

From: [REDACTED]
To: [Planning WPC Testimony](#)
Subject: Bill 147 Testimony
Date: Tuesday, June 2, 2026 1:48:17 PM
Attachments: [B147 testimony.pdf](#)

Hello, please see attached testimony.
Thank you.

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Bill 147 Testimony

PLEASE – Hear the concerns of the people and advise the Council to hear the concerns of the people. In the prior Bill 121 and now this Bill 147, the Council seems to be turning a deaf ear to the legitimate concerns of the people.

Residents of Hawaii, whether they own or lease, who elect to occasionally rent a room in their PRIMARY RESIDENCE, should be EXEMPT from any and all intrusive regulation from the County. These are HOMES. Single Family Dwellings.... They are used for RESIDENTIAL PURPOSES. Having an overnight guest is RESIDENTIAL USE, whether you charge for it or not.

The basic dilemma is that B147 is attempting to regulate RESIDENTIAL USE. We are not talking about conflicting zoning matters such as Manufacturing vs Residential. We are simply talking about someone SLEEPING IN A BED (Residential use) - whether the owner charges for it or not. Unfortunately the Council is advocating B147 which does not account for the owner's own private use rights – which will result in confusion and conflict.

B147 is fundamentally FLAWED in many ways:

1. Existing permitted B&B's are different, from an owner/resident that might decide to rent a room to make some extra money. Fundamentally, owner-hosted means the owner lives on-site and supervises use of the premises.
2. Equating a pre-existing B&B definition, with that of a private owner who may elect to rent a single bedroom, seasonally, is GROSSLY exaggerating and inflating the use. That private owner is NOT necessarily a B&B. They might be a "Bed" only. They don't print food menus, don't have a guest dining room, nor utensils. They don't take breakfast orders and they don't run a commercial kitchen.... They simply, and occasionally, rent a room in their house. A room that is across the hallway from their own personal bedroom. Please see the difference, they are NOT a B&B. They are simply resident owners/hosts, who want to make a couple of bucks by renting a room.
3. The ability to rent a room is often the most economically advantageous way a resident can generate significant extra income.
4. Preventing residents from renting a room will TAKE AWAY FINANCIAL OPPORTUNITY from them, for no legitimate reason. Residents of Hawaii need to understand that B147 is poised to TAKE AWAY THEIR OPPORTUNITY TO GENERATE INCOME from a property they either own or lease.

5. By advancing B147, the Council seems oblivious to the fact that OWNER RESIDENTS are allowed to utilize their properties for their own private purposes, outside of any TVR activities. For example:
 - a. B147 calculates a “renter” limit, and additionally a “gathering limit” applicable to the property.
 - b. B147 IGNORES the FACT that I am lawfully allowed to have UNLIMITED overnight guests and UNLIMITED gatherings of a PERSONAL, non-TVR nature upon my property, at any time, for any length.
 - c. This lack of recognition by the Council in B147 creates immense confusion and complexity in the execution of B147.
 - d. How will disgruntled neighbors or the County know whether a large group on my property is a TVR guest, or my own personal family reunion?
 - e. It is also ludicrous that B147 would propose that the burden of proof is upon the Owner to prove that no law is being violated as the result of a complaint. Is the Council actually suggesting that B147 adopt a “guilty until proven innocent” clause? This ASTOUNDS me that the Council could even consider such provision. Will I have to ask my friends to sign sworn affidavits that they were at my property on the dates in question? Do my friends have to email the planning department or leave voice messages that they were on my property? Do you realize that you cannot legally COMPELL testimony from third parties?
 - f. Also imagine the scenario where an owner takes an annual trip to Europe for 1 month. The owner allows their dear friends to use the property. Neighbors complain. The County or Neighbors call and demand the Owner be present within 3 hours; which is obviously impossible. This highlights how absurd the requirements of B147 are.
 - g. This is simply a GLARING EXAMPLE on how the Council is being reckless in advancing rules and language in B147.
6. B147 is already limiting gathering sizes. Why is B147 further regulating the allowable purposes for such gatherings? B147 allows a group of TVR renters to “gather” to celebrate a teen graduation, but they cannot “gather” to celebrate a wedding, aka wedding reception? Why does the Council care what the reason is for celebration? Why does it matter? Regulating the reason for gathering is intrusive overreach. Will owner’s now have the burden to PROVE that the renters had a wedding offsite, where snacks were served (to constitute the official “reception”) and that the activities on the premises are not the official “wedding reception” but are after-parties? There are simply no words to describe how ridiculous B147 is

regarding use regulation. It's this type of OVERREGULATION which is a clear attempt at DETERING the appeal of the property to prospective renters. The Council's language in B147 is DETERING RENTING, by unreasonably limiting use wherein the property becomes less appealing to prospective renters.

7. The Council is consciously advancing B147 that will RESTRICT USE RIGHTS, and will require a SPECIAL PERMIT – which is thus far undefined. Will the use permit requirements be the same for a B&B as it is for a Bed only? How long will it take? How much will it cost? The qualifications of the Permit Process should be defined BEFORE the Council advances a use regulation (B147).

The Ag Land Issue:

Often times the issue of “Ag Use” and “farm dwelling” are labels used to justify the restriction of TVR use on Ag Land. However, these are a MISLEADING and MANIPULATIVE basis upon which to restrict use rights.

1. Farming on small parcels of Ag land is NOT economically viable. We actively farm 5 acres, and the revenue generated does NOT cover the cost of capital investment, labor, maintenance and upkeep, training, safety, insurance, taxes, packaging, distribution, marketing, etc. At best, it is a break-even proposition. I can't put my kids through college, or save for retirement, on the miniscule amount of money earned from farming 5 rocky acres in Hawaii.
2. Ag income is risky, variable and seasonal. NOT GUARANTEED.
3. KTA buys their bananas from Ecuador for a reason. KTA does NOT buy bananas from Hawaii for a reason – it is NOT commercially viable. Continuing to tout the importance of food sustainability and the commercial viability of farming as a basis to restrict residential use rights is manipulative and unsupported by reality.
4. Much of the land zoned Ag is SOLID LAVA. Very little of small parcel Ag zoned lands are easily tilled due to the lava.
5. There is no empirical data showing that TVR on Ag is detrimental.
6. The County elected to use the label “farm dwelling” to describe and permit a single family dwelling built on Ag land. Yet the County does not mandate farming, and has never mandated farming while issuing thousands of construction permits for decades upon decades. Calling a house a “farm dwelling” implies that only farmers can live in the house. It implies that sleeping is not permitted, unless the person sleeping is farming. Now, the label “farm dwelling” is being used as the basis for not allowing someone to rent a room in their house.

7. Largely, the complaints surrounding TVRs have to do with noise or parking nuisances in urban areas, of NON-HOSTED rentals. Those same concerns DO NOT APPLY to rural Ag properties in a HOSTED setting, so why is B147 trying to regulate TVR on Ag, the same way they regulate TVR on Urban?
8. An owner/resident/farmer who decides to rent a room, does NOT displace Ag usage. If anything, allowing owner/resident/farmers to supplement their income with rental income only HELPS the investment in Hawaii/Farming. Residents on Ag land should be lawfully able to rent a room in order to supplement income.

Again, please hear the people. Residents of Hawaii, whether they own or lease, who elect to occasionally rent a room in their PRIMARY RESIDENCE, should be EXEMPT from any and all intrusive regulation from the County. These are HOMES. Single Family Dwellings.... They are used for RESIDENTIAL PURPOSES. Having an overnight guest is RESIDENTIAL USE, whether you charge for it or not.