

**Bill 24 (2024)
Testimony**

MISC. COM. 484

P&E

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Testimony Opposing the Passing of Bill 24
October 22, 2024 Committee on Planning and the Economy

As a homeowner in the core of Punchbowl Special District, I strongly oppose the adoption of the Primary Urban Core Development Plan (PUC-DP). The Plan is filled with rhetoric that suggests it considers community and cultural values and the health, safety, and well-being of our communities, yet it provides no clear protections or safeguards for these values.

The PUC-DP repeatedly calls out the necessity for the continuance of the Punchbowl Special District, and specifies other desirable goals like community-driven, responsible, sustainable development using best building practices that take into account health and well-being of established neighborhoods; and protections of culture and the environment. The PUC claims admirable motivations like provisions for low income households; and consideration of Kapuna, and ADA needs. While critically important, the lack of any language in this plan that explicitly protects these goals makes it simply aspirational.

In fact, the section entitled The Affordability Gap (Page 160 Oct. 23 Plan), the plan provides a caveat that dismisses the PUC's own important guidance listed in "Special District LUOs," "PUC Plan Goals," "PUC Big Ideas," and the plan's own "Guiding Principles." While the Affordability Gap section addresses a critically important problem, it says: "Policies in the PUC DP place special focus on achieving affordable housing production building upon current strategies employed at the city, other public sector, and private/public partnership level."

Is this PUC referring to the strategies that by law are incorporated in the DPPs LUO that include important permitting restrictions to enforce responsible development like: fire safety codes, set-back restrictions, adequate ventilation and lighting, and ADA compliance, and that recognize Special District LUOs? Or, is the PUC referring to today's reality driven by Bill 8's relaxed zoning and building code requirements that gives developers carte blanche to do whatever they want – with no guardrails – and what appears to be a perfunctory rubber stamping of plans that show no regard community input, and the safety and well-being of current, established residents, and future residents (who will move into these sub-par developments)?

The City Council's *kuleana* is to make sure agencies like Department of Planning and Permitting's (DPP) play a critical role in safeguarding the health, safety, and well-being of our communities; however, the folly and dysfunction of the state's and city's affordable housing programs have compromised their ability to do that. I know this first-hand as I, and hundreds of my neighbors, witness a Paul Lam project (1617 Alapai) be expedited through permitting without transparency, without due process, and without oversight by DPP, City Council, or any State agency. Because it is a Bill 8 project, many critically important permitting restrictions have been relaxed or exempted, and rules of the Punchbowl Special District are disregarded. Nothing about the project mentioned, and others like it align with the City's 2024 PUC.

DPP is no longer equipped with the safety or design guardrails, processes, or authority, to provide the level of oversight needed for Bill 8 developments. If this PUC is to be taken

seriously it must provide a mechanism by which the interests of existing homeowners, residents and the community at large, are addressed in advance of any permit approval.

The PUC should not allow for the degree of increased density in the PUC and particularly within the core area: a) if government isn't going to guarantee protection of communities and their legitimate interests; and b) if there are no assurances that mechanisms are in place to halt the irresponsible and damaging "build as a matter of right" mentality that favors developers' interests

As Island residents, we should all imagine what downtown Honolulu and surrounding districts, already dense in development, will look like in five years, or ten years from now if developers are given carte blanche to do whatever they want without community input, without the responsible and proper regulations, and without oversight by the City and County. The neighborhoods that are being changed drastically by this sudden onslaught of inappropriate development that will cause permanent damage to the fabric of the special nature of our Honolulu neighborhoods.

The PUC must be modified to ensure the protection of all residents, current and future, and ensure responsible and sustainable development using best practices, as suggested in the PUCs guidelines. The Plan should specifically identify how its own stated values are to be protected, particularly during DPP's review of a permit application. The Plan should direct and require, upon submission of a permit application: (1) timely notice of the application to the neighborhood board in which the project is being proposed; (2) a period of substantive input from the community in which the project is being proposed; (3) a physical inspection of the proposed site by DPP, in addition to review of plans; (4) an assessment as to whether the project is appropriate for its intended location, taking into account community and cultural values; and (5) in the event of community opposition, City Council vote.

The Plan must provide unequivocal recognition and intent to protect and preserve the Punchbowl Special District and compliance with its adopted design guidelines, inclusive of any proposed Bill 7 project. To facilitate this protection, the Plan should include language placing the burden upon an owner or developer (excepting single-family residence or below a certain dollar value) to establish its project will not violate the Punchbowl Special District's design guidelines.