

Honolulu, Hawaii

MAR 04 , 2022

RE: H.B. No. 2084
H.D. 3

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2084, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS,"

begs leave to report as follows:

The purpose of this measure is to facilitate development of housing for farmers and farm employees who actively and currently farm on important agricultural lands by:

- (1) Allowing landowners and lessees of important agricultural lands to apply to a county to develop, construct, and maintain farm cluster housing on the lands for rent to farmers and farm employees who actively and currently farm on the land, subject to certain conditions;
- (2) Including farm cluster housing under a county priority permit processing procedure for facilities on lands designated as important agricultural lands; and
- (3) Repealing a restriction on farm dwellings on important agricultural lands that is stricter than what is allowed in agricultural districts.



Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; Hawai'i Farm Bureau; Maui Chamber of Commerce; and one individual.

Your Committee finds that Act 233, Session Laws of Hawaii 2008 (Act 233), established incentives related to the long-term viability of agricultural use of lands. Act 233 included a provision whereby landowners with agricultural lands designated as important agricultural lands were allowed to develop, construct, and maintain farm dwellings and employee housing on the land for farmers, employees, and their immediate family members; provided that the dwelling occupants were actively and currently engaged in farming. While intended as an agricultural incentive, your Committee finds that the provision imposed more restrictive standards for farm dwellings and employee housing on important agricultural lands than the existing standards for farm dwellings and employee housing on land in the agricultural land use district. This measure repeals the existing provision for farm dwellings and farm employee housing on important agricultural lands and establishes farm cluster housing as an incentive for the designation of lands as important agricultural lands, thereby facilitating the provision of certain farmer and farm employee housing to meet the State's agriculture industry needs.

Your Committee has amended this measure by:

- (1) Clarifying that agricultural business plans for farm cluster housing on important agricultural lands are also subject to review and comment by the appropriate county agency and may be required to be submitted to the Department of Agriculture for review and comment prior to county action on the application; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2084, H.D. 2, as amended herein, and recommends that it



pass Third Reading in the form attached hereto as H.B. No. 2084,
H.D. 3.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



