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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE
Monday, February 10, 2014
2:45 PM
State Capitol, Conference Room 325

in consideration of
HB 772
RELATING TO LAND USE.

Chair McKelvey, Vice Chair Kawakami, and Members of the House Committee on Consumer Protection and Commerce.

The Office of Planning (OP) strongly supports HB 772, an Administration bill. HB 772 would amend Hawaii Revised Statutes (HRS) Chapter 205 to (1) clarify the provisions for agricultural tourism activities, including overnight accommodations, as a permissible use for a bona fide farming operation in the State Agricultural District; and (2) set uniform standards for defining a bona fide farming operation for the purposes of regulating agricultural tourism statewide.

County planning departments were consulted in development of the final bill, and the bill reflects the feedback and concerns raised by individual county representatives. Under HB 772, the counties would be able to apply a uniform standard for eligible farmer applicants and process these permits using their existing codes, as amended to conform to the bill's standards. The proposed income standards in HB 772 are based on the threshold adopted for an additional farm

labor dwelling under Maui County code and the threshold adopted for agricultural tourism activities under Hawaii County code. The permissible length of stay conforms to that contained in county codes.

The bill strives to find a balance between ease of administration—through the requirement for documentation of agricultural income—and setting appropriate standards for defining and regulating agricultural tourism and overnight accommodations in the State Agricultural District.

A major objective of HRS Chapter 205 is to protect agricultural lands and ensure their continued availability for agricultural use. This is a priority for this Administration; so is increasing farm viability for legitimate farmers. This bill would help bona fide farmers statewide to incorporate this kind of value-added revenue generating activity within their farming operations, and ensure that no bona fide farmer is unduly barred from doing so simply because of geography.

Thank you for the opportunity to testify on this measure.



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February 10, 2014

HEARING BEFORE THE
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

TESTIMONY ON HB 772
RELATING TO LAND USE

Room 325
2:45 PM

Aloha Chair McKelvey, Vice Chair Kawakami, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,832 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

Hawaii Farm Bureau **supports HB 772**, expanding the length of overnight accommodations to thirty days and clarifying the conditions under which overnight accommodations occur.

The details of agritourism is a Home Rule issue and we support the measure deferring to a County Ordinance for actual operations that are allowed. Counties may differ in their opinions of what they allow and this should be respected as this falls within the range of zoning that is a County authority.

We also support the strong position of ensuring that operations are subordinate to bona fide agricultural operations. We continue to believe that other activities that merely use agriculture to justify their activities with token bona fide activities belong in the rural district. Discussions need to occur to encourage Counties to move in this direction and thereby protect agricultural lands.

Thank you for this opportunity to provide comments on this important matter.