

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

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TESTIMONY OF THE DEPARTMENT OF PLANNING AND PERMITTING

**BEFORE THE SENATE COMMITTEE ON HOUSING and the
COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS**
February 5, 2026
Conference Room 225

TO: The Honorable Stanley Chang, Chair, The Honorable Troy N. Hashimoto,
Vice Chair, and Members of the Committee on Housing

The Honorable Glenn Wakai, Chair, The Honorable Stanley Chang, Vice Chair,
and Members of the Committee on Energy and Intergovernmental Affairs

RE: COMMENTS ON SENATE BILL NO. 2192, RELATING TO HOUSING

The Department of Planning and Permitting (DPP) **offers comments** on Senate Bill No. 2192, which authorizes a county to reduce the number of housing units that may be built within any geographical area of the county only if the county increases the number of housing units that may be built elsewhere in the county, such that there is no net loss in residential capacity in the county.

While the City supports policies that will stimulate housing production, respectfully, the language of this Bill is problematic. While the draft Bill appears to give counties discretion with the use of the word "may," upon close reading, the Bill implements a mandate. A county would be allowed to reduce the number of housing units within any geographical area of the county, only if it increases the number of units that may be built elsewhere. This Bill shifts the focus from the City's long-range planning framework, which considers many critical inter-related topics, other than just housing, to a mathematical equation of the net increase or decrease in housing units. Moreover, this mathematical balancing act would apply to any geographical area where the allowable number of housing units is decreased, even for a single parcel of land. This approach, while attractive on the surface, does not work well for fluid long-range planning of communities.

Furthermore, pursuant to Ordinance 25-2, effective September 30, 2025, the City has already significantly increased development capacity in residential zoning districts

The Honorable Stanley Chang, Chair
and Members of the Committee on Housing
The Honorable Glenn Wakai, Chair
And Members of the Committee on Energy and Intergovernmental Affairs
Hawai'i State Senate
Senate Bill No. 2192
February 5, 2026
Page 2

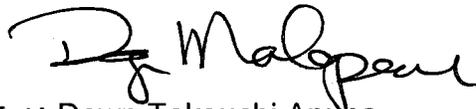
by allowing one accessory dwelling unit and one ohana unit in addition to the principal dwelling unit on most zoning lots. Ordinance 25-2 also makes changes to the B-1 (Neighborhood Business District) and B-2 (Community Business District) to allow multi-unit dwellings, subject to meeting other requirements of the Land Use Ordinance. As such, the City has already significantly added capacity to housing inventory, policy changes which are not captured in this Bill.

Lastly, with increasing hazards due to climate change, e.g., sea level rise and wildfires, counties need to address the potential downzoning of properties due to the growing risk to public health and safety. To do so, automatically requiring the City to upzone other portions of the county or expand the community growth boundary as defined in our development plans, which is a key element of our directed growth policy, is problematic.

We respectfully offer these comments on Senate Bill No. 2192, and request that the Bill be held in committee for further discussion. The City is prepared to meet and discuss the impacts of this Bill, which will complicate responsible planning.

Thank you for the opportunity to testify.

Very truly yours,



For: Dawn Takeuchi Apuna
Director

Feb. 5, 2026, 1 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Senate Committee on Housing
Sen. Stanley Chang, Chair
Sen. Troy N. Hashimoto, Vice Chair

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

RE: TESTIMONY IN SUPPORT OF SB2192 — RELATING TO HOUSING

Aloha chair, vice chair and other committee members,

The Grassroot Institute of Hawaii **supports** [SB2192](#), which would allow counties to decrease the number of housing units that can be built in one area of the county only if the county allows more housing units to be built in another area of the county — so there is no net loss in residential development potential.

This bill would prevent counties from exacerbating the housing crisis, because changing a zoning code to reduce the amount of housing that is allowed in a certain zone reduces the overall potential housing supply.

After all, Hawaii's housing shortage is acute. The Hawaii Department of Business, Economic Development and Tourism pointed out in a March 2024 report that Hawaii needs an average of 3,297 new housing units per year between 2025 and 2035 to satisfy demand.¹

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ "[Hawai'i Housing Demand: 2025-2035](#)," Research and Economic Analysis Division, Hawaii Department of Business, Economic Development and Tourism, March 2024, p. 2.

Cindy Freitas

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OPPOSE UNLESS AMENDED – S.B. 2192

RELATING TO COUNTY RESIDENTIAL CAPACITY

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I respectfully submit testimony **OPPOSING S.B. 2192 UNLESS AMENDED.**

S.B. 2192 prohibits a county from reducing residential capacity in any geographic area unless it increases residential capacity elsewhere so there is **no net loss** of housing units. While maintaining housing supply is an important goal, the bill **imposes a rigid numerical requirement without the definitions, safeguards, and implementation standards necessary for responsible land-use planning.**

WHAT IS MISSING FROM S.B. 2192

- **Definition of “residential capacity.”** The bill does not define how capacity is calculated or verified (zoning entitlements, buildable lots, infrastructure-supported units), creating ambiguity and enforcement risk.
- **Public safety and environmental exceptions.** There are no explicit exemptions for flood zones, lava or wildfire hazard areas, sea level rise, erosion, or areas lacking water or wastewater capacity—situations where downzoning may be necessary to protect life and property.
- **Infrastructure capacity requirements.** The bill requires numerical replacement of units without ensuring that replacement areas have adequate water, wastewater, roads, emergency access, or fire protection.
- **Consistency with county plans.** The bill does not require replacement capacity to align with adopted General Plans, Community Development Plans, growth boundaries, or long-range infrastructure plans.
- **Affordability and housing type standards.** Unit counts alone do not ensure community benefit; the bill does not require affordability, comparable housing types, or accessibility for local residents.
- **Timing and phasing rules.** There is no requirement that replacement capacity occur before or concurrently with reductions, allowing temporary net losses or speculative offsets.

- **Enforcement and oversight.** The bill provides no reporting, certification, or enforcement mechanism to determine compliance or remedy violations.
- **Public process protections.** There are no notice, hearing, anti-displacement, or community participation safeguards tied to capacity shifts.
- **Cultural and environmental review triggers.** Capacity changes may affect agricultural, conservation, or culturally sensitive lands, yet the bill includes no review requirements.
- **Data and fiscal impact analysis.** The bill lacks county-level housing data, infrastructure cost analysis, and fiscal impact assessment.
- **Effective date inconsistency.** The July 1, 2050 effective date is not explained and is inconsistent with current housing needs.

REQUIRED AMENDMENTS (OPPOSE UNLESS ADOPTED)

S.B. 2192 should not advance unless amended to:

1. Clearly **define “residential capacity”** and how it is measured;
2. Provide **health, safety, and environmental exceptions**;
3. Require **infrastructure capacity verification** for replacement areas;
4. Ensure **consistency with adopted county plans**;
5. Include **affordability and housing-type comparability** standards;
6. Set **timing and phasing requirements**;
7. Establish **enforcement, reporting, and oversight**;
8. Require **public process and anti-displacement protections**;
9. Add **cultural and environmental review safeguards**;
10. Include **data, fiscal analysis, and a corrected effective date**.

CONCLUSION

Housing policy must balance supply with **public safety, infrastructure realities, affordability, and community planning**. Without the safeguards above, S.B. 2192 risks unintended consequences and undermines comprehensive planning.

For these reasons, I **OPPOSE S.B. 2192 UNLESS AMENDED**.

Mahalo

Cindy Freitas