



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

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Statement of
SCOTT GLENN, Director

before the
SENATE COMMITTEE ON WATER AND LAND

Friday, February 10, 2023, 2:05 PM
State Capitol, Conference Room 229

in consideration of
SB 85
RELATING TO LAND USE.

Chair Inouye, Vice Chair Elefante, and Members of the Senate Committee on Water and Land:

The Office of Planning and Sustainable Development (OPSD) **strongly supports** SB 85, which requires OPSD to perform a study to refine Rural District policies and make recommendations to facilitate the reclassification of lands from the State Agricultural District to the Rural District.

As noted in SB 85, there are only 10,454 acres in the Rural District, amounting to only 0.3 percent of all lands in the State, and there are no Rural District lands on Oahu. OPSD's State Land Use Review of Districts (January 2022) found that this scarcity of Rural District lands is largely because the Rural District was established at the request of small landowners only after the original delineation of district boundaries were well underway statewide. In the establishment of the original State Land Use District boundaries in 1963 through 1964, plantation towns and rural centers were designated Urban, even though urban land use and development standards may be inappropriate for use in the context of rural settlements and rural infrastructure.

The existing standards for rural density and permissible uses in the Rural District may no longer effectively guide rural landscapes and settlements. The standards, instead, promote low-density sprawl and increase demand for extensive infrastructure and service delivery systems. Redefinition and expansion of the Rural District may promote better land use management of existing rural settlements and residential dwellings engaged in subsistence or family agriculture, which are not explicitly permitted elsewhere.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON WATER AND LAND

FRIDAY, FEBRUARY 10, 2023
ROOM 229
2:05 P.M.

SENATE BILL NO. 85
RELATING TO LAND USE

Chairperson Inouye and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 85 that requires the Office of Planning and Sustainable Development (OPSD) to perform a study to refine Rural District policies and make recommendations to facilitate the reclassification of lands from the Agricultural District to the Rural District. The Department of Agriculture (Department) comments on this measure which resembles Senate Bill 1292 which is the Administration's bill. The outcome that the Department seeks is to encourage and redirect development of "gentlemen farmer" estates within the redefined Rural District rather than continue proliferating in the Agricultural District. The Department respectfully believes Senate Bill 1292 is a more comprehensive vehicle to increase the effectiveness of the Rural District in protecting agricultural working lands.

Thank you for the opportunity to present testimony on this measure.



LATE

SB-85

Submitted on: 2/9/2023 2:57:02 PM

Testimony for WTL on 2/10/2023 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nani Medeiros	Testifying for Office of the Governor, Chief Housing Officer, State of Hawaii	Support	Written Testimony Only

Comments:

Mahalo for the opportunity to testify in support of the intent of SB 85. We defer to the Office of Planning and Sustainable Development on the details of implementation of this measure.



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February 10, 2023

HEARING BEFORE THE
SENATE COMMITTEE ON WATER AND LAND

TESTIMONY ON SB 85
RELATING TO LAND USE

Conference Room 229 & Videoconference
2:05 PM

Aloha Chair Inouye, Vice-Chair Elefante, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports SB 85, which requires the office of planning and sustainable development to perform a study to refine rural district policies and make recommendations to facilitate the reclassification of lands from the agricultural district to the rural district.

The rural land use classification district was developed to serve as the interface between agriculture and urban land uses. In rural, agriculture is a choice, not a requirement and those who live in the area are expected to accept the nuisance aspects of agriculture while having the advantages of lower taxes. In most areas of the country, rural classification also translates to reduced infrastructure e.g. sidewalks or street lights. After all, you are in a rural area ...not a residential city.

Hawai'i's use of rural is limited across the state and frowned upon by some. This leads to difficulties as it forces agriculture to directly interface with the urban district resulting in conflicts. It also results in people creatively farming to ensure that they can retain their reduced property tax rates and counties needing to spend time inspecting properties to check if legitimate farming was being conducted.

The intent of this measure seeks to reduce the incidence of "fake farms". We should not forget agriculture was a default land use classification. It did not intentionally classify lands as agriculture that were suitable for production. Hence, wide expanses of lava lands or hilly and rocky lands are classified as agriculture. To address this problem, a one-time reclassification of agricultural lands to rural seems reasonable. On these lands, agriculture is a choice, not a requirement. Lands can be dedicated to agricultural use for

agricultural benefits. However, agriculture is not a requirement and residents can have larger lots without going through the effort of pretending to farm.

Thank you for the opportunity to provide testimony on this measure.