

Good Afternoon Council Chair Carroll and Members:

My name is Sharon Wright and I am testifying as a private citizen and resident of Haiku. As you know, I previously testified against the filming ordinance and I am still in opposition for filming on private property in residential, rural and agricultural areas where private citizens reside in neighborhood settings. I have always and still believe that commercial filming should not be brought into residential neighborhoods.

I appreciate the attempts made by the County to write rules governing certain uses on lands but after reviewing the draft ordinance before you, I do not see a decisive law. I would like to point out some ~~additional~~ areas of concerns.

1. Under 19.04.020 Compliance - There is no time limit on a commercial filming activity on private property. The bill goes to the extent to limit it for temporary commercial events in item 2f, but no limits there are no limits placed in the bill for commercial filming.

Why is that and what does this mean?

How long are you proposing that commercial filming can last on a property. Since there is no decisive time limit it must be assumed that it could be for 365 days a year? Has anyone studied the impacts of that on a neighborhood?

2. Complaints:

- What is the definition of a complaint and who will be the deciding entity on complaints filed – this bill does not specify?

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- Who do complaints go to and how will they be responded to – this bill does not specify?
- What needs to be included in the complaint to deem it valid? How is the decision maker going to understand the impacts if they are not present to witness them?
- Is the termination of the filming immediate if complaints are filed?
- Why do the complaints have to be limited to people within 1000 feet? The effects are usually felt by the whole neighborhood, especially related to traffic and life safety issues.

In the past case with MTV, I filed an RFS for investigation, approximately 2 weeks into the filming after getting no word with the representative. I had to call to track the progress of the RFS a few times. I was originally told that the inspectors were too busy to investigate. When the RFS was finally investigated, the production was near completion.

This brings me to the discussion of enforcement. How can we keep passing all these laws for “special uses” on properties if the County does not have the ability to enforce the rules?

3. There is no discussion in the bill related to the parking for vehicles and workers on commercial filming events. This is a huge impact to neighbors, especially when film crews are told to park offsite or the property cannot accommodate on-site parking. Can you imagine the impacts to a subdivision like Maui Meadows? As I noted in the past, speeding cars and increased traffic caused several concerns in our neighborhood with the MTV filming. Is it

going to take someone getting hit by a car for people to understand the potential impacts?

4. There is no discussion to amplified music and light pollution in this bill. Those are impacts beyond the ordinary and often associated with filming. Referenced in 1d.
5. Relative to **temporary commercial events** such as bazaar, fair, reception or festival – in item 2F does a County Sponsered event include filming?
6. May we look at Item 2f please – for County Sponsered events – is the twelve days in a 12 month period – is that 12 consecutive days or 12 events in a 12 month period?

The same for 4 days in a 12 month period for non-County events. Is that 4 events per property in 12 months or is it 4 consecutive days?

Imagine this ----- in a 2 street, 24 lot subdivision, each landowner wants to host 4 weddings throughout the year, on weekends, for profit. That would equal 96 weddings in the neighborhood over 1 year. On average, there are only 52 weekends in year. That alone could mean that this 2 street subdivision could have a wedding almost every Saturday and Sunday in the neighborhood – 2 each weekend.

Now, throw in a landowner who wants to do commercial filming in the neighborhood for 3 month.

Finally, add up all those TVRs and B&B's permitted for your small 24 lot subdivision and you have now created a commercial hub instead of a quiet, rural neighborhood in Haiku.

Finally, move up the road to less than a mile from this neighborhood and add the wedding venue (Haiku Mill) which is already permitted for weddings each weekend with amplified music and a pending TVR for 11 rooms and annual events itself (Haiku House).

How is anyone suppose to recharge, relax and enjoy their homes if they are constantly surrounded with all the commercial activity in their neighborhoods.

I ask you to please reconsider this ordinance for filming in residential neighborhoods. Every neighborhood is being impacted more and more with commercial activities. It needs to be limited and appropriated to the proper areas that don't impact the residents of Maui.

Thank you