

Compilation of Email and Written Comments
Received by Facilitation Team April 14, 2005 - April 22, 2005

I write to you regarding legislation being considered to restrict vacation rentals outside a few designated tourist areas and to strongly urge you not to adopt such legislation. My partner and I just returned from a week long stay (4/5-4/12) in a vacation rental cottage not far from Kilauea. We live in LA and were desperately seeking some privacy and quiet. After dealing with LA's density and pace day after day, we did not even consider staying in a condo. I had been to Maui three times and was considering going back there. My partner had not been to Hawaii at all. We stumbled on a listing for a small, quiet place that seemed to be exactly what we wanted. In other words, we began and ended our search specifically with the type of accommodation in mind--a small private house. Had we not found it on Kauai, we would have simply kept looking. As it was, we could not have imagined anything that fit our needs and desires more. The vacation was everything we wanted and the house so wonderfully quiet that we can't imagine staying anywhere else or doing a vacation any other way. We would be terribly upset not to have this opportunity in the future. Thank you for your kind consideration of this matter and keeping in mind the fabulous treat that it is for people who do not have the privilege of living in paradise right now. Please feel free to contact me about our experience.

Please do NOT confuse and combine two SEPERATE, different problems (affordable housing and vacation rentals. Such an assumption would be a huge mistake. There has been an unprendented combination of factors which has led to the lack of affordable housing. They are record low interest rates, stock market decline (people have pulled their money out of stocks infavor of real estate) and an older population with wealth to purchase their home in paradise (Kauai). Very simple and obvious reasons for the high price of housing on this beautiful island.

A simple and easy solution to the lack of affordable housing situation would be for the county to purchase 400 areas (100 acres on each side of the island) of agricultural land and convert it to 1/4 acre lots for affordable housing (1600 affordable housing lots!). The problem of lack of affordable housing would be solved.

I wish to reveal another reason vacation rentals fill a community need on Kauai. A few years ago my mother passed away and my brother and I inherited our family home which has been in our family for generations. It is a big place and neither my brother nor I can afford to live there with the high property taxes, insurance and costs of maintenance. In order to cover those costs, we placed the property in vacation rental because it is the only way of generating some income to help us maintain our home and yet allow our families to use it during the many periods of vacancy. If we were to place it into long-term rental, then we could not enjoy it ourselves and what would be the point of keeping it? If we could not use it as a vacation rental, we would have to sell the home to someone far wealthier than we, and we would loose this cherished family legacy with which we have been blessed. We still have a considerable negative cash flow on the property, but it is

manageable and we hope to keep our home in our family forever. Vacation rental is allowing us to keep our home without further developing the land and still permit us to use it as a family.

This is very funny to me- according to "THEIR" statistics, Haena, Tunnels beach, N. Shore?, Wainiha, Hanalei, P-Ville, Anini, Secret Beach, Kalihiwai & Kilauea have a total of 513 vacation rentals, and only 39 B& B's-What we consider the N Shore of Kauai. Note: Tunnels Beach says 2 vr's, and Kalihiwai lists only 3 vacation rentals. No one mentions also that often times 1 house advertises sleeping 10+ people, making many of only those listed part of what TRIPLES the density of the N Shore at any given time(holiday) by cars & people, especially in fragile low lying beach areas, already population stressed with single bridges, sewer and waste & water facilities maxxed out, traffic issues getting families to school & work, and over-crowding of the public places that the residents have come to use to "escape" the stress of the many jobs each family member has to perform to "survive" here.

All of this is fuel to the fire when you take away any sense of security your resident population has by allowing the visitor industry to over-run the only refuge they have (their homes & residential areas)

It is just a matter of time before the only residents will all be Real Estate Agents- who can always buy and sell the same item over and over again and continue to make a killing (I meant living).

I believe that the projected statistics for growth on Kauai and the intention of the Visitor Industry to greatly increase the visitor #'s in the next 5 years will lead to a catastrophic showdown among what is left of the resident population who cannot live with the inadequate infrastructure that they put up with in everyday life and ever increasing escalated cost of holding on to their small pieces of property & simple ways of life, and the tourists who still expect a show of "Aloha" from the locals, no matter what.

What-ever- I'm looking to get out of this place before I can't stand it anymore- it all just makes me sick to my stomach

ps- i never turned in my comments from the first vr meeting- which I sat through for 6 hours, just listening.

What is the legal definition of a Vacation Rental is it a residential rental or is it a business? In looking through the Hawaii revised statues section 235, 236 and 237 and Federal law (Internal Revenue Service code) you will find that those laws do define and make a difference between a residential rental and a business. The definition in the law is that if the average length of stay by a tenet is 180 days or more it is a residential rental and a specific set of laws apply to that entity, if the average length of stay is less than 180 days it is a business and than a different set of laws apply to that entity.

There is a clear distinction in the law differentiating between a residential rental and a business. A business is not permitted to operate in a residential area other than a home office due to increased traffic, which creates a safety hazard, and noise. People on vacation they do come and go at all hours, stay up later talking, relaxing, and maybe having a late barbeque which results in an increased noise level. Tourists are not bad obnoxious people, but just normal people enjoying themselves like we would on vacation. But, for the same reasons a traditional business is not allowed in a residential neighborhood neither should this form of business.

It was mentioned that they wanted a "solution" to the alleged "problem" of vacation rentals and not self serving interests in the discussion. Well, Mr. Princeville resort (a.k.a. Jay Fufaro) you are definately at the top of the list of those with self serving interests in this subject. Thus, you should be at the top of the list of those who should not be involved in this - your conflict of interests is way too big. Please take yourself out of this matter so it can be a fair process without your self serving interests. Just follow the money trail to see who is looking out for his own self serving interests.

First let me state clearly that I enjoy having tourists on this island -- but would like the vacation rental properties to be limited to the already-declared Visitor Destination Area of Princeville, Po`ipu, Kapa`a, and new one on the westside.

Why? Because by allowing vacation rental properties to encroach into our remaining neighborhoods, we risk losing our neighborhoods. Who are the people who we consider true "neighbors"? By dictionary definition they are:

1. A person who lives near another; one whose abode is not far off
2. One who is near in sympathy or confidence
3. One entitled to, or exhibiting, neighborly kindness

My neighbors are the ones we helped when the mom had a heart attack; the ones who watch our dogs when we go off-island; the ones who callus when they're heading to town, to ask "you need anything?"; the ones who invite the whole area to their annual SuperBowl party. They are all like family...we know we can depend on each other. This is obviously not true of a family just staying here for one week on vacation.

When Hurricane `Iniki his this island, we all found out how important neighbors were. Neighbors were the folks who helped clean out eachothers yards; gathered and piled everyone's rubbish on the street for collection; picked up ice from the Army tents for everyone; shared their propane and food so everyone could eat. A neighborhood on this island is dependent on the neighbors who live there...not true of a family just visiting here for one week on vacation.

Tourism can be good for this island, but only if it is controlled for the benefit of the island and its residents. Please enforce the existing VDA boundaries. Don't allow this island's precious neighborhoods to become filled with vacation rental properties.

Vacation Rentals have replaced many permanent rentals and have displaced many Kauai Residents. This means residents cannot find affordable homes to rent and they become homeless.

I feel no residential area should have more than 20% vacation rentals. We have hotels and condominiums to accommodate tourists.
