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# A BILL FOR AN ACT

RELATING TO AGRICULTURAL BUILDINGS AND STRUCTURES.

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

1           SECTION 1. Section 46-88, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3           "(a) Notwithstanding any law to the contrary, the  
4 following agricultural buildings, structures, and appurtenances  
5 thereto that are not used as dwellings or lodging units are  
6 exempt from building permit and building code requirements where  
7 they are no more than one thousand square feet in floor area:  
8           (1) Nonresidential manufactured pre-engineered commercial  
9 buildings and structures;  
10          (2) Single stand alone recycled ocean shipping or cargo  
11 containers that are used as nonresidential commercial  
12 buildings and are properly anchored;  
13          (3) Notwithstanding the one thousand square foot floor  
14 area restriction, agricultural shade cloth structures,  
15 cold frames, or greenhouses not exceeding twenty  
16 thousand square feet in area per structure; provided  
17 that where multiple structures are erected, the



- 1           minimum horizontal separation between each shade cloth  
2           structure, cold frame, or greenhouse is fifteen feet;
- 3       (4)   Aquacultural or aquaponics structures, including  
4           above-ground water storage or production tanks,  
5           troughs, and raceways with a maximum height of six  
6           feet above grade, and in-ground ponds and raceways,  
7           and piping systems for aeration, carbon dioxide, or  
8           fertilizer or crop protection chemical supplies within  
9           agricultural or aquacultural production facilities;
- 10       (5)   Livestock watering tanks, water piping and plumbing  
11           not connected to a source of potable water, or  
12           separated by an air gap from such a source;
- 13       (6)   Non-masonry fences not exceeding ten feet in height  
14           and masonry fences not exceeding six feet in height;
- 15       (7)   One-story masonry, steel, or wood-framed buildings or  
16           structures with a structural span of less than twenty-  
17           five feet and a total square footage of no more than  
18           one thousand square feet, including farm buildings  
19           used as:
- 20           (A)   Barns;
- 21           (B)   Greenhouses;



- 1 (C) Farm production buildings including aquaculture  
2 hatcheries and plant nurseries;
- 3 (D) Storage buildings for farm equipment or plant or  
4 animal supplies or feed; or
- 5 (E) Storage or processing buildings for crops;  
6 provided that the height of any stored items  
7 shall not collectively exceed twelve feet in  
8 height;
- 9 (8) Raised beds containing soil, gravel, cinders, or other  
10 growing media or substrates with wood, metal, or  
11 masonry walls or supports with a maximum height of  
12 four feet;
- 13 (9) Horticultural tables or benches no more than four feet  
14 in height supporting potted plants or other crops; and
- 15 (10) Nonresidential indigenous Hawaiian hale that do not  
16 exceed five hundred square feet in size, have no  
17 kitchen or bathroom, and are used for traditional  
18 agricultural activities or education;
- 19 provided that the buildings, structures, and appurtenances  
20 thereto comply with all applicable state and county zoning  
21 codes."



# H.B. NO. 870

1 SECTION 2. New statutory material is underscored.

2 SECTION 3. This Act shall take effect on July 1, 2019.

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INTRODUCED BY: Richard Lujan

[Signature]

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JAN 22 2019

# H.B. NO. 870

**Report Title:**

Agricultural Buildings and Structures; Building Permit and Code Exemptions; Steel

**Description:**

Includes certain steel agricultural buildings, structures, and appurtenances among those exempt from building permit and building code requirements.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

