

NEIL ABERCROMBIE
Governor



RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF RUSSELL KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON WATER, LAND, AND HOUSING,
AND AGRICULTURE
Thursday, February 2, 2011
Room 229
2:45 P.M.

SENATE BILL NO. 2350
RELATING TO AGRICULTURAL LANDS

Chairpersons Dela Cruz and Nishihara and Members of the Committees:

Thank you for this opportunity to provide testimony on SB 2350. The Department of Agriculture strongly opposes this measure that amends Section 205-2 to add as a permissible use in the Agricultural District, attached or detached ohana dwellings or use of an accessory building meant for use as a separate dwelling.

If passed, this measure will cause the proliferation of residential uses throughout the Agricultural District. The definition of "farm dwelling" and the specified uses that support and are accessory to agricultural activities are rendered meaningless as "ohana dwellings" are not required to be related to agricultural uses and activities. There will be no meaningful distinction between agricultural and residential areas in zoning ordinances and land use plans. This will cause agricultural land values to rise, not because of their agricultural utility but because of their value for residential use. Inflated land prices in turn will make entry into farming and continuation of existing farms difficult and less attractive. Nuisance complaints about agricultural activities (noise, dust, odors) by non-agricultural owners of ohana dwellings will increase.



The reference in the measure to Section 205-6 as permitting ohana dwellings is incorrect. Section 206-6 refers to special permits where the Land Use Commission or the county planning commissions may permit certain unusual and reasonable within the Agricultural District other than those for which the District is classified. This is a case-by-case determination and when a request for special permit is approved, it is specific to the property on which the use is sought and not the entire Agricultural District. We do not believe the State or the counties would find that ohana dwellings as proposed in this measure would qualify as an unusual and reasonable use nor be in consonance with the provisions of Chapter 205 relating to farm dwellings.

Thank you, again, for the opportunity to testify on this measure.



Hawaii Farm Bureau
F E D E R A T I O N

2343 Rose Street • Honolulu, Hawaii 96819
Phone: (808) 848-2074 • Neighbor-Islands: (800) 482-1272
Fax: (808) 848-1921 • Email: info@hfbf.org
www.hfbf.org

FEBRUARY 2, 2012

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE
SENATE COMMITTEE ON WATER, LAND AND HOUSING

TESTIMONY ON **SB 2350**
RELATING TO AGRICULTURAL LANDS

Room 229
2:45 PM

Chair Dela Cruz, Chair Nishihara, and Members of the Committees:

I am Brian Miyamoto, Chief Operating Officer and Government Affairs Liaison for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 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.

HFBF **submits the following comments** for SB 2350, which allows ohana dwellings on state agriculturally zoned lands.

HFBF believes that the primary use of agriculturally zoned lands is production agriculture. Our policy states that we support:

“Directing nonagricultural uses and activities from agricultural lands to other areas and ensure that uses on agricultural lands are actual agricultural uses”

We recognize that access to affordable housing is an issue across the state. However, it is also an undeniable reality that there is abuse relating to permissible uses on agricultural lands. Counties across the State currently struggle to define “bona fide farmer” for qualifying to receive reduced property taxes or water rates. These benefits

are a privilege for producing agricultural products contributing to the State's level of self-sufficiency.

Rather than increasing non-agricultural uses on agricultural lands, we suggest creating mechanisms to increase farm and ranch viability so farms and ranches will not need non-agricultural activities to supplement their incomes.

I can be reached at (808) 848-2074 if you have any questions. Thank you for the opportunity to testify.