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Governor

DOUGLAS S. CHIN
Lt. Governor



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Chairperson, Board of Agriculture

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**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, &
MILITARY AFFAIRS**

**MARCH 20, 2018
1:45 P.M.
CONFERENCE ROOM 229**

**SENATE CONCURRENT RESOLUTION NO. 56/SENATE RESOLUTION NO. 27
URGING THE COUNTIES TO ADOPT SUPPLEMENTAL RULES PURSUANT TO SECTION
514B-6, HAWAII REVISED STATUTES, TO ENSURE THE CONFORMANCE OF
CONDOMINIUM PROPERTY REGIMES TO THE PURPOSES AND PROVISIONS OF
COUNTY ZONING AND DEVELOPMENT ORDINANCES.**

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to testify on SCR 56/SR 27 that requests the counties to adopt supplemental rules pursuant to Section 514B-6 (condominium property law) to ensure that condominium property regimes conform to each county's zoning and development standards, and Chapter 205. The Department of Agriculture supports the intent of these resolutions and offers comments.

The Department of Agriculture supports requiring and clarifying how condominium property regimes are to comply with county ordinances, rules, and plans, and Chapter 205 (State land use law). One of most important requirements in Chapter 205 is that any structure built for habitation must be "located on and used in connection with a farm...or where agricultural activity provides income to the family from an agricultural activity" (Section 205-4.5(a)(4)). If there is no farm, no agricultural activity, or no income to the family from agricultural activity, then the structure built for habitation is not a "farm dwelling" and if built, would be in violation of Chapter 205, specifically Section 205-4.5(a)(4).

Thank you for the opportunity to testify on these resolutions.

