

BILL006(23)
Testimony

MISC. COMM. 557

ZONING (ZON)

ZONING (ZON) Meeting

Meeting Date: Oct 18, 2023 @ 09:00 AM

Support: 6

Oppose: 0

I wish to comment: 5

Name: Ted Kefalas	Email: tkefalas@grassrootinstitute.org	Zip: 96813
Representing: Grassroot Institute of Hawaii	Position: I wish to comment	Submitted: Oct 16, 2023 @ 01:37 PM
Name: Michele DAmico	Email: permitreview@gmail.com	Zip: 96823
Representing: Self	Position: I wish to comment	Submitted: Oct 16, 2023 @ 04:39 PM
<p>Testimony:</p> <p>If self-certification is granted then architects and engineers who decide to self-certify their projects should be held to the same standard as third-party reviewers. We are required to take the International Code Compliance test for either IBC or the IRC and provide at least \$1M in insurance. The difference between Commerical and Residential TPR's is we are allowed to review for planning/zoning placing us in the same category as the DPP residential code reviewers. Will architects and engineers who self-certify residential will they be allowed to do the same? If not self-certification will not decrease teh review time since the DPP plan reviewer will be reviewing for the Zoning requirements. Based on plan reviews I perform architects and engineers push the limits on the FAR on residential projects and their designs indicate multiple units being built which affects setbacks, parking etc. DPP normally verifies they calculated the FAR's correctly and provided the required parking and setbacks etc.</p> <p>Two residential TPR's - Jimmy Wu and ShingJin Lin both had their TPR certifications revoked for houses that stated their floor areas incorrectly. Under self-certification, they would be allowed to re-apply and self-certify their own projects. In addition, teh City Council would be giving cart-blanche to those professionals who want to provide their clients the large dwellings without any oversight.</p>		
Name: Evan Oue	Email: eoue@imanaka-asato.com	Zip: 96813
Representing: NAIOP Hawaii Chapter	Position: Support	Submitted: Oct 17, 2023 @ 08:49 AM
Name: Kauanui Sabas	Email: ksabas@hgea.org	Zip: 96813
Representing: Hawaii Government Employee Association	Position: I wish to comment	Submitted: Oct 17, 2023 @ 08:59 AM
Name: Ryan Sakuda	Email: ryan@gcahawaii.org	Zip: 96819
Representing: General Contractors Association of Hawaii	Position: Support	Submitted: Oct 17, 2023 @ 11:58 AM
Name: Nathaniel Kinney	Email: nkinney@hrcc-hawaii.com	Zip: 96817
Representing: Hawaii Regional Council of Carpenters	Position: I wish to comment	Submitted: Oct 17, 2023 @ 01:28 PM
<p>Testimony:</p> <p>The Hawaii Regional Council of Carpenters would like to offer comments regarding self-certification of Chaper 32 projects. Given the concerns raised by the Fire Department and Building Department during the passage of Bill 7 we do not believe that Chapter 32 Affordable Housing projects belong in the self-certification process.</p> <p>We believe that Councilmember Kia'aina's CD2 that allows for tenant improvements and DHHL projects to self-certify is a good compromise that allows for reasonable and safe start for the program.</p>		
Name: Alan Texeira	Email: alan@avalonhi.com	Zip: 96813
Representing: Avalon Development	Position: Support	Submitted: Oct 17, 2023 @ 02:02 PM

Name: Greg Thielen	Email: greg@ccs-hawaii.com	Zip: 96734
Representing: Self	Position: Support	Submitted: Oct 17, 2023 @ 03:24 PM
Name: Stanford Carr	Email: scarr@stanfordcarr.com	Zip: 96813
Representing: Stanford Carr Development, LLC	Position: Support	Submitted: Oct 17, 2023 @ 04:00 PM
Name: Christopher Delaunay	Email: cdelaunay@prp-hawaii.com	Zip: 96813
Representing: Pacific Resource Partnership	Position: I wish to comment	Submitted: Oct 17, 2023 @ 04:59 PM
Name: Neil Abercrombie	Email: governor.neil@gmail.com	Zip: 96813
Representing: Self	Position: Support	Submitted: Oct 17, 2023 @ 05:36 PM



October 18, 2023

9 a.m.

Honolulu City Council Chambers

To: Honolulu City and County Council

Councilmember Calvin Say, Chair

Councilmember Tyler Dos Santos-Tam, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: Bill 6 (2023), CD1 — RELATING TO PROFESSIONAL SELF-CERTIFICATION

Comments Only

Dear Chair and Councilmembers:

The Grassroot Institute of Hawaii would like to offer its comments on [Bill 6 \(2023\), CD1](#), which would allow building applications to be reviewed by professionals qualified to self-certify that the plans and other data are in compliance with all applicable laws.

Expanding the use of self-certification could meaningfully slash Honolulu's permitting backlog, which now stands at about six months.¹

Under a self-certification regime, professionals such as architects, engineers and other experts designated by the Department of Planning and Permitting could attest that their building plans comply with all applicable building codes and regulations and automatically receive a permit without going through a DPP or third-party review.

Other municipalities across the country use both of these mechanisms to minimize permitting delays.

¹ Ian Bauer, "[City director reports drop in Honolulu building permit backlog](#)," Honolulu Star-Advertiser, July 21, 2023.

For example, Johns Creek, Georgia, a town of about 80,000, contracts with a private entity to review its most complicated permits, such as for hospitals, while allowing its civil servants to review standard permits, such as for homes. This helps the city avoid permitting backlogs. In fact, permits in Johns Creek are often issued within five to 10 days of when they are applied for.²

Self-certification has also worked in other cities. For example, New York City has employed a self-certification process for decades. This has helped speed up the building process. In fiscal 2023, New Yorkers could expect their building permits to be approved in about 18 days.³

The city has also implemented several safeguards to help ensure that all buildings meet code. According to the 2023 New York City Mayor's Management Report, city auditors randomly review roughly 20% of self-certified permits to deter cheating.⁴

Likewise, Chicago has used a self-certification program with success. Many architects can self-certify building plans and receive a permit within 10 days.⁵

Lest anyone fear that self-certification could lead to unsafe buildings, many architects and engineers would likely ask third-party reviewers to double-check their findings for more complicated projects. Building code inspectors would also still perform routine inspections on the buildings during their construction, and again upon their completion.

Of the proposed amendments to Bill 6, the Institute supports the amendment submitted by Councilmember Andria Tupola because it allows for a more expansive use of self-certification.⁶ However, any use of self-certification would be an improvement over the status quo.

Thank you for the opportunity to submit our comments.

Sincerely,

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² Joe Kent, "[Testimony: Hawaii County could use 'Konno' exceptions to address permit backlog](#)," Grassroot Institute of Hawaii, Nov. 3, 2022.

³ "[Mayor's Management Report](#)," New York City, September 2023, p. 328.

⁴ Ibid, p. 328.

⁵ "[Self-Certification Permit Program](#)," City of Chicago, Feb. 25, 2022.

⁶ "[Honolulu City Council. Committee on Zoning meeting](#)," Oct. 18, 2023, pp. 18-19.



October 17, 2023

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

RE: **Bill 6 – RELATING TO PROFESSIONAL SELF-CERTIFICATION
CONSERVATION CODE.**
Hearing date – October 18, 2023, 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 in **SUPPORT** of **BILL 6 – PROFESSIONAL SELF-CERTIFICATION**. 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 6 seeks to help alleviate the backlog of building permit applications and reviews by giving the building official the authority to allow other outside means of building permit application review for compliance with pertinent codes. Specifically, the measure amends section 18-5.1(a) of the Revised Ordinances of Honolulu 2021 (ROH), to allow review to be conducted by a "qualified third-party reviewer or professional authorized to self-certify that the plans, specifications, computations and other data are correct, accurate and in compliance with all applicable laws."

NAIOP Hawaii stands in support of this measure which will assist in the review of permit applications and expedite the process for development in Honolulu. Self-certification of plans would add a material benefit by decreasing the risk of project permitting and costs of a project. In turn, projects will be enabled to expedite their development process and allow housing units to be produced more efficiently.

We greatly appreciate the work of the council on this measure and would respectfully ask for the opportunity to work together to clarify a few definitions and process concerns there to ensure efficiency in the implementation of the third-party review established in this measure.

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

Accordingly, NAIOP Hawaii supports this measure due to the impacts that it will have on getting homes built for our residents. Thank you for the opportunity to testify on this measure.

Mahalo for your consideration,

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

Jennifer Camp, President
NAIOP Hawaii



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

City Council
City and County of Honolulu
Committee on Zoning

Testimony by
Hawaii Government Employees Association

October 18, 2023

BILL 6, CD1 (2023) — RELATING TO PROFESSIONAL SELF-CERTIFICATION

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO wishes to provide comments on Bill 6, CD1 which temporarily grants the building official authority to allow other outside means of building permit application review for compliance with pertinent codes.

We represent most employees within the Department of Planning and Permitting (DPP), including Building Plans Examiners and Building Plans Engineers, among others. These employees meet the existing qualifications and standards established by the department and can make independent determinations in reviewing plans in a timely manner.

We oppose the current language in Bill 6, CD1 Section 2a (1) which defines 'eligible' projects. Due to the hard work of the DPP staff, the department was able to significantly reduce the permit residential backlog. Therefore, it's unnecessary to allow for self-certification for this type of permit. However, we fully recognize that there is still a significant commercial permitting backlog which has impacted small businesses and hindered the development of more affordable housing on Oahu. **We prefer amended language in Bill 6, CD1 that narrows the scope of self-certification to only affordable rental housing projects covered under ROH Chapter 32, commercial projects, and residential projects located on lands managed by the State Department of Hawaiian Homelands.**

Furthermore, we respectfully ask that the bill be amended to include a sunset date (repeal) of two years. Two years is a reasonable amount of time for the DPP and the City to develop and execute a plan to reduce the permit backlog. Investing in its current and future workforce should be at the forefront of this plan – increasing the pay, professional training, and providing incentives that encourage career growth and promote employment longevity should be considered for DPP employees. If the DPP wants to not only eliminate the current backlog, but prevent future backlogs from occurring, then the DPP must invest in its employees.

Thank you for the opportunity to provide comments on Bill 6.

Respectfully submitted,

Randy Perreira
Executive Director

October 18, 2023

TO: Honorable calvin say, chair, honorable Tyler Dos Santos-Tam, vice chair, committee on zoning

SUBJECT: **Support of bill 6.** Relating to Professional Self-Certification

HEARING

DATE: Wednesday, October 18, 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 6, which attempts to reduce the backlog of building permit applications by allowing other means of building permit review.

This measure will aid in the review of permit applications and reduce permit delays. This will expedite construction and lead to decreased project costs.

Thank you for considering out testimony in support.



Queen's Court
800 Bethel Street, Suite 501
Honolulu HI 96813

Phone 808.587.7770
Fax 808.587.7769
www.avalonhi.com

**Honolulu City Council
Committee on Zoning**
October 18, 2023, 9:00am
City Council Chamber, Honolulu Hale

TO: The Honorable Calvin K.Y. Say, Chair
Council Committee on Zoning and Planning

RE: TESTIMONY IN SUPPORT OF THE PROPOSED CD2 TO BILL 6 (23) CD1,
RELATING TO PROFESSIONAL SELF-CERTIFICATION

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

Bill 6 seeks to help alleviate the backlog of building permit applications and reviews by giving the building official the authority to allow other outside means of building permit application review for compliance with pertinent codes.

Avalon Development SUPPORTS the proposed CD2 to Bill 6 (23) CD1, submitted by Councilmember Kia'āina (OCS2023-0761/8/16/2023 2:55PM), Relating to Professional Self-Certification which will assist with the review of permit applications to accelerate the permitting process for our residents.

By allowing self-certification, architects, engineers, and other professional experts designated by the Department of Planning and Permitting (DPP) could attest that their building plans are compliant with all applicable building code regulations, greatly accelerating the permitting process.

Establishing a temporary professional self-certification program will enable projects to expedite their development process, lowering the overall costs to a project and allow housing units to be produced more efficiently while reducing the City and County of Honolulu's permitting backlog.

We prefer the language in Councilmember Kia'āina's version as the definition of eligible projects will allow commercial office and retail tenant improvements with no building height restrictions, does not include projects developed under ROH Chapter 32 and will assist the Department of Hawaiian Home Lands to fulfill its mandate.

Avalon Development SUPPORTS the proposed CD2 to Bill 6 (23) CD1, submitted by Councilmember Kia'āina (OCS2023-0761/8/16/2023 2:55PM) and respectfully requests the measure be amended to this proposed draft and pass third reading out of the Zoning Committee to go before the full Council for consideration. Thank you for the opportunity to testify.

Sincerely,

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

Alan Texeira
Director, External and Community Affairs
Avalon Development

**COMPLETE
CONSTRUCTION
SERVICES
CORP.**

GENERAL CONTRACTING
& DEVELOPMENT
P.O. Box 757
Kailua, HI 96734
PH (808) 263-4900
FX (808) 263-5966
E-mail greg@ccs-hawaii.com
www.ccs-hawaii.com
Lic# BC-23115

Honolulu City Council
Committee on Zoning
City Council Chamber
Wednesday October 18, 2023
9:00 AM

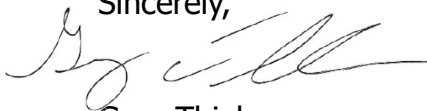
RE: Bill 6 Relating to Professional Self-Certification

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

I am writing in **SUPPORT** of Bill 6 Relating to Professional Self-Certification. As a Developer and Construction Manager working on Bill 7 affordable housing projects, we have experienced significant delays due to the processing time for Building Permits. By creating a pathway to self-certification, we can fast-track more of these affordable housing projects.

By limiting the types of projects that can access self-certification, this bill as written will be more effective as a form of pilot program. This will allow DPP staff and design professionals to work through the set-up and implementation at a measured pace. For these reasons I am asking you to approve Bill 6.

Sincerely,



Greg Thielen
President/RME



STANFORD CARR DEVELOPMENT, LLC

■ October 17, 2023

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

Dear Chair Say and Committee Members:

SUBJECT: Bill 6 (2023), CD1 Relating to Professional Self-Certification

Stanford Carr Development submits testimony in **support** of the Proposed CD2 to Bill 6 (2023), CD1 as proposed by Chair Say (OCS2023-0931/10/12/2023 9:34 AM). The measure proposes to alleviate the backlog of building permit applications by allowing for alternative means to review applications through the establishment of a professional self-certification program. The CD2 referenced above limits the self-certification to affordable rental housing, commercial tenant improvements, and residential projects on lands of the Department of Hawaiian Home Lands for a period of four years after the effective date.

While we appreciate the effort to implement slowly, we note that Chicago, New York City, North Las Vegas, Phoenix, and Tulsa have successfully implemented similar programs. Further, the University of Hawaii Economic Research Organization (UHRO) reported in April 2022 that, "One of the factors that may explain Hawaii's high home prices are government regulations that limit the ability of the housing market to create the units necessary to meet demand."

Given that professional self-certification is a proven program in other major cities, we ask the Council to evaluate the success of this four-year pilot and implement across the board to remove government regulations that the private sector can manage without compromising the safety and quality of construction in Honolulu.

Thank you for the opportunity to support a long needed alternative to the processing of building permit applications.

Respectfully,

A handwritten signature in black ink, appearing to read "Stanford S. Carr", written over a horizontal line.

Stanford S. Carr

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 6 (2013), CD1—Relating To Professional Self-Certification
Wednesday, October 18, 2023

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

Pacific Resource Partnership (PRP) **supports Councilmember Kia'aina's Proposed CD2 to Bill 6.**

We believe Councilmember Kia'aina's Proposed CD2 allowing self-certification for tenant improvements for commercial projects and residential projects located on lands managed by the State Department of Hawaiian Home Lands would be a good compromise and help alleviate some of the Department of Planning and Permitting backlog. This proposed amendment will also help to alleviate the backlog of individuals who are currently on the DHHL waiting list.

Thank you for this opportunity to submit written testimony.



Honolulu City Council
Committee on Zoning
October 18, 2023, 9:00am
City Council Chamber, Honolulu Hale

TO: The Honorable Calvin K.Y. Say, Chair
Council Committee on Zoning and Planning

RE: TESTIMONY IN SUPPORT OF THE PROPOSED CD2 TO BILL 6 (23) CD1,
RELATING TO PROFESSIONAL SELF-CERTIFICATION

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

Speaking to you once again as a former colleague on the City Council I want to indicate solid support for Councilmember Kia'āina's proposed CD2 to Bill 6 CD1 (OCS2023-0761/8/16/2023 2:55PM).

Essentially, the proposed CD 2 incorporates the concept of "self-certification" in a constructive and practical manner in the course of addressing positively our affordable housing crisis. It relies on the integrity and professional responsibility of architects, engineers, project managers, etc. to exercise their judgement in conformance with established rules and regulations. Failure to meet these standards would be rapidly apparent and appropriate sanctions would follow.

The bottom line is the building of affordable housing would be accelerated without compromising needed standards. Your favorable consideration of Councilmember Kia'āina's proposed CD2 to Bill 6 CD1 (OCS2023-0761/8/16/2023 2:55PM) is earnestly requested.

Aloha,

Neil Abercrombie
City Council
1988-90