From: Julie Eliason
To: Planning WPC Testimony
Subject: Testimony for Bill 147 at Windard Planning Commission Meeting June 5, 2026
Date: Tuesday, June 2, 2026 12:05:08 PM
Attachments: testimony_bill 147_Planning_commission_060226.pdf

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Please see the attached PDF file for my testimony regarding Bill 147 during the June 5 Windward Planning Commission hearing.
Thank you,

Julie Eliason

Julie Eliason and Robert Bojorquez
59-123 Ka Nani Drive
Kamuela, Hawaii 96743
June 2, 2026

Windward Planning Commission
101 Pauahi Street
Sute 3
Hilo, Hawaii

Dear Planning Commissioners:

We have operated a hosted Transient Vacation Rental (TVR) at Kohala Ranch since 2017. The income generated from our rental is critical to help us pay for our monthly expenses. Kohala Ranch is zoned Agriculture, even though very little actual agriculture activities have taken place on the ranch after it was subdivided into lots for residential use. We contend that the ranch should have been rezoned as Rural at the time it was subdivided. The fact that the county maintained the Ag designation has created a conflict in that the activities on the ranch are mostly residential in nature, yet the State and County want to preserve it and regulate it as Ag land.

Originally, we were told that the County did not want to put anyone currently operating legal TVRs out of business, but as more and more versions of the bill have developed, the rules for owner-occupied rentals have become more and more restrictive. At first, we did not have to register our TVR or pay a fee. Then we were told we would have to register, but pay a lower fee than non-owner occupied rentals. In the most recent version of the bill, we will be required to get a Special Use Permit (SUP) to obtain a Bed and Breakfast classification, which requires an application fee, and an annual renewal fee, fee, notification to our neighbors, and a public hearing. The costs and the requirements to keep operating our rental have gotten higher and more extreme. It is not clear if our SUP is denied if we can get a refund of our application fee. We therefor ask for clarification as to whether or not refunds will be available if the application is denied.

We would also like clarification on whether or not all hosted rentals on Agriculture-zoned land will be required to go through the SUP process or whether there will be a different requirement if the rental unit is part of the owner's house or a separate structure. We believe that if it is part of the owner's home, a SUP should not be required since the building we live in, our primary residence, is deemed as an Agriculture support structure by State standards. We would prefer if the County grandfathered-in hosted rentals that have been operating in good standing for years, such as our own.

We believe that the fees and fines are excessive and are punitive in nature, rather than correctional. Many hosted rentals operate at low rental rates and the fines would be impossible for them to pay if they accidentally or unintentionally violated the county laws, or some circumstance prevented them from submitting an application on time. We suggest that the fines be tied to the severity of the violation and not be overly punitive.

We would like the County to ensure that all permits will continue with the property if it is sold or willed to other individuals and that this be stated in the bill.

Lastly, we would like the County to consider lowering the tax rate for hosted TVRs where the rental is part of the owner's primary residence. Our tax rate went up considerably because we are renting out a portion of our home. However, the use only changed for a portion of the residence and the remainder is our primary residence. I know that the tax rate increase put some renters out of business, which I do not think the County intended to do.

Thank you for the opportunity to testify.

Sincerely,
Julie Eliason and Robert Bojorquez