

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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
MARY ALICE EVANS, Director

before the
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Wednesday, March 4, 2026

2:00 PM

State Capitol, Conference Room 325

in consideration of
HB 1737, HD 2
RELATING TO FARM EMPLOYEE HOUSING.

Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs.

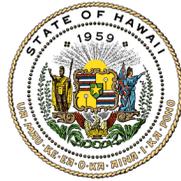
The Office of Planning and Sustainable Development (OPSD) **supports** HB 1737, HD 2, which amends HRS § 205-2 and §205-4.5 to clarify the permitted uses within the State Agricultural District with respect to farm dwellings and farm employee housing.

OPSD supports more farm employee housing on bona fide farms in the State Agricultural District. Farm employee housing helps bona fide farms retain workers and helps to alleviate the state's housing shortage. OPSD believes that HB 1737, HD 2 promotes this goal while also protecting agricultural lands from non-farm related residential uses.

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 & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'OIHANA MAHI'AI A KIA'I MEAOLA
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9560 FAX: (808) 973-9613

WRITTEN ONLY

TESTIMONY OF SHARON HURD CHAIRPERSON, BOARD OF AGRICULTURE AND BIOSECURITY

BEFORE THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

WEDNESDAY, MARCH 4, 2026
2:00 PM
CONFERENCE ROOM 325

HOUSE BILL NO.1737, HOUSE DRAFT 2 RELATING TO FARM EMPLOYEE HOUSING

Chair Tarnas, Vice Chair Poepoe and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1737, House Draft 2 that clarifies the permitted uses within the Agricultural District with respect to farm dwellings and farm employee housing. The Department of Agriculture and Biosecurity (Department) offers comments.

HD2 makes clear that farm employee housing is to be accessory to farm operations. In the case of farm dwellings, they are to be located on and accessory to farms where agricultural activities provide income to the families occupying the dwellings. This may provide an opportunity for the counties to consider determining acceptable thresholds of agricultural activity and/or income from farm sales.

The Department recommends that the counties be consulted with respect to their preference on the degree of specificity regarding structural details of the farm employee housing (see bold text in following paragraph):

Page 9, lines 1-7

"(B) "Farm employee housing" means one or more residential dwelling units accessory to the farm operation that may be attached or detached from the primary farm dwelling; **provided that the farm employee housing shall be no larger than eight hundred habitable square feet under roof per residential dwelling unit;**"

Testimony of Sharon Hurd
March 4, 2026
Page 2

The Department notes there is no guidance on who may occupy these farm employee housing units.

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

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041 • WEBSITE: honolulu.gov/dpp

RICK BLANGIARDI
MAYOR
MEIA



DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

BRYAN GALLAGHER, P.E.
DEPUTY DIRECTOR
HOPE PO'O

REGINA MALEPEAI
2ND DEPUTY DIRECTOR
HOPE PO'O KUALUA

TESTIMONY OF THE DEPARTMENT OF PLANNING AND PERMITTING

BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

March 4, 2026
Conference Room 325

TO: The Honorable David A. Tarnas, Chair, The Honorable Mahina Poepoe,
Vice Chair, and Members of the Committee on Judiciary & Hawaiian Affairs

RE: COMMENTS ON HOUSE BILL NO. 1737, HD 2 , RELATING TO
FARM EMPLOYEE HOUSING

The Department of Planning and Permitting (DPP) **offers comments** on House Bill No. 1737, HD 2, which amends § 205-2 and § 205-4.5 by clarifying the allowable uses within the agricultural district with respect to farm dwellings and farm employee housing.

While the City is in favor of efforts to support our agricultural industry by allowing flexibility for various forms of housing for farm workers, allowing multi-family dwellings, i.e., an apartment building, without safeguards in place is not in keeping with the desired character and intent of the agricultural district. We note that the amendments to § 205-4.5 appear to be largely consistent with the new farm worker housing use that was added to the City's Land Use Ordinance (LUO) (Revised Ordinances of Honolulu, Chapter 21) under Ordinance 25-2. We also appreciate that the Bill prohibits separating ownership through a condominium property regime and using the farm dwellings for agricultural tourism and as transient vacation rentals.

Specifically, the LUO states that farm worker housing may be composed of multiple single-unit, two-unit, or multi-unit dwellings; one employee and the employee's family or up to three unrelated employees may share one dwelling unit; each dwelling unit must not exceed 800 square feet of floor area; and no more than eight dwelling units are allowed in any multi-unit dwelling. The latter is the main difference with the proposed Bill – the LUO provision puts a maximum number of units per structure at eight units, rather than placing a maximum ratio of square feet of agricultural-related

The Honorable David A. Tarnas, Chair
and Members of the Committee on Judiciary & Hawaiian Affairs
Hawai'i House of Representatives
House Bill No. 1737, HD 2
March 4, 2026
Page 2

structures per acre of agricultural land. We note that this ratio is undetermined in the proposed Bill, and may not be the most appropriate measure since it does not align with the City's zoning regulations.

We further note that amendments to § 205-4.5 includes in the definition of farm dwelling that the agricultural activity on the farm provides income to the family occupying the dwelling. In order to ensure bona fide farm income, we suggest that this Bill further define what constitutes such income, such as requiring that the farm activity provide a significant portion of the farmer's personal income, i.e., establish a threshold that must be met as evidenced by supporting documentation.

In summary, we recommend that amendments to Chapter 205 be broad enough to allow consistency with each county's zoning code, without creating conflicting language. The State should provide deference to the counties' localized experience and expertise to ensure that the farm worker housing is justified and, as such, allow the counties to implement further safeguards by requiring a Conditional Use Permit (CUP) to ensure bona fide farm worker housing in the agricultural districts. We note that during the review of the CUP, the Director of the DPP evaluates the required agricultural plans and the amount of labor necessary to farm the land to ensure the plans justify the number of dwelling units proposed. When the associated farm is no longer in active production or no longer employing farm workers, no workers may be housed on the zoning lot.

We respectfully offer these comments on House Bill No. 1737, HD 2, and thank you for the opportunity to testify.

Very truly yours,



Dawn Takeuchi Apuna
Director

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Fern Holland
Arryl Kaneshiro



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

March 3, 2026

**TESTIMONY OF ARRYL KANESHIRO
COUNCILMEMBER, KAUAI COUNTY COUNCIL**

ON

HB 1737, HD 2, RELATING TO FARM EMPLOYEE HOUSING

House Committee on Judiciary & Hawaiian Affairs

Wednesday, March 4, 2026

2:00 p.m.

Conference Room 325

Via Videoconference

Dear Chair Tarnas and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 1737, HD 2, Relating to Farm Employee Housing. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

This bill amends HRS Section 205-4.5(a)(4) to clarify that a "farm dwelling" as permitted in agricultural districts shall include a single-family farm dwelling with an accessory employee housing structure, as appropriately restricted. Such a change is long overdue and will assist generational farmers to fortify operations on their agricultural parcels and retain farm workers without disrupting the character of the district in which they are located.

As Kaua'i continues to face a critical housing shortage, including a great need for workforce housing across many sectors of the community, HB 1737, HD 2, provides a viable pathway for landowners to provide on-site housing, thereby attracting the talent and retaining a skilled workforce that is housing stable.

Thank you again for this opportunity to provide testimony in support of HB 1737, HD 2. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ARRYL KANESHIRO
Councilmember, Kaua'i County Council

RM:dmc



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

March 4, 2026

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

TESTIMONY ON HB 1737, HD2
RELATING TO HOUSING

Conference Room 325 & Videoconference
2:00 PM

Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

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 the intent of HB 1737, HD2, which clarifies the permitted uses within the agriculture district with respect to farm dwellings and farm employee housing.

HFB has long supported farm dwellings and farm worker housing as essential components of viable agricultural operations. On-site housing allows farmers and ranchers to live near their operations, respond to livestock and crop needs, support agricultural workers, deter agricultural crimes, and maintain productive farms, particularly in rural areas where housing options are limited. Farm dwellings and farm worker housing play an important role in sustaining local agricultural production and supporting Hawai'i's agricultural workforce.

At the same time, HFB is concerned about the misuse of agricultural lands for residential purposes that are not tied to bona fide agricultural activity. "Gentleman farms" and farm dwellings that function primarily as residential units undermine the intent of the Agricultural District, inflate land values, reduce access to land for working farmers, and create conflicts that ultimately harm legitimate agricultural operations. We support appropriate enforcement to address non-bona fide agricultural use and protect the integrity of agricultural lands.

HB 1737, HD2 provides clearer definitions of "farm dwelling" and "farm employee housing," establishes size limitations for employee housing units, prohibits the separation of farm employee housing from the primary farm dwelling through condominium property

regimes, and prohibits the use of farm dwellings for agricultural tourism or related accommodations. These provisions reinforce that such housing must remain accessory to bona fide agricultural operations and not become a pathway for residential development unrelated to farming.

HB 1737, HD2 includes language establishing a ratio of square footage per acre for farm dwellings and employee housing. While we understand the intent is to prevent abuse, we encourage the Committee to ensure that any statewide ratio does not conflict with or supersede county zoning standards. Hawai'i's counties differ significantly in parcel size, zoning structure, and agricultural conditions. Counties are best positioned to regulate development intensity, building size, setbacks, and related standards through their permitting processes. Clarifying that county zoning authority remains intact, or removing the ratio language to avoid unintended conflicts, would help preserve the traditional division of responsibilities between the State and the counties.

Chapter 205 establishes permissible land uses at the State level, while counties retain authority over zoning, building standards, and the regulation of size, placement, and design of dwellings. Preserving that balance will help ensure consistent implementation while avoiding unintended consequences.

Mahalo for the opportunity to provide testimony.

March 4, 2026, 2 p.m.
Hawaii State Capitol
Conference Room 325 and Videoconference

To: House Committee on Judiciary and Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB1737 HD2 — RELATING TO FARM EMPLOYEE HOUSING

Aloha chair, vice chair and other committee members,

The Grassroot Institute of Hawaii **supports** — and **offers amendments** to — [HB1737 HD2](#), which would add a definition of the term “farm employee housing” to state law.

Under the bill, farm employee housing would be defined as “one or more residential dwelling units accessory to the farm operation that may be attached or detached from the primary farm dwelling; provided that the farm employee housing shall be no larger than eight hundred habitable square feet under roof per residential dwelling unit.”

Grassroot pointed out in its January 2026 policy brief “[How to facilitate more housing for Hawaii farm and ranch workers](#)” that a lack of affordable housing has consistently been cited as a barrier to expanding agricultural production in Hawaii. The report also made clear that there is no statewide standard for how and where farm employee housing can be built.

Regarding the proposed amendment, Grassroot believes that farmers and ranchers in counties without an 800 square foot cap on the size of farm employee homes should not have to redesign existing farm employee and farm labor dwellings to comply with this bill. In other words, while statewide clarity regarding farm employee housing is much needed, any new state law governing farmworker housing should not be more strict than regulations that are currently in place at the county level.

Thus, Grassroot believes this bill should include the following underlined language:

"Farm employee housing" means one or more residential dwelling units accessory to the farm operation that may be attached or detached from the primary farm dwelling; provided that the farm employee housing shall be no larger than eight hundred habitable square feet under roof per residential dwelling unit; provided further that farm employee housing for which a building permit or a certificate of occupancy has been approved under a county ordinance prior to the effective date of this act shall be considered nonconforming;

Grassroot also believes that this measure should give farmers, ranchers and the counties greater clarity as to how permits for farm employee housing should be processed. Research indicates that public hearing processes can complicate approvals and slow down the review process for applicants.¹ Adding the following underlined language to the bill would simplify the permitting process:

provided that the total land area upon which the farm dwelling, farm employee housing, and all appurtenances are situated shall be no larger than a ratio of _____ square feet per acre of agricultural land leased to the fee owner of the farm dwelling; provided further that no fee owner of the farm dwelling shall submit any portion thereof to a condominium property regime to separate the ownership of the farm employee housing units from the farm dwelling pursuant to chapter 514B; provided further that no portion of the farm dwelling shall be used for agricultural tourism or related accommodations under paragraph (14); provided further that the county planning director shall have the authority to approve plans for farm employee housing without a public hearing;

Approving this bill with these amendments would give farmers and ranchers an extra tool to help attract and retain workers, because living on the land could minimize commute times and transportation expenses.

Consider the following information:

>> Hawaii imports 85-90% of its food supply.²

>> A 2020 U.S. Department of Agriculture survey found that 41% of the state's farmers and ranchers cited a lack of labor as a barrier to expanding their operations.³

>> More than 9,500 people in Hawaii were employed as "hired farm labor" in 2023.⁴

¹ Michael Manville, Paavo Monkkonen and Nolan Gray et al., "[Does Discretion Delay Development?](#)" Journal of the American Planning Association, Vol. 89, Issue 23, 2023.

² Hannah Leto, Jordan Mitkowski and Katie Hogan et al., "[Agricultural Labor on Hawai'i Island](#)," Swette Center for Sustainable Food Systems at Arizona State University, May 2025, p. 1.

³ "[Labor Shortage as a Barrier to Agricultural Expansion 2020](#)," Hawaii Department of Agriculture in cooperation with the U.S. Department of Agriculture, April 2022.

⁴ "[Hawaii PYs 2024-2027](#)," Hawaii Department of Labor and Industrial Relations, p. 70.

>> More than half of those people worked on farms and ranches on Hawaii Island alone,⁵ but only one-quarter of Hawaii Island farmers reported hiring labor.

Allowing more housing on farms and ranches, especially for temporary and seasonal workers, would be a win for farm and ranch owners, a win for their employees and a win for everyone who enjoys local food.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

⁵ Hannah Leto, Jordan Mitkowski and Katie Hogan et al., "[Agricultural Labor on Hawai'i Island](#)," Swette Center for Sustainable Food Systems at Arizona State University, May 2025, pp. 4-5.

March 3, 2026

To: Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs

Subject: **HB 1737 HD 2**

Aloha,

I respectfully submit testimony in support of HB1737, HD2, which clarifies state law to expressly allow farm dwellings and farm employee housing within the agricultural district. By defining and permitting farm employee housing, including accessory residential units, this measure addresses a long-standing statutory ambiguity that has created uncertainty for farmers, counties, and regulators alike. Clarifying allowable uses within the agricultural district strengthens legal consistency within Hawai'i Revised Statutes, reduces interpretive conflicts, and provides clearer guidance for landowners, enforcement agencies, and the courts. From a judiciary perspective, statutory clarity is essential to reducing litigation risk, ensuring consistent application of land use law, and preserving the integrity of the State's land classification system. This measure also has important implications within the Committee's jurisdiction over Hawaiian affairs. Access to viable agricultural housing directly supports local food production, rural stewardship, and the continued use of lands for productive agricultural purposes rather than speculative development. Clear rules governing farm employee housing can help ensure that agricultural lands remain actively farmed while supporting the workforce necessary to sustain those operations. In doing so, the bill advances broader public policy goals tied to land stewardship, rural community stability, and the responsible use of lands designated for agriculture. Importantly, HB1737 maintains the framework of the agricultural district while providing guardrails around what constitutes legitimate farm dwellings and employee housing. This helps balance the need to support bona fide agricultural operations with the State's obligation to prevent misuse of agricultural lands for non-agricultural residential development. By clearly defining permissible uses in statute, the Legislature reinforces its intent regarding agricultural land policy and strengthens enforceability, which falls squarely within the Judiciary Committee's interest in statutory coherence and legal clarity. For these reasons, I respectfully urge the Committee on Judiciary & Hawaiian Affairs to support HB1737, HD2.

Mahalo,

Carlin McFadden & the Food+Policy Team
#fixourfoodsystem

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2026, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.

HB-1737-HD-2

Submitted on: 3/2/2026 6:52:07 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!!!

Definitely need the clarification to help farmers solve labor needs. Mahalo!

HB-1737-HD-2

Submitted on: 3/3/2026 7:55:38 AM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol England	Individual	Support	Written Testimony Only

Comments:

I support

HB-1737-HD-2

Submitted on: 3/3/2026 11:44:37 AM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Barrackman	Individual	Oppose	Written Testimony Only

Comments:

We do not need these regulations . In no way will this help farming.

It is very Anti Human .

Vote No