

**NEIL ABERCROMBIE**  
Governor



**RUSSELL S. KOKUBUN**  
Chairperson, Board of Agriculture

**SCOTT E. ENRIGHT**  
Deputy to the Chairperson

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
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**TESTIMONY OF RUSSELL S. KOKUBUN  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEES ON AGRICULTURE AND TOURISM  
Thursday, February 07, 2013  
11:15 a.m.  
Room 312**

**HOUSE BILL NO. 1266  
RELATING TO OVERNIGHT ACCOMMODATIONS ON AGRICULTURAL LANDS**

Chairpersons Wooley and Brower and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 1266. This measure amends Section 205-2 by clarifying that agricultural tourism activities are to occur in the presence of a bona fide agricultural activity. The Department of Agriculture supports the intent of this measure however we believe that House Bill No. 772, an Administration bill, is a more comprehensive vehicle that ensures that agricultural tourism with overnight accommodation are clearly accessory and secondary to a bona fide farming operation. More specifically, House Bill 772 requires farmers to meet a minimum farm-based income threshold, that the farm be in existence for at least two years, and that the majority of gross income to the farming operation comes from sales of agricultural products grown on the property on which the agricultural tourism and overnight accommodations are sought

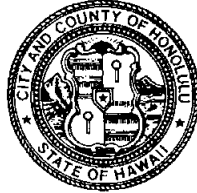
In the development of the Administration bill, the Department of Agriculture and the Office of Planning met with the county planning department directors to understand and address their concerns.

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

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR



JIRO A. SUMADA  
ACTING DIRECTOR

February 7, 2013

**LATE**

The Honorable Jessica Wooley, Chair  
and Members on the Committee on Agriculture  
The Honorable Tom Brower, Chair  
and Members on the Committee on Tourism  
State House of Representatives  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Dear Chairs Wooley and Brower and Members:

**Subject: House Bill No. 1266  
Relating to Overnight Accommodations  
on Agricultural Lands**

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 1266. The bill proposes to relax the requirement for allowing overnight accommodations on agricultural lands, from coexisting with bona fide agricultural activities, to merely having presence of agricultural activities. The DPP opposed the measure during the 2012 legislative session, and we continue to oppose any legislation that would allow short-term accommodations in the agricultural district.

Also, we would like to recommend that the language of law relating to "...a county that includes at least three islands..." be modified such that the City and County of Honolulu is clearly excluded from qualifying for short-term overnight accommodations in the agricultural district. Our county includes many small islands (islets) along our shoreline.

As previously stated in 2012, provisions are already in place to allow agricultural tourism as an accessory use in State agricultural districts with an approved State Special Use Permit. The Department has no intention of supporting any zoning ordinance to establish provisions for short-term rentals on agricultural lands.

The Honorable Jessica Wooley, Chair  
and Members on the Committee on Agriculture  
The Honorable Tom Brower, Chair  
and Members on the Committee on Tourism  
State House of Representatives  
Re: House Bill No. 1266  
February 7, 2013  
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Please hold House Bill No. 1266. Thank you for the opportunity to testify.

Very truly yours,

  
Jiro A. Sumada, Acting Director  
Department of Planning and Permitting

JAS:jmf  
hb1266OvernightAccommodationAg-b