

JAN 20 2023

A BILL FOR AN ACT

RELATING TO FARM DWELLINGS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the emergence of
2 farm dwellings on agricultural park lots has contributed to
3 community complaints regarding dust, noise pollution, and other
4 nuisances arising from the residential use of farm dwellings.
5 Concerns raised about residential activity on Maui agricultural
6 park lots, in particular, continue to place burdens on existing
7 farmers and ranchers.

8 The purpose of this Act is to prohibit:

9 (1) Any person from residing, living, dwelling, or
10 sleeping on any agricultural park lot unless within a
11 farm dwelling that is permitted by the board of
12 agriculture after it conducts a thorough review of the
13 proposed use; and

14 (2) The construction of new farm dwellings on any
15 agricultural park lot.



1 SECTION 2. Chapter 166, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§166- Farm dwellings; prohibited. (a) No person shall
5 reside, live, dwell, or sleep on any agricultural park lot,
6 except within a farm dwelling permitted by the board after a
7 thorough and comprehensive review that includes input from
8 adjacent landowners and lessees; provided that the board's
9 review shall include an evaluation of whether there are
10 appropriate buffer zones in place to address dust, noise
11 pollution, and other nuisances that may arise from the proposed
12 use of the farm dwelling.

13 (b) Beginning January 1, 2024, no new farm dwelling shall
14 be constructed on any agricultural park lot."

15 SECTION 3. During fiscal year 2023-2024, the department of
16 agriculture may inspect each agricultural park lot for
17 unpermitted farm dwellings. If an unpermitted farm dwelling is
18 found, the information shall be referred to the board of
19 agriculture.

20 SECTION 4. New statutory material is underscored.



S.B. NO. 789

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Lyn DeCote



S.B. NO. 789

Report Title:

Department of Agriculture; Agricultural Park; Farm Dwelling;
Land Use; Inspections

Description:

Prohibits the construction of new farm dwellings on agricultural park lots beginning 1/1/2024. Prohibits residence within an unpermitted farm dwelling. Authorizes inspections.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

