

PSLU Committee

From: andrew grier <andrew_grier@hotmail.com>
Sent: Wednesday, August 07, 2019 4:24 PM
To: PSLU Committee; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Kelly King; Alice L. Lee; Keani N. Rawlins; Yukilei Sugimura
Subject: Bill 145
Attachments: Bill 145 testimony.doc

Aloha Planning and Sustainable Land Use Committee Members
Please find attached letter in support of bill 145,

Respectfully,
Andrew Grier

Aloha Planning and Sustainable Land use Committee Members

Thank you for the opportunity to testify regarding Bill 145. In particular I would like to address the importance of Bill 145 as it relates to the STRH applications that have been accepted by the Planning department, deemed complete and are on the door step of approval, but have been arbitrary stalled for over 1 year.

On February 20, 2018 I submitted a application for a STRH permit. On March 5th the application was entered in the KIVA database. My mailing date was May 19 and on the 25th of July I had My Site visit from the planner Jared and I PASSED. These are the specifics to my application.

When myself and other residents submitted our STRH applications we entered into a good faith agreement with the planning department. If our applications meet the requirements we would be granted the permits. We have fulfilled our part of the agreement. It would seem fair to feel that the Planning department has not.

As applicants we have spent thousands of dollars on fee's, home inspections and improvements to our properties in order to comply with the application standards. In many cases our properties have sat empty well we wait for decision. No one in their right mind would go to such efforts and expenses if they thought that, after fully complying with the criteria of the application checklist their application would be indefinitely stalled by the same body that wrote the rules of the process.

Here is what I understand to be the reason behind the moratorium on processing accepted STRH applications. There is a conflict between the 1995 community plan and the current STRH ordinance of 2012. The 1995 community plan provides "goals and objectives" as they relate to transient visitor accommodation on the north shore. Ordinance 3941 is legislation that was vetted over 10 years with countless testimony and spanning multiple councils. Ordinance 3941 is specific and enforceable. This ordinance has provisions and quotas to assure that there is not an over-saturation of transient accommodations and that neighbors have a say about applicant's plans. The stringent rules on off-street parking and noise levels also give neighbors an avenue for assuring that no permitted STRH is causing any disturbances. Also with the current quota of only 88 STRH permits over all of Hai'ku and Pa'ia, the permitted STRH's would not appreciably change the character of the region and would offer some benefits. The Pa'ia-Ha'iku Community Plan being reviewed was completed in 1995. The STRH ordinance was approved much more recently in 2012. One would think that the current ordinance would be a more applicable source to rely upon.

Prior to July 2018 the planning department had issued many STRH permits, all the time fully aware of the conflict between Community plan and the ordinance. When myself and others submitted our applications, the planning department was fully aware of the conflict. The department took

our money and accepted our applications anyway. There are inconstancies with STRH permits that were issued earlier in 2018 so it is troubling that all applicants may not have been handled equally.

The planning department should honor the standards at the time of our application. If the department felt they could no longer issue permits because of the conflict the department should have notified the public PRIOR to their application and grandfathered all accepted applications under the standards at the time of submittal.

There will always be two sides to the STRH issue. Some will approve and some will oppose, but when it comes to upholding the law and being transparent and fair with the community, that is an issue of good government. And on that issue there is only one side to be on.

Bill 145 was passed on its 1st reading 8 to 1.

I ask the council to hold the second reading of bill 145 this evening and pass Bill 145 without further delay.

Respectfully,
Andrew Grier