

TIPPING POINT

ADDRESSING THE CHALLENGES OF NON-CONFORMING TRANSIENT VACATION RENTAL USE PERMITS OUTSIDE OF THE VISITOR DESTINATION AREAS, TO VISITOR AND COMMUNITY SAFETY, WELFARE AND RESILIENCE

HANALEI TO HĀ`ENA

COMMUNITY RECOMMENDATIONS

CHALLENGES

The continued issuance of Non-conforming Transient Vacation Rental Use Permits outside of the Visitor Destination Areas (VDA), despite the known hazards and lack of infrastructure, negatively impact community resilience, visitor and residential safety, and welfare.

DISASTER RISKS



- **Access to the Hanalei District is limited by seven historic one lane bridges** traversing the Historic Route #560 corridor through **high hazard areas** experiencing coastal erosion, inundation and prone to severe storms.
- The communities of **Hanalei to Hā`ena are at high risk to tsunami, hurricane, flood, landslide, sea level rise, drought, wildfires** ([Kaua`i Multi-Hazard Mitigation & Resilience Plan, 2020](#)).
- **These communities do not possess the infrastructure and systems** (e.g. wastewater, safe evacuation shelters out of hazard zones, food and water services, essential emergency response services, adequate early warning systems or an evacuation plan) **to adequately absorb and recover from one or multiple disasters particularly with a high visitor population.**

TVRS & VISITORS IN DISASTERS



- As evidenced in recent flood and landslide disaster events (March 2012, April 2018 and March 2021), **visitors and TVRs exacerbate risks to local residents and resources before, during and after disasters**, and drain local resources, including creating evacuation bottlenecks, and dependency on residents for survival, due to their lack of disaster awareness, knowledge and resources.
- The **largest concentration of Transient Vacation Rentals (TVR) operating outside of the Visitor Destination Area (VDA) on Kaua`i** is on the North Shore, in residential, flood and tsunami evacuation zones.
- **Long-term impacts from TVRs and visitors include damaging the sense of community connectedness through gentrification and displacement, contributing to a lack of affordable, accessible, safe and equitable housing, disrespect for and erosion of the `āina** ([Hanalei to Hā`ena Community Disaster Resilience and Climate Adaptation Plan, 2023](#)).



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REGULATIONS PROTECT RESIDENTS AND VISITORS



SOLUTIONS

Community requests for visitor industry, emergency management, and planning policy changes to reduce risks, and protect community welfare, safety, and resilience.

AWARENESS + COMPLIANCE

- **Require a clause in all TVR/VRBO rental contracts notifying renters of their risks to multiple hazards** (specifics on "Acts of God") including tsunami, hurricanes, flooding, landslides and other hazards
- **All TVR units/operations must have a visitor disaster go-kit** including basic supplies that are included as part of the deposit and policy in all TVRs and hotels, to **ensure visitors are equipped in a disaster**, and **do not become a strain** on communities, first responders and resources.
- **Support compliance** with the [TVR Amendment to the Interpretive Administrative Rules of the Planning Commission \(2017\)](#) "For those Transient Vacation Rentals located outside of the Visitor Destination Area in the tsunami evacuation zone, advertising must include information that the transient vacation rental is located in the tsunami evacuation zone and of the corresponding procedures (and) a dated, updated copy of the "For Your Safety and Comfort" information document provided to vacation rental tenants.
- **Better advertisement** awareness materials in visitor lodging, airports (bathrooms, baggage claim), rental car companies, incoming flights, etc. to advise visitors staying in hazard zones, offering preparedness information and resources, emergency contacts, and evacuation routes.
- **TVR Managers must provide information to all TVR occupants to access the State Civil Defense Emergency Alert System**
- **TVR managers must create a call-down alert system of TVR / property managers for early warning and evacuation** in coordination with KEMA and other officials.

LONG-TERM

- **Improve awareness of visitors on respecting cultural / environmental protocols to balance tourism and the livelihoods dependent on it**, with social/environmental health and sustainability ([Aloha Pledge](#)).
- **Amortize the non-conforming TVR's outside the VDA**
- **Create incentives for landowners to voluntarily amortize** non-conforming transient vacation rental use utilizing tax credits and other measures .
- **Require all Transient Vacation Rentals operating in the Special Management Area (SMA) to apply for and obtain a valid SMA permit** before the next annual renewal to evaluate the cumulative impacts on the special management area.
- **Enforcement and revocation of all multi-family TVR NCU permits**

ACCESS

- **Maintain limited private vehicular visitor access at all times**
- **Prohibit visitor access during emergencies and warnings (moratoriums)**; as road opens up, have phased and capped entry of visitors.
- **Continue to support the Shuttle system to bolster evacuation capacity and reduce the number of visitor vehicles.**
- **Long-term support for resident-only parking permits**

EWS, EVACUATION, SIGNAGE

- **Restrict re-entry of visitors into hazard zones pre-disaster** (during an active flood, hurricane or tsunami advisory, watch or warning) **and post-disaster**, to support local safety, response and recovery efforts (e.g. evacuate visitors to the war memorial, KCC or other designated refuge area/hurricane shelter, etc. depending on hazard, and evacuate visitors to the airport)
- **Establish plan, roles and responsibilities to remove abandoned rental cars and large debris, [re- and post-disaster**
- **Support immediate rehabilitation of the road infrastructure and address drainage issues** in Wainiha in Hā`ena, to reduce current ponding and flooding of the roadways during non-flood rain events, which prohibit lower-clearance vehicles from passing through, causing bottlenecks in emergency evacuations and threatening lives
- **Fund the community-informed development of an Evacuation Plan** in coordination with the Hanalei to Hā`ena Community Disaster Resilience Plan and Team
- Fund an **early warning system linked with this evacuation plan** (especially for those without cars), including **agreements with landowners for alternate tsunami evacuation routes on State/private lands for emergency egress**
- **Update the KEMA and Hanalei to Hā`ena Community Disaster Resilience Plan hazard maps to include evacuation models** (e.g. KCD estimates of 3.5hrs to evacuate 4500 people across Hanalei bridge), **evacuation routes** (and the varying degree of difficulty to access) **& staging areas** (and the relative capacity for people and cars) through **community engagement processes**.
- Provide and support **awareness-raising for tsunami evacuation zones, evacuation routes, signage and procedures for residents and visitors.**
- **Clarify government, industry and community roles to direct local traffic to evacuation staging/respite areas and directing visitors out during an emergency evacuation**
- **Identify & confirm evacuation alert points and persons responsible**: places to inform visitors (and residents) to evacuate (e.g. check points at hiking areas and parks, beaches, stores and restaurants/bars, sign at lookout/Princeville advising not to proceed down road if it may close, etc.)

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