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Subject: FW: [EXTERNAL] Testimony Item IV LUC Agenda June 8, 2022 Hybrid Meeting
Date: Monday, June 6, 2022 7:25:13 AM

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Sent: Wednesday, June 1, 2022 1:00 PM

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Subject: [EXTERNAL] Testimony Item IV LUC Agenda June 8, 2022 Hybrid Meeting

Aloha LUC and County of Hawaii Corporation Counsel,

In light of the recent court ruling reversing the LUC and County declaration (Case Number 3CCV-21-178) regarding short term rentals in farm dwellings on State Agricultural Land, I am writing to provide you, the County and the LUC, with my concerns related to this grossly detrimental decision; and, respectfully request that the County and the LUC seriously consider appealing this decision or, at a minimum, put immediate safeguards into place to preserve and protect agricultural lands from the nuisance, traffic, safety and social impacts of short term transient rentals on ag land, the potential economic impact to the Island and the growing loss of true agricultural lands. Perhaps a STAY of the order until you may properly address the impacts to our people our economy and research the intent of why HRS 205 was placed into the statutes. This factor alone appears to read in direct contrast to the interpretation of the Court.

I have to wonder why we have AG zoned land when money, politics, and silver tongued lawyers can find an argument in their favor. If we can't defeat this grotesqueness in court then legislative action is our only hope but we need a local champion willing to go up against this powerful lobby. Bill 108, Hawaii County, came about for a reason. Coming soon to a huge cry out, grass roots citizens are gathering to address it's deficiencies, abomination of STVR on ag lands and the severe lack of enforcement and penalties. How long do we have to endure the endless "its under investigation" response. Having the phone number of the owner onsite or remote has repeatedly proved useless and pits neighbor to neighbor ill will particularly since our Planning Department will no longer accept anonymous complaints.

Honolulu City and County has taken this issue in favor of the people over the ghastly intrusion into their community by passing and signing Bill 41 (2021) CD2 on April 26, 2022.

<https://hnlldoc.ehawaii.gov/hnlldoc/document-download?id=13949> a sweeping benefit to the citizens and protection of their quality of life. One can argue that this affects residential and resort

zoning but here, we are ignoring residential quality on ag zoned land. This body has served its residents by posting information to help residents at <https://www.honolulu.gov/dppstr> including the link VIEW ALL. Outstanding that there is a STVR web site for City/County of Honolulu complete with reports of # complaints.

Our State legislature has approved a joint resolution strongly urging each County to increase fines, foreclosures, etc. See H.C.R. No. 73
https://www.capitol.hawaii.gov/session2022/bills/HCR73_.HTM. Are our local elected taking heed?

Those Big Island planning consultants who collected fees and represented this intrusion with attempts to gain exemptions are now jumping with glee. They are easily identifiable in the public record whose names are well known.

Lastly, I did take notice that the petitioners legal counsel is Vitousek on Oahu and our own Chair of Leeward Planning Commission is also Vitousek. Not to say there is any connection but does cause one to ask if there may be a conflict.

Thank you for your consideration. I am happy to answer any questions or provide testimony, gather groups of like minded individuals, etc. in order to protect our community and its quality of life.

Mahalo for your consideration.

Steve Lopez
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