

LU Committee

From: Karen Temple <ktemple@ktemplelaw.com>
Sent: Tuesday, February 20, 2018 12:53 PM
To: LU Committee
Cc: kimber.carhart@gmail.com
Subject: LU 7 and LU 40 - written testimony

Aloha,

There is a current agenda item to discuss LU 7 and LU 40 related to Short Term Rentals.

My name is Karen Temple and I have lived at my home at 250 Alaku Road in Kihei since 2000. Before that, I rented homes on Maui. When I moved in, this was a terrific neighborhood when we moved in and is a short walk to Kamali'i Elementary School, and a terrific neighborhood to raise a family.

Residential Neighborhoods should be for Long Term Residents

The characteristic of the neighborhood has changed over the years, and most recently, a negative change as a result of the proliferation of short term rental activity in our neighborhood. In 2000, all residents in the neighborhood were owners or long term renters. We knew our neighbors, recognized their cars, and knew the children playing on the streets.

That has changed for the worse. More rental cars race through the neighborhood trying to get to the next snorkel tour, luau, or other event. They do not know that the kids next door like to skateboard down the street or ride bikes. We do not have sidewalks along most of the streets so the children walking to school are walking on the road. These children are pushed further into the street by all of the cars parking along the street.

The tourists staying at the short term rentals can sleep in the next day. If I were on vacation, I would likely be up late playing cards and having a fun dinner with family. Unfortunately, the rest of us are in bed early to get up and go to school and work the next morning. This is also impacted when they get home late and are walking to their rental late at night, forgetting that their loud voices disrupt the neighborhood. This is expected and planned for at the resorts and hotels and does not belong in a residential neighborhood.

As part of knowing your neighbors means you also know who is NOT your neighbor. We have a rising crime rate in our neighborhood. We have witnessed cars cruising our neighborhoods. Now it is difficult to distinguish the criminals from the tourists. How can a neighborhood watch function to protect our homes and our neighbors when there are constant changing cars and people in the neighborhood?

It seems if you want to live in a residential community, you need to move to a gated community.

Housing Market

We continue to hear about a housing shortage. Rental housing has skyrocketed in price. Why would anyone commit to a long term rental in a residential neighborhood when they can make more money in the short term rental market. In turn, the value of homes increases because there is money to be made in the short term rental market. This policy of allowing short term rentals is driving away long term rentals and turning our residential neighborhoods into tourist resorts!

By allowing short term rentals in residential neighborhoods, you are turning Maui into a place where the residents can no longer afford to live. Our children will not be able to afford a home on Maui with the wages they would earn working on Maui.

Enforcement

The policy has been set so that the neighbors become the enforcers. A home within a block of my home became an illegal short term rental. You can rent a room or the entire home. When the neighbor to this home called to complain, they were told they needed to collect all of the evidence before any action will be taken. It is unfathomable that the County of Maui will allow short term rental laws without enforcement procedures.

Within my small area of the neighborhood (two cul-de-sacs on each side of my home) there is one short term rental with a permit, and at least four (4) un-permitted rentals. How do the neighbors enforce this? This is ridiculous.

Taxes

If residential properties are used for short term rental, the proper tax rate is not being paid. These units are paying property tax at the residential rate and not the hotel rate. Of course, you cannot collect a hotel tax rate on property that is zoned residential. So the revenue to pay for needed infrastructure is not being collected. Our roads need to be repaired, our waste water treatment facilities need to be improved, expanded, and moved out of tsunami zones, and other services need to be expanded.

Environment

There is a huge drive to lure more tourists to our island without consideration for the environment. Our reefs are being destroyed by overuse, we don't have enough lifeguards at our beaches - and those same tourists are dying, and our roads and traffic are being congested to the point of long commutes and road rage. Have you sat in the traffic in Paia and Kihei lately? We are already suffering from the success of our tourist industry. It is time to consider the need for improvements to our community to accommodate more people - long term and tourists.

Many are suffering from the need to upgrade from cesspools without any County waste water treatment system to solve the problem.

I support the new bills, which do not go far enough to regulate an industry which has grown beyond that imagined by the laws regulating short term rentals to create bigger problems. More needs to be done to protect the neighborhoods zoned residential - **which should go back to being residential neighborhoods.**

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