
A BILL FOR AN ACT

RELATING TO LAND USE.

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

1 SECTION 1. Chapter 205, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§205- Reclassification of land contiguous to an
5 agricultural district; conditions. (a) If the commission
6 receives a request to reclassify a land district to an urban or
7 rural district designation that is contiguous to an existing
8 designated agricultural district, the commission shall inform
9 the applicant requesting the reclassification of the presence of
10 the existing and contiguous agricultural district. As one of
11 the conditions for the land district reclassification, the
12 applicant shall:

13 (1) Permit the continued operation of any existing farming
14 operation on the contiguous agricultural district;
15 (2) Not declare any farming operation a nuisance for any
16 reason, in accordance to section 165-4; and

17 (3) Comply with chapter 165.

18 (b) For purposes of this section:



1 "Farming operation" shall have the same meaning as provided
2 in section 165-2."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun, before its effective date.

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Agricultural Buffer Zone

Description:

Requires the land use commission to include the Right to Farm Act under chapter 165, Hawaii Revised Statutes, as a condition to any reclassification of land to an urban or rural district designation that is contiguous to an agricultural district. Effective 7/1/2050. (SD2)

