

# LU Committee

---

**From:** David DeLeon <dpdeleon@hawaiiantel.net>  
**Sent:** Tuesday, March 13, 2018 5:50 PM  
**To:** LU Committee  
**Subject:** Testimony on LU-54  
**Attachments:** TEST.LU-54.03.13.18.docx

Please submit the attached as testimony. Mahalo

David DeLeon  
335 Waiama Way  
Haiku, Hi 96708  
575-9711  
[dpdeleon@hawaiiantel.net](mailto:dpdeleon@hawaiiantel.net)

March 13, 2018

COMMENTS ON LU-54: TO AMEND THE PAIA-HAIKU COMMUNITY PLAN  
REGARDING SHORT-TERM RENTALS

The following comments are made as a 23-year resident of Haiku regarding the conflict between the Paia-Haiku community plan and STR allowance for Paia-Haiku in MCC.19.65. I do not have a STR permit and do not represent any interests in this discussion.

It seems to me that the first step in this process is to determine whether the existing STR permit holders have a legitimate vested interest in their permit status. It is my layman, non-attorney's, sense that they do. I not only believe that the permit holders have a vested right, but a moral one as well, because they relied on the County Code and stepped forward to make their businesses legal under the code. It would simply not be right to pull the rug out from under them arbitrarily.

If the amendment process proceeds, then I would recommend amending the 22-year old community plan so that it reflects the intent of MCC.19.65, because the addition of STRs in our community has proved beneficial.

I have two immediate neighbors who have STR permits. The experience has only been positive. In a two-acre subdivision, you rarely know what is happening on the neighboring properties in any case. Both of these properties are well managed by licensed professionals. While the rentals are expensive, the actual rentals seem to be few and far between. As a neighbor, I prefer to have these homes occasionally occupied than to sit empty for most of the year. The legal vacation rental use creates jobs and customers for local businesses, as well as additional real property tax income for the county.

On the question of Short-term Rental Homes eliminating affordable long-term rental options for local residents: this is a mango versus guava comparison. STR properties are generally large, well-appointed homes that would never become available as affordable long-term rentals, and would unlikely be long-term rented at any price. Most appear to be owned by non-Hawaii residents who intend on using them for their personal use occasionally during the year. If the home is long-term rented, it would not be available to the owner's use. As for shoreline STR properties, if they are already permitted, their permits should be allowed to continue as a conforming use. Again, their owners relied on the existing code.

Mahalo Dave DeLeon