affordable rentals can be leased or

sold at market values after the required affordable rental time periods end. Thus, making the developers millions more.

7. Affordable rental projects have a history of falling into disrepair. As someone who grew up in affordable rentals projects, I know this for a fact. The City has no way to guarantee that the ventilation system will be properly maintained by the original owner. Nor can the City guarantee that the project will not be sold to some unscrupulous owner nor managed by some irresponsible company in the future.
8. Original construction of downtown office buildings was never intended for residential occupancies. Degrading our codes to lower costs for adaptive reuse developers is a short-sighted "solution" with long term negative consequences.
9. Many housing projects are NEW projects that have the opportunity to build to the required codes from the very start. So, it makes no sense to degrade our codes.

I understand the need for more housing. However, removing requirements that have protected the people of the City and County of Honolulu for decades is not the way to achieve more housing. This bill benefits the developers/builders at the sacrifice of the residents occupying these buildings and at the cost of taxpayer money. Thank you for this opportunity to offer my strong opposition to Bill 21 (2023).

Mahalo,

A handwritten signature in black ink that reads "Michael O. Silva". The signature is fluid and cursive, with the first name "Michael" being the most prominent.

Michael O. Silva
Licensed Professional Mechanical Engineer
Licensed Professional Civil Engineer

April 4, 2023

Honolulu City Council
530 S King St. Honolulu Hale, Room 202
Honolulu, HI 96813

Committee Chair Say, Vice Chair Dos Santos-Tam and members of the zoning committee:

I am writing in strong support of Bill 21 up for hearing on April 5, 2023 concerning the light and air requirements for Multi Family Housing projects. As a local boy born and raised I have seen the housing problem grow from a bad problem to a crisis over my lifetime. I currently work as an Architect, leading the local office for Lowney Architecture, a firm that focuses on affordable housing. Bill 21 supports the International Building Code over the Housing code with respect for light and air requirements and strongly support the legislation for the following reasons:

-The Building Code is primarily in place to deal with life safety and fire requirements. Light and air are not life safety issues, particularly when the IBC allows compliance through other means such as meeting air quality and air change requirements along with artificial light or borrowed light conditions.

-Having worked on the mainland for over a decade no other major city has the Housing Code supersede the Building Code. In major cities like San Francisco, New York, Seattle and Los Angeles allow for the same flexibility proposed by Bill 21 both for new construction and adaptive reuse projects.

-With the surplus of office vacancies in Downtown Honolulu adaptive reuse is a smart way to reenergize the urban core and create a vibrant mixed use neighborhood along with making a dent in the housing crisis. Most office buildings have deep floor plates with limited perimeter area proportionate to the floor size. Trying to meet the Housing Code requirements for light and air create huge units which become costly and start to challenge the overall feasibility of the project.

I hope you take my concerns into consideration as you make your decision and urge you to vote in support of Bill 21.

Mahalo Nui,



Grant Chang
Principal, Lowney Architecture
808.226.0873
grant@lowneyarch.com



April 4, 2023

Councilmember Calvin Say, Chair
Councilmember Tyler Dos Santos-Tam, Vice Chair
Committee on Zoning

RE: **Bill 21 – RELATING TO THE HOUSING CODE**
Hearing date – April 5, 2023 at 9:00 A.M.

Aloha Chair Say, Vice Chair Dos Santos-Tam and members of the Committee,

Thank you for allowing NAIOP Hawaii to submit testimony providing **in STRONG SUPPORT of Bill 21 – 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.

Bill 21 seeks to amend the Housing Code to align the building requirements of the City with the International Building Code ("IBC") relating to light and ventilation. The measure is intended to 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.

Councilmember Calvin Say, Chair
Councilmember Tyler Dos Santos-Tam, Vice Chair
Committee on Zoning
April 4, 2023
Page 2

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. Most, significantly, the changes do not pose compromise life and safety for 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 square foot 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 interested stakeholders to address this issue.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Jennifer Camp', with a stylized flourish at the end.

Jennifer Camp, President
NAIOP Hawaii



**HONOLULU CITY COUNCIL
COMMITTEE ON ZONING
Honolulu Hale
9:00 AM**

April 5, 2023

RE: Bill 21 - RELATING TO THE HOUSING CODE

Chair Say, Vice Chair Dos Santos-Tam, and members of the Council:

My name is Max Lindsey, Government Relations Committee Chair 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 support of Bill 21, Relating to the Housing Code. This bill amends the housing code relating to the provision of light and ventilation.

This is a much-needed bill that would exempt housing from certain requirements of the International Building Code, allowing for greater flexibility especially in adaptive reuse projects. This would allow for artificial light and/or mechanical ventilation to be used in housing.

The state of Hawaii is in a dire housing crisis. As the Council is aware, the cost of housing in Hawaii is extremely high, with Oahu's median price of homes being currently over \$1 million. Approximately 153,967 U.S. households are priced out of buying a home for every \$1000 increase in price, according to the National Association of Home Builders (NAHB). We are in support of legislation that would allow for the building of much-needed housing at every price point in Hawaii.

Thank you for the opportunity to testify.



April 5, 2023

TO: HONORABLE CALVIN SAY, CHAIR, HONORABLE TYLER DOS SANTOS-TAM, VICE CHAIR, COMMITTEE ON ZONING

SUBJECT: **SUPPORT OF BILL 21.** Amending the Housing Code to align the building requirements of the City and County of Honolulu with the IBC in specific areas, including requirements relating to the provision of light and ventilation.

HEARING

DATE: Wednesday, April 5, 2023
TIME: 9:00 a.m.
PLACE: City Council Chamber

Dear Chair Say, Vice Chair Dos Santos-Tam and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of approximately five hundred (500) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. Our mission is to elevate Hawaii's construction industry and strengthen the foundation of our community.

GCA is in support of Bill 21, which amends the Housing Code to align the building requirements of the City and County of Honolulu with the IBC in specific areas, including requirements relating to the provision of light and ventilation.

This measure would allow for greater flexibility in adaptive reuse projects and help alleviate the housing crisis that the State is currently facing.

Thank you for considering out testimony in support.



Housing Hawaii's Future
PO Box 3043
Honolulu, HI 96802-3043

April 5, 2023

Dear Chair Waters, Vice Chair Kia'aina, and members of the Honolulu City Council,

Housing Hawai'i's Future is a movement led by young locals who will create opportunities for Hawai'i's next generation by ending the workforce housing shortage.

On behalf of Housing Hawai'i's Future, **I write in SUPPORT of Bill 21**, amending the Housing Code, Chapter 16A to conform to the IBC.

At Housing Hawaii's Future, we seek to minimize greenfield development, especially on Oahu.

Rather, we prefer smart growth principles (rezoning, upzoning, infill development, and adaptive reuse) to fully utilize existing building stock and infrastructure.

Adaptive reuse allows the speedy repurposing of existing commercial and light industrial properties into residences.

Bill 21 will support adaptive reuse projects by amending our Housing Code's natural lights and ventilation requirements.

Please support Bill 21.

Thank you,

A handwritten signature in black ink that reads "Sterling Higa".

Sterling Higa
Executive Director
Housing Hawai'i's Future

sterling@hawaiisfuture.org

+1 (808) 782-7868

hawaiisfuture.org

Testimony of
Pacific Resource Partnership

City Council
City & County of Honolulu
Committee On Zoning
Councilmember Calvin K.Y. Say, Chair
Councilmember Tyler Dos Santos-Tam, Vice Chair

Bill 21 (2023)—Relating To The Housing Code
Wednesday, April 5, 2023

Aloha Chair Say, Vice Chair Dos Santos-Tam, and Members of the Committee:

Pacific Resource Partnership (PRP) writes in **strong support** of Bill 21, amending the Housing Code to align the building requirements of the City and County of Honolulu with the IBC in specific areas, including requirements relating to the provision of light and ventilation.

The City and County of Honolulu is currently in a housing crisis, which will continue to worsen if we do not create more affordable/workforce housing opportunities for Oahu's residents. The "Hawaii Housing Planning Study, 2019" ("Study") found that the City and County of Honolulu will need 22,168 more housing units for Oahu's households between 2020 and 2025.

Bill 21 will create more affordable/workforce housing opportunities for Oahu's residents by encouraging adaptive reuse projects, which require flexible design options. More specifically, the bill will allow for artificial light and/or mechanical ventilation to be used in housing. Furthermore, the proposed amendments are in alignment with the International Building Code and will not compromise life and safety for potential residents.

Given the above, we respectfully request your favorable decision on this measure.

Thank you for this opportunity to submit written testimony.





The Honorable Calvin K. Y. Say, Chair
Committee on Zoning
Honolulu City Council
City & County of Honolulu
530 S. King St.
Honolulu, HI 96813

RE: Bill 21 – Relating to the Housing Code - Amending the Housing Code to align the building requirements of the City and County of Honolulu with the IBC in specific areas, including requirements relating to the provision of light and ventilation – IN SUPPORT
Wednesday, April 5, 2023; 9:00 A.M.

Aloha Chair Say, Vice Chair Dos Santos-Tam and members of the committee:

I submit this testimony in strong support of Bill 21 related to light and ventilation. The bill accepts the International Building Code instead of the Housing Code for light and ventilation and provides design flexibility. Douglas Emmett is converting 1132 Bishop Street from office use to residential use. During the entitlement process we ran into multiple conflicts with the Housing Code, that, after a significant amount of time, we were ultimately able to resolve. It would have been much more efficient and less costly to have flexibility built into the code for adaptive reuse.

The ideal residential project is a long skinny rectangle, which maximizes the window line. However, most office buildings have a deeper floorplate and do not have sufficient windows to provide direct window access for living areas and bedrooms without creating an oversized unit. Oversized units result in fewer overall units, which usually make a conversion economically infeasible. Our solution at 1132 Bishop was to put the living area on the window-line and create interior bedrooms with frosted glass doors to allow ambient light. This solution is not allowed under current code which requires operable windows to allow for natural lighting and direct ventilation for living rooms and bedrooms. Additionally, requiring operable windows at 1132 Bishop would have posed a material cost increase that would have stopped the project.

To obtain these waivers, 1132 Bishop had to utilize the 201H process to convert from office to residential. While this solution ultimately worked, it added time delays and complexity to the process. By-right permitting would lower overall costs and speed up the delivery of much needed housing in Honolulu.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kevin A. Crummy'.

Kevin A. Crummy
Chief Investment Officer

Dan Curran

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April 4, 2023

Honolulu City Council
Honolulu, Hawaii 96813

Subject: Support for Bill 021(23) Relating to the Housing Code

Dear Honolulu City Council,

I submit this testimony in strong support of Bill 21 related to light and ventilation. The bill accepts the International Building Code instead of the Housing Code for light and ventilation. This Bill provides design flexibility.

1. Adaptive reuse requires flexible design options. Most office buildings do not have sufficient windows to provide direct window access to all the rooms, generally because of their depth. It is preferred to have the living space on the window with the bedroom behind. This could provide for more units and or bedrooms available in the market.
2. 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. The change does not pose a life safety compromise.
3. 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 being proposed changes the Housing Code to be consistent with the new IBC. Otherwise, we are still stuck with the old code requirement.

4. Prior to the Housing Code that was created for Honolulu (circa 1990's) there were residential buildings built without operable windows. (Central Center, Executive Center and many of the older hotel stocks.)
5. 1132 Bishop (Bishop Place) had to go 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 of the downtown conversion projects could become more financially viable for residential conversions.
6. 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. As a 201H project the project was able to provide all one-bedroom units instead of studios.
7. IBC code is an international code. Advances in technology for artificial lighting and ventilation methodologies and proven application in living spaces have been validated by the IBC.
8. The International "Residential" Code IRC is still in effect to address smaller projects such as single family, duplex and or projects smaller than 3 stories.

Sincerely,



Daniel Curran



Martin M. Q. Nguyen, MRED
Managing Principal
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April 5, 2023

The Honorable Calvin K. Y. Say
Committee on Zoning
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

RE: TESTIMONY IN SUPPORT OF BILL 8 (2023) RELATING TO AFFORDABLE HOUSING

Aloha Chair Say, Vice Chair Dos Santos-Tam, and Committee Members,

I am submitting testimony in my capacity as principal of Centre Urban Real Estate in **SUPPORT** of Bill 8 (2023) relating to Affordable Housing. Centre Urban is a commercial real estate investment, development, and advisory firm active in Honolulu and Southern California, with a specific focus on impactful multifamily and mixed-use projects.

In our experience, the program authorized under Ordinance 19-8, otherwise known as “Bill 7”, is a preeminent example of common-sense collaboration between the public and private sectors to achieve a common goal: building more housing. This statement is in the context of our research into numerous workforce housing and middle-income housing programs across the country. Bill 8 will provide the necessary time for the Bill 7 program to flourish even further and demonstrate the positive impact policy such as this can make on our communities.

As we are all aware, there appear to be upcoming turbulence in the economy. That may lead to some housing projects that were formerly feasibly to be shelved and the benefits deferred. Some of these projects may need assistance to get them across the finish line. To further facilitate positive change as it relates to creating more housing, we would suggest the Committee consider the following as potential amendments:

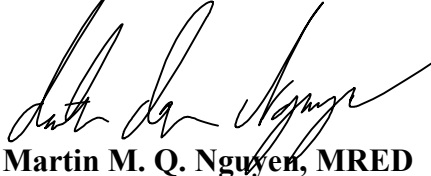
- Reduction of 800 sf/unit cap to 650 sf (e.g. 5,000 sf lot * 4 FAR / 650 sf = 30 units), perhaps limited to the Primary Urban Center Development Plan and/or Ewa Development Plan areas, to encourage more housing in transit-heavy urban areas.
- Height limit bonus by 5 or 10 ft to potentially allow six stories without digging down a half level for parking, also perhaps limited to the Primary Urban Center Development Plan and/or Ewa Development Plan areas.
- Include B-1 and B-2 under the allowable zoning districts for Ordinance 19-8, with requirements for ground floor retail.
- Providing further timeline surety for approvals, if not 90 days then another realistic timeframe.

The housing crisis in Honolulu has reached a point where inaction is not a choice. Our best and brightest are leaving for the Mainland and may never return home. In my personal experience, as a kama‘āina who moved away and have had the opportunity to return home, I know that housing is a major

hurdle to those who have the benefit to even consider doing so. It all starts with housing and housing is an everything problem. By allowing time for the development of much needed workforce housing, this creates the opportunity for our kama'āina to choose to stay or return home.

Thank you for the opportunity to contribute to this important dialogue. If there are any questions or concerns, please reach me at martin@centre-urban.com to discuss.

Sincerely,



Martin M. Q. Nguyen, MRED
Managing Principal
Centre Urban Real Estate Hawaii, LLC

