

DEPARTMENT OF PLANNING AND PERMITTING  
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE  
CITY AND COUNTY OF HONOLULU

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February 26, 2025

The Honorable David A. Tarnas, Chair  
and Members of the Committee on Judiciary  
and Hawaiian Affairs  
Hawai'i House of Representatives  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

**Subject: House Bill No. 367, HD 1  
Relating to Building Permits**

Dear Chair Tarnas and Committee Members:

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 367, HD 1, which allows for county permit exemptions for certain kinds of activities, including agricultural and maintenance activities.

We understand the intent of this Bill, which is to allow owners to do minor repairs, interior remodeling and construct "uninhabited structures" without first obtaining a building permit in order to save time and money. However, we disagree that routine repairs and the construction of accessory structures "pose minimal risk and do not warrant an extensive permitting process."

This Bill does not require an owner or developer to submit plans to the county permitting departments for review. Instead, owners only need to "provide written notice to the appropriate county agency about the type of proposed work." To require the counties to certify the work within 30 calendar days of receiving such a notice is to ask the counties to blindly confirm that all the work will be done according to the terms of this Bill as well as pertinent health and safety codes. As we have experienced with the developers of monster homes and other illegal structures, they have not always been truthful with what they plan to build.

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Also, this Bill would allow county fire and building inspectors to enter a property to inspect the exempted work for compliance with the requirements of this Bill. But because we have no plans to compare the completed work with, our inspectors will have a difficult time determining what work was actually done. Did the remodeling work involve rewiring of a room or installation of new plumbing? The building code and permit review process exist to protect the health and safety of the occupants of a structure.

The DPP offers instant online permitting for 19 different building permits, including electrical and plumbing work. We encourage the public to look into this to see if they can take advantage of this program.

For the reasons stated above, we ask that House Bill No. 367, HD 1, be held in committee.

Thank you for the opportunity to testify.

Very truly yours,



Dawn Takeuchi Apuna  
Director Designate



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February 26, 2025

HEARING BEFORE THE  
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

**TESTIMONY ON HB 367, HD1**  
RELATING TO BUILDING PERMITS

Conference Room 325 & Videoconference  
2:00 PM

Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports HB 367, HD1**, which seeks to improve and clarify building permit exemptions for agricultural structures and maintenance activities. While HRS 46-88 already provides a building permit exemption for certain nonresidential agricultural and aquacultural structures, inconsistencies in implementation across counties and limitations in the scope of exemptions continue to pose challenges for farmers and ranchers.

Farmers and ranchers require functional infrastructure such as greenhouses, storage sheds, livestock shelters, irrigation systems, and fencing to maintain and expand their operations. However, despite the existing exemption, many agricultural producers still face delays, additional county requirements, and inconsistent interpretations of the law when seeking to construct or repair essential structures. Some maintenance and repair activities also remain subject to permitting requirements, adding administrative and financial burdens that divert time and resources away from food production.

HB 367, HD1 presents an opportunity to strengthen and clarify the application of existing exemptions, ensuring that all counties implement them consistently. If this measure expands the scope of exemptions to include additional types of structures or streamlines the approval process for maintenance activities, it will further support Hawai'i's agricultural industry by reducing unnecessary regulatory barriers.

Many states provide broad agricultural building permit exemptions, recognizing that these structures pose minimal risk to public safety and serve a critical role in supporting food production. Hawai'i's farmers already face significant challenges, including high land and water costs, transportation, energy, expensive inputs, labor shortages, and competition

from imported food. Streamlining building requirements for necessary agricultural infrastructure will allow local farmers to invest in their operations, increase productivity, and contribute to the state's food security goals.

We urge the committee to pass HB 367, HD1 to ensure that agricultural building permit exemptions are applied fairly, consistently, and effectively across all counties, providing farmers and ranchers with the flexibility they need to maintain and expand their operations.

Thank you for the opportunity to testify on this measure.

Feb. 26, 2025, 2 p.m.  
Hawaii State Capitol  
Conference Room 325 and Videoconference

**To: House Committee on Judiciary and Hawaiian Affairs**  
**Rep. David Tarnas, Chair**  
**Rep. Mahina Poepoe, Vice Chair**

**From: Grassroot Institute of Hawaii**  
**Ted Kefalas, Director of Strategic Campaigns**

RE: HB367 HD1 — RELATING TO BUILDING PERMITS

Aloha Chair Tarnas, Vice-Chair Poepoe and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [HB367 HD1](#), which would exempt certain work from requiring a county building permit.

Specifically, the bill would exempt from needing a permit the replacement of like-for-like work not affecting mechanical, electrical or plumbing installations; interior maintenance; and Group U occupancies — such as barns, sheds and greenhouses — that do not exceed 1,000 square feet.

Instead of applying for a permit, anyone wishing to install a Group U structure larger than 1,000 square feet or perform repairs and maintenance on dwellings larger than 3,000 square feet or other structures larger than 5,000 square feet would need only to provide written notice to the appropriate county department.

HB367 HD1 also contains a provision specifying that this legislation does not affect county building permit exemptions that are or would be more expansive than the exemptions proposed by the bill.

This bill mirrors the state's existing permit exemption for certain agricultural structures.<sup>1</sup> Established by Act 114 (2012), this exemption allows farmers and ranchers to build barns, greenhouses, water tanks and similar

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<sup>1</sup> ["46-88 Agricultural buildings and structures: exemptions from building permit and building code requirements."](#) Hawaii Revised Statutes, accessed Feb. 7, 2025.

structures without going through the process of applying for a county building permit, subject to certain conditions.

Each county already has a list of work exempt from requiring a building permit,<sup>2</sup> but this legislation would set a statewide carve out for simple work, with the goal of allowing more people to do basic maintenance without waiting three months for a permit.

An added bonus of HB367 HD1 is that it would free county staff to focus on more complicated projects.

The bill would also address certain limitations of the current agricultural exemption. For example, the agricultural exemption applies only to parcels 2 acres or larger. For some smaller agricultural lots, using this avenue to quickly install a barn or greenhouse is a no-go.

One Hana resident found this out the hard way when the county told him he couldn't use the agricultural exemption to install four storage buildings on his 1-acre lot.<sup>3</sup>

Passing HB367 would be a step toward much-needed reform to the state and county permitting process.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

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<sup>2</sup> Jonathan Helton, "[Seven low cost ways to speed up permitting in Hawaii](#)," Grassroot Institute of Hawaii, Oct. 2024, pp 6-7.

<sup>3</sup> [Maui's Automated Planning and Permitting System](#), accessed Feb. 7, 2025. Search for 429 Keanae Rd.

**HB-367-HD-1**

Submitted on: 2/25/2025 8:39:29 AM

Testimony for JHA on 2/26/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

Good idea to help and support local agriculture. Mahalo!

**HB-367-HD-1**

Submitted on: 2/25/2025 1:44:39 PM

Testimony for JHA on 2/26/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Oppose	Remotely Via Zoom

Comments:

**I oppose HB367 HD1** and ask that our State Legislators please initiate an investigation into the Department of Planning and Permitting (DPP), as this Department is not properly serving the public, and the Director should have been replaced a long time ago.

Mahalo,

Gregory Misakian