

BUILDING INDUSTRY ASSOCIATION

February 11, 2009

Representative Rida Cabanilla, Chair House Committee on Housing Representative Ken Ito, Chair House Committee on Water, Land & Ocean Resources State Capitol, Room 309 415 South King Street Honolulu, Hawaii 96813

Dear Chairs Cabanilla: and Ito and Members of the Committees:

Subject: House Affordable Housing Bills

I am Karen Nakamura, Chief Executive Officer 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.

BIA-HAWAII will be providing testimony on the following bills dealing with affordable housing.

Bill No.	Proposal	Comments
HB 361	Amends Chapter 201H to expedite the construction of affordable housing units by requiring ministerial permits associated with the project to be issued by the State or county within 45 days of county council approval of the project.	Support
HB 363	Amends Chapter 46 and requires the Counties to provide incentives for the development of affordable housing that may include but are not limited to density bonuses, height waivers, cluster zoning, greater design flexibility, procurement exemptions, waiving water and sewer connection fees, priority infrastructure financing, and site flexibility.	Support
HB 354	Amends Chapter 46 and requires the Counties to accept or reject a dedication request from an affordable, workforce, mixed use, or rental housing project constructed under chapter 201H to connect its infrastructure to the county's infrastructure. If not accepted within 60 days, of filing the request, the infrastructure automatically is dedicated to the County.	Support
HB 1189	Amends Chapter 205 and requires the petitioners for reclassification of district boundaries and developers of 25 or more housing units provide for at least 60% of the units to be affordable housing, of which 25% going to the households earning up to 80% of the area median income.	Oppose

As a matter of background in 2005, the Legislature recognizes that the lack of affordable housing in Hawaii has become a significant problem affecting all segments of society. Each legislative session, more and more people from all walks of life have come to testify on legislative measures related to affordable housing and homelessness. In response to this need, the Legislature passed Act 196, Session Laws of Hawaii 2005 (the "Omnibus Affordable Housing Act"), which included the following:

- 1. Sale or lease of decommissioned public housing at low cost for renovation by private entities;
- 2. Use of the dwelling unit revolving fund for permanent construction financing;
- 3. Increase in the low-income housing tax credit;
- 4. Grants for low-income rental units;
- 5. Exemption from the conveyance tax when property is transferred for low-income housing projects;
- 6. Use of rental housing trust fund moneys for mixed-income affordable housing projects; and
- 7. Extending the general excise tax exemption for certified housing projects to affordable rental housing.

While Act 196 established measurable goals and laid the foundation for continued progress, more action is clearly needed. Accordingly, the *Joint Legislative Housing and Homeless Task Force* was established by the Act to develop more immediate solutions that can be implemented in the near future to help ease Hawaii's housing shortage and the needs of the homeless.

The Task Force proposed a five-year plan with the goal of developing a substantial number of affordable housing units, as well as an increased number of accommodations and services available to the homeless.

It also recommended that the State become more actively involved in several major areas of concern, including:

- 1. Leveraging more sources of financing for affordable housing;
- 2. Making available more public land for the development of affordable housing;
- 3. Streamlining government approvals and permitting of affordable housing projects;
- 4. Building more offsite infrastructure to serve affordable housing;
- 5. Appropriating additional funds for transitional housing, shelters, and services for the homeless population; and
- 6. Preserving and maintaining the existing stock of public housing and rental units, much of which is badly deteriorated, subject to high vacancy rates and long turnover times, and otherwise not available for needy tenants.

In order to achieve this, the Task Force recommended that the Legislature adopt a five-year plan to implement solutions in each area of concern. Priority actions would include but not be limited to:

- (1) Increase the allocation of conveyance tax revenues to the rental housing trust fund to at least fifty percent, to finance development of at least an additional 2,300 rental units over the next five years (5,238 units if leveraged with other sources).
- (2) Appropriate \$20,000,000 to fund immediate and near-term solutions to the homeless problem through grants-in-aid to innovative nonprofit organizations.
- (3) Create further incentives such as a new noncompetitive state low-income housing tax credit of ten to fifteen percent of project eligible basis, unconstrained by federal law, to leverage private investment funds for development of low- and moderate-income units.
- (4) Identify private and public lands available for affordable housing development, including small state-owned parcels suitable for construction of self-help homes.

(5) Appropriate approximately \$10,000,000 to repair and modernize 825 vacant units in federal and state public housing projects.

We would strongly suggest that this Committee review the report and assess implementation of the recommendations made as a result of the prior Legislative action.

The underlying problem in the State and all of its counties is the continuing critical shortage of affordable housing. As a matter of policy, the Legislature should recognize that the cyclical housing problems in the State are a function of the overall lack of supply of housing in general.

For many years, government has attempted to address the need for housing by imposing affordable housing requirements on private developers seeking zone changes to permit large residential developments. These requirements have been contained in Unilateral Agreements executed and recorded by the developer/landowner and made a part of zone changes.

However, the Legislature realized that there are segments of the housing market that cannot be accommodated by the private sector developers. What is needed is a comprehensive approach to address the existing and future housing needs for the residents of the State.

The purpose of this policy is to establish clear and comprehensive housing program to address Oahu's pressing needs for housing.

The housing market can be grouped into the following three basic segments with the associated "tools" listed that would increase the overall supply in the particular market segment:

1. Public Assisted Housing (Rentals)

The Public Assistance group is defined as household with annual income of 60% and below of the HUD median income for a family of four. This group requires significant public financial assistance in building and/or operating housing units

- a. Tools
 - i. .5% Real Property Tax—The recent City Charter Amendment allows for the .5% of the annual real property taxes in the City and County of Honolulu to be used for affordable housing to those in the 50% and below income group;
 - ii. Direct subsidies, grants and appropriations;
 - iii. Low Income Federal Tax Credits;
 - iv. Other?
- 2. Affordable/Workforce Housing (For Sale and Rentals)

The Affordable/Workforce Housing group is defined as households with annual income between 61% and 80% for rentals and between 81% and 140% for sale of the HUD median income for a family of four.

- a. Tools
 - i. Inclusionary zoning (i.e. 30% of the units priced at affordable);

- ii. Target and construct infrastructure capacity in areas where the City identifies for growth;
- iii. Incentives:
 - 1. Permitting-discretionary versus ministerial approvals
 - 2. Density bonus to off-set affordable/workforce units
 - 3. Other?
- 3. Market Housing (For Sale and Rentals)

The Market Housing group is defined as households with annual income above 141% of the HUD median income for a family of four.

- b. Tools
 - i. Target and construct infrastructure capacity in areas where the City identifies for growth;
 - ii. Target communities for more market units if more than 30% of the total units in the area are priced for affordable/workforce households
 - iii. Incentives:
 - 1. Permitting-discretionary versus ministerial approvals
 - 2. Other?

The overall goal of the proposed legislation should be to increase the supply of housing for all income levels. This can be done by stimulating the market in certain areas to provide more incentives to build targeted housing product types. This approach allows the policy makers to focus on increasing unit counts in the various product types as opposed to trying to "regulate" the market.

It provides a different approach to increasing the supply of housing in Hawaii by reducing the uncertainty in the development of the targeted product types and allow for a variety of delivery options depending on market conditions. It also allows the market conditions to dictate supply of product type.

We appreciate the opportunity to express our views on this matter.

Karin I. Makamura

Executive Vice President & Chief Executive Officer BIA-Hawaii



February 11, 2009

Representative Rida Cabanilla, Chair HOUSE COMMITTEE ON HOUSING State Capitol, Room 309 415 South King Street Honolulu, Hawaii 96813

Dear Chair Cabanilla:

Subject: House Affordable Housing Bills

My name is Dean Uchida, Vice President of the Hawaii Developers' Council (HDC). We represent over 200 members and associates in development-related industries. The mission of Hawaii Developers' Council (HDC) is to educate developers and the public regarding land, construction and development issues through public forums, seminars and publications.

It is also the goal of HDC to promote high ethics and community responsibility in real estate development and related trades and professions.

The HDC will be providing testimony on the following bills dealing with affordable housing.

Bill No.	Proposal	Comments
HB 361	Amends Chapter 201H to expedite the construction of affordable housing units	Support
	by requiring ministerial permits associated with the project to be issued by the	
	State or county within 45 days of county council approval of the project.	
HB 363	Amends Chapter 46 and requires the Counties to provide incentives for the	Support
	development of affordable housing that may include but are not limited to	
	density bonuses, height waivers, cluster zoning, greater design flexibility,	
	procurement exemptions, waiving water and sewer connection fees, priority	
	infrastructure financing, and site flexibility.	
HB 354	Amends Chapter 46 and requires the Counties to accept or reject a dedication	Support
	request from an affordable, workforce, mixed use, or rental housing project	
	constructed under chapter 201H to connect its infrastructure to the county's	
	infrastructure. If not accepted within 60 days, of filing the request, the	
	infrastructure automatically is dedicated to the County.	
HB 1189	Amends Chapter 205 and requires the petitioners for reclassification of district	Oppose
	boundaries and developers of 25 or more housing units provide for at least	
	60% of the units to be affordable housing, of which 25% going to the	
	households earning up to 80% of the area median income.	

As a matter of background in 2005, the Legislature recognizes that the lack of affordable housing in Hawaii has become a significant problem affecting all segments of society. Each

legislative session, more and more people from all walks of life have come to testify on legislative measures related to affordable housing and homelessness. In response to this need, the Legislature passed Act 196, Session Laws of Hawaii 2005 (the "Omnibus Affordable Housing Act"), which included the following:

- 1. Sale or lease of decommissioned public housing at low cost for renovation by private entities;
- 2. Use of the dwelling unit revolving fund for permanent construction financing;
- 3. Increase in the low-income housing tax credit;
- 4. Grants for low-income rental units;
- 5. Exemption from the conveyance tax when property is transferred for low-income housing projects;
- 6. Use of rental housing trust fund moneys for mixed-income affordable housing projects; and
- 7. Extending the general excise tax exemption for certified housing projects to affordable rental housing.

While Act 196 established measurable goals and laid the foundation for continued progress, more action is clearly needed. Accordingly, the *Joint Legislative Housing and Homeless Task Force* was established by the Act to develop more immediate solutions that can be implemented in the near future to help ease Hawaii's housing shortage and the needs of the homeless.

The Task Force proposed a five-year plan with the goal of developing a substantial number of affordable housing units, as well as an increased number of accommodations and services available to the homeless.

It also recommended that the State become more actively involved in several major areas of concern, including:

- 1. Leveraging more sources of financing for affordable housing;
- 2. Making available more public land for the development of affordable housing;
- 3. Streamlining government approvals and permitting of affordable housing projects;
- 4. Building more offsite infrastructure to serve affordable housing;
- 5. Appropriating additional funds for transitional housing, shelters, and services for the homeless population; and
- 6. Preserving and maintaining the existing stock of public housing and rental units, much of which is badly deteriorated, subject to high vacancy rates and long turnover times, and otherwise not available for needy tenants.

In order to achieve this, the Task Force recommended that the Legislature adopt a five-year plan to implement solutions in each area of concern. Priority actions would include but not be limited to:

- (1) Increase the allocation of conveyance tax revenues to the rental housing trust fund to at least fifty percent, to finance development of at least an additional 2,300 rental units over the next five years (5,238 units if leveraged with other sources).
- (2) Appropriate \$20,000,000 to fund immediate and near-term solutions to the homeless problem through grants-in-aid to innovative nonprofit organizations.

- (3) Create further incentives such as a new noncompetitive state low-income housing tax credit of ten to fifteen percent of project eligible basis, unconstrained by federal law, to leverage private investment funds for development of low- and moderate-income units.
- (4) Identify private and public lands available for affordable housing development, including small state-owned parcels suitable for construction of self-help homes.
- (5) Appropriate approximately \$10,000,000 to repair and modernize 825 vacant units in federal and state public housing projects.

We would strongly suggest that this Committee review the report and assess implementation of the recommendations made as a result of the prior Legislative action.

The underlying problem in the State and all of its counties is the continuing critical shortage of affordable housing. As a matter of policy, the Legislature should recognize that the cyclical housing problems in the State are a function of the overall lack of supply of housing in general.

For many years, government has attempted to address the need for housing by imposing affordable housing requirements on private developers seeking zone changes to permit large residential developments. These requirements have been contained in Unilateral Agreements executed and recorded by the developer/landowner and made a part of zone changes.

However, the Legislature realized that there are segments of the housing market that cannot be accommodated by the private sector developers. What is needed is a comprehensive approach to address the existing and future housing needs for the residents of the State.

The purpose of this policy is to establish clear and comprehensive housing program to address Oahu's pressing needs for housing.

The housing market can be grouped into the following three basic segments with the associated "tools" listed that would increase the overall supply in the particular market segment:

1. Public Assisted Housing (Rentals)

The Public Assistance group is defined as household with annual income of 60% and below of the HUD median income for a family of four. This group requires significant public financial assistance in building and/or operating housing units

- a. Tools
 - i. .5% Real Property Tax—The recent City Charter Amendment allows for the .5% of the annual real property taxes in the City and County of Honolulu to be used for affordable housing to those in the 50% and below income group;
 - ii. Direct subsidies, grants and appropriations;
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- 2. Affordable/Workforce Housing (For Sale and Rentals)

The Affordable/Workforce Housing group is defined as households with annual income between 61% and 80% for rentals and between 81% and 140% for sale of the HUD median income for a family of four.

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- i. Inclusionary zoning (i.e. 30% of the units priced at affordable);
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 - 1. Permitting-discretionary versus ministerial approvals
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 - 3. Other?
- 3. Market Housing (For Sale and Rentals)

The Market Housing group is defined as households with annual income above 141% of the HUD median income for a family of four.

- b. Tools
 - i. Target and construct infrastructure capacity in areas where the City identifies for growth;
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 Other?

The overall goal of the proposed legislation should be to increase the supply of housing for all income levels. This can be done by stimulating the market in certain areas to provide more incentives to build targeted housing product types. This approach allows the policy makers to focus on increasing unit counts in the various product types as opposed to trying to "regulate" the market.

It provides a different approach to increasing the supply of housing in Hawaii by reducing the uncertainty in the development of the targeted product types and allow for a variety of delivery options depending on market conditions. It also allows the market conditions to dictate supply of product type.

We appreciate the opportunity to express our views on this matter.

Testimony on HB363 Relating to Affordable Housing

By Al Lardizabal, Director of Government Relations Laborers' International Union of North America, Local 368

To the

Committee on Housing And Committee on Water, Land and Ocean Resources Wednesday, February 11, 2009 Room 325, 9:00 a.m.

Honorable Rida Cabanilla, Housing Committee Chair and Honorable Pono Chong, Housing Committee Vice Chair; Honorable Ken Ito, Chair, WLO and Honorable Sharon Har, Vice Chair WLO and Members of the joint Committees:

The Laborers' Union supports the concept of affordable housing, housing that our middle class working families are truly able to purchase. This bill mandates the counties to provide for various incentives. The mandate may fall under the purview of Article VIII of the Hawaii Constitution wherein legislative mandates shall provide for the sharing of costs by the state.

HB 363 also provides for "procurement incentives" in section 46-14.5. We oppose any possible waiver of prevailing wages under the mandated incentives of the bill.

Thank you for the opportunity to present his testimony.



HOUSE COMMITTEE ON HOUSING February 11, 2009 State Capitol, Room 309 415 South King Street Honolulu, Hawaii 96813

Subject: House Affordable Housing Bills

Chair Cabanilla and members of the committee:

My name is Jim Tollefson, President of the Chamber of Commerce of Hawaii. The Chamber of Commerce of Hawaii works on behalf of its members and the entire business community to:

- Improve the state's economic climate
- Help businesses thrive

The Chamber of Commerce of Hawaii will be providing testimony on the following bills dealing with affordable housing.

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 - 1. Permitting-discretionary versus ministerial approvals
 - 2. Density bonus to off-set affordable/workforce units
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- b. Tools
 - i. Target and construct infrastructure capacity in areas where the City identifies for growth;
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The overall goal of the proposed legislation should be to increase the supply of housing for all income levels. This can be done by stimulating the market in certain areas to provide more incentives to build targeted housing product types. This approach allows the policy makers to focus on increasing unit counts in the various product types as opposed to trying to "regulate" the market.

It provides a different approach to increasing the supply of housing in Hawaii by reducing the uncertainty in the development of the targeted product types and allow for a variety of delivery options depending on market conditions. It also allows the market conditions to dictate supply of product type.

We appreciate the opportunity to express our views on this matter.



KAMEHAMEHA SCHOOLS

February 10, 2009

TESTIMONY TO THE HOUSE COMMITTEE ON HOUSING AND THE HOUSE COMMITTEE ON WATER, LAND, & OCEAN RESOURCE By Sydney W.C.K. Keli'ipuleole Endowment/ Residential Assets Division Kamehameha Schools

Hearing Date: Wednesday, February 11, 2009 9:00 a.m., Conference Room 325

RE: HB 363 – RELATING TO AFFORDABLE HOUSING.

To: Rep. Rida Cabanilla, Chair Rep. Pono Chong, Vice Chair Members of the Committee on Housing

> Rep. Ken Ito, Chair Rep. Sharon E. Har, Vice Chair Members of the Committee on Water, Land, & Ocean Resources

Thank you for the opportunity to comment on HB No. 363.

Kamehameha Schools respectfully supports this measure with a suggested amendment.

Kamehameha Schools broadly supports the increasing availability of affordable housing throughout Hawai'i. We believe that the housing crisis in Hawai'i is real and requires immediate action. We also believe it is critically important to implement policies that will result in the construction of new affordable units (or retention of existing supply) and not have the unintended and ironic consequence of inhibiting construction altogether.

Our overarching comment is that provisions in statute, rules and policies concerning affordable housing must be viewed collectively for their contribution to an overall effective policy that promotes actual development of affordable housing. To achieve this desired outcome, we believe that a range of tools and strategies are needed.

567 South King Street • Honolulu, Hawai'i 96813-3036• Phone 808-523-6200

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Founded and Endowed by the Legacy of Princess Bernice Pauahi Bishop

February 10, 2009

Rep. Rida Cabanilla, Chair Rep. Pono Chong, Vice Chair Members of the Committee on Housing

Rep. Ken Ito, Chair Rep. Sharon E. Har, Vice Chair Members of the Committee on Water, Land, & Ocean Resources

HB No. 363 is positive legislation that promotes many of the tools and strategies we believe can facilitate development of more affordable housing in Hawai'i. We commend the legislature for its forward thinking approach.

In the spirit of making this legislation more effective, we recommend striking the proposed language that reduces the median income threshold from 140% to 100% and striking the proposed language increasing the set aside from 20% to 40%. While we appreciate the legislature's desire to target more housing to these income categories, we believe the net effect of the proposed changes renders the other positive aspects in this legislation moot.

Development of rental housing is extremely challenging in today's market, even when 100% of the units are at "market" rents. While the tools proposed help to increase new rental housing supply, the thresholds and set asides cannot be supported economically when undertaking new development. Therefore, the unintended consequence will be no new development or the development of market rate rental housing, which will fail to create gap housing for those in need. Maintaining the present thresholds, we believe, provides greater likelihood that new affordable units will be developed.

We appreciate the opportunity to express our views on this measure.

567 South King Street • Honolulu, Hawai'i 96813-3036• Phone 808-523-6200

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Founded and Endowed by the Legacy of Princess Bernice Pauahi Bishop



Via Capitol Website

February 11, 2009

House Committee on Housing and House Committee on Water, Land and Ocean Resources Wednesday, February 11, 2009 at 9:00 AM, CR 309

Testimony in Support of HB 363. Relating to Affordable Housing (County affordable housing incentives)

The Honorable Chairs Cabanilla and Ito, Vice-Chair Chong/Har And HSG-WLO Members:

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawai'i's significant natural and cultural resources and public health and safety.

LURF appreciates the opportunity to provide our testimony **in support** of the HB 363 which amends HRS Section 46-14.5 directing the counties to create affordable housing incentives including density bonuses, height waivers, cluster zoning, greater design flexibility, procurement exemptions, waiving water and sewer connection fees, priority infrastructure financing, and site flexibility.

Background. The lack of affordable housing remains a significant problem affecting Hawaii. Finding ways to provide sufficient affordable housing and market housing for Hawaii's residents has been a major objective for our elected officials, and state and county agencies, and members of the housing industry and business community. For the past two years, LURF has participated in a statewide task force comprised of representatives from all four counties, business, labor, developers, architects, nonprofit providers of services, the State, and the legislature, whose purpose was to identify, address and propose regulatory reform and solutions to remove the barriers to the production of affordable housing. **HB 363** is part of the legislative recommendations of that task force. **HB 363.** The purpose of this bill is to implement the legislative recommendations of the task force by providing incentives for the development of affordable housing. These incentives may include, but are not limited to: density bonuses, height waivers, cluster zoning, greater design flexibility, procurement exemptions, waiving water and sewer connection fees, priority infrastructure financing, and site flexibility. Counties shall provide flexibility in public facility requirements.

LURF's Position. The housing crisis in Hawaii has affected many families who are now forced to live with extended families because of high costs. Access to affordable housing is critical to our communities and any further delay of any affordable housing type projects will cause an even bigger crisis in the near future.

Recent analysis shows that regulations and conditions placed on developers can potentially delay a project for over seven years. This delay in time leads to a level of uncertainty for the housing industry, adds cost to the total development project, jeopardizes funding streams for affordable housing projects, and ultimately results in a more expensive home for the homebuyer or renter. Additionally the state has recognized that impact fees, connection fees and other conditions imposed on developers during these trying times could increase the cost of a home or rental by \$10,000 to \$50,000.

Based on the above, we respectfully request your **favorable consideration of HB 363.**

Thank you for the opportunity to express our support for HB 363.



EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE GOVERNOR

Testimony of Linda L. Smith Senior Policy Advisor to Governor Lingle Chairperson, Affordable Housing Regulatory Barriers Task Force

Before the

HOUSE COMMITTEES ON HOUSING AND WATER, LAND, & OCEAN RESOURCES

Wednesday, February 11, 2009, 9:00 a.m. Room 309, State Capitol

H.B. 363 RELATING TO AFFORDABLE HOUSING

Chairs Cabanilla and Ito, Vice Chairs Chong and Har, and members of the Committees, thank you for the opportunity to provide testimony **supporting the intent** of House Bill 363 **with recommendations for amendments**.

This measure authorizes the counties to provide incentives and waivers to spur the development of affordable housing. The proposal is based on recommendations from the Affordable Housing Regulatory Barriers Task Force, which recognized the need to exempt affordable housing projects from impact and connection fees while providing incentives for affordable housing projects. Packaging these strategies together will serve as a catalyst for more affordable housing development in the State.

On behalf of the Task Force, the Administration recommends amending the bill on page 3, lines 4-11 to clarify that the incentives and waivers are for affordable housing, rather than rental housing projects. In addition, the bill should be amended to include affordable housing projects for households with incomes at or below <u>one</u> <u>hundred forty</u> percent of the median family income, in accordance with the current definition of "affordable housing" in section 201H-57, Hawaii Revised Statutes. The proposed amendment reads as follows:

"Counties shall provide flexibility in public facility requirements to encourage the development of [any rental] affordable housing [project where at least a portion of the rental units are set aside for persons and families with incomes at or below one hundred forty per cent of the area median family income, of which twenty per cent are set aside for persons and families with incomes at or below eighty per cent of the area median family income.] as defined in section 201H-57."

Thank you for the opportunity to provide testimony on this bill.

GOVERNOR



KAREN SEDDON 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

IN REPLY REFER TO

Statement of **Karen Seddon** Hawaii Housing Finance and Development Corporation Before the

HOUSE COMMITTEE ON HOUSING HOUSE COMMITTEE ON WATER, LAND & OCEAN RESOURCES

February 11, 2009, 9:00 a.m. Room 325, State Capitol

In consideration of H.B. 363 RELATING TO AFFORDABLE HOUSING.

The HHFDC supports the intent of H.B. 363. We support the concept of providing additional incentives for the development of affordable housing, given the shortage of such housing statewide.

Thank you for the opportunity to testify.



STATE OF HAWAII STATE PROCUREMENT OFFICE

P.O. Box 119 Honolulu, Hawaii 96810-0119 Tel: (808) 587-4700 Fax: (808) 587-4703 www.spo.hawaii.gov

TESTIMONY OF AARON S. FUJIOKA ADMINISTRATOR STATE PROCUREMENT OFFICE

TO THE HOUSE COMMITTEES ON HOUSING AND WATER, LAND & OCEAN RESOURCES

February 11, 2009

9:00 AM

HB 363

RELATING TO AFFORDABLE HOUSING.

Chair Cabanilla, Chair Ito, Vice-Chair Chong, Vice-Chair Har and committee members, thank you for the opportunity to testify on HB 363.

The State Procurement Office (SPO) opposes the amendment to SECTION 2, page 3, lines 2-3, which proposes to allow the counties to provide procurement exemptions as incentives for development of affordable housing. This bill is not clear on what types of procurement exemptions will be allowed.

Statutorily exempting specific items from the Code is not in the best interest of government, the business community, and the general public. The Code establishes a time-tested, fair, and reliable set of rules and processes for award of contracts. The competitive procurement processes of the Code are to insure that all potential providers are afforded the opportunity to compete for the required services. To the extent agencies may need specific items to be exempted from Code requirements, the Code provides an exemption process.

PROCUREMENT POLICY BOARD DARRYL W. BARDUSCH LESLE'S CHINEN DARYLE ANN HO KEITH T. MATSUMOTO RUSS K SAITO PAMELA A TORRES

AARON S. FUJIOKA ADMINISTRATOR HB 363 February 11, 2009 9:00 AM Page 2 of 2

The Code should not be viewed as an obstacle to a purchasing agency's mission, but rather as the single source of public procurement policy to be applied equally and uniformly. It was the legislature's intent for the Code to be a single source of public procurement policy. If individual agencies are exempted and allowed to develop their own individual processes, it becomes problematic and confusing to vendors, contractors and service providers that must comply with a variety of different processes and standards. Fairness, open competition, a level playing field, and government disclosure and transparency in the procurement and contracting process are vital to good government. For this to be accomplished, we must participate in the process with one set of statutes and rules.

The SPO recommends amending page 3, lines 2-3, as follows:

"...cluster zoning, greater design flexibility, procurement exemptions, waiving water and sewer connection fees, priority...."

Thank you.



HB 363 Relating to Affordable Housing

House Committee on Housing Committee on Water, Land, & Ocean Resources

February 11, 2009 Room 325 9:00 am

The Office of Hawaiian Affairs **<u>supports</u>** the purpose and intent of HB 363.

The growing affordable housing problem is one of the most critical issues faced by our communities, especially our Native Hawaiian communities. This issue seems to have many of our families struggling to find adequate housing and to make ends meet.

The continued increased pressure on government to provide financing assistance and reduce government barriers for the development of affordable housing has not ceased. The demand for affordable housing has not ceased. The partnerships created by government with non profit developers to keep our affordable housing inventory in a position to meet the demand reasonably need to address the "how to" versus "we cannot do it". If it requires incentives, it should be put into effect and montoried.

Relating this to stimulus packages approved and being discussed by the federal government conditions assistance on the speed of being able to start a project in a fairly short period of time. Time is crucial to effect change and is crucial in keeping projects affordable.

We recognize that physical solutions by themselves will not solve social and economic problems, but neither can economic vitality, community stability, and environmental health be sustained without a coherent and supportive physical framework. This bill may assist the counties to providing a much needed changed framework.

Mahalo nui loa for the opportunity to provide this testimony and request your support.