

LINDA LINGLE
Governor



SANDRA LEE KUNIMOTO
Chairperson, Board of Agriculture

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State of Hawaii
DEPARTMENT OF AGRICULTURE
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WRITTEN ONLY
TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE CITY COUNCIL ZONING COMMITTEE
TUESDAY, FEBRUARY 5, 2008
9:00 a.m.
Committee Meeting Room

RESOLUTION 08-8
AGRICULTURAL LAND

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Chairperson Tam, Vice-Chair Apo, and Members of the Committee:

Thank you for the opportunity to testify on Resolution 08-8 that proposes to amend the Land Use Ordinance to ensure that agriculture-zoned lands are used for their intended agricultural purposes. This is to be accomplished by:

1. Increasing the minimum lot size in AG-1 districts from 5 to 25 acres and in AG-2 districts from 2 to 10 acres.
2. Limiting farm dwellings to one per lot with a maximum of 1,500 square feet of floor area.
3. Making the construction of new farm dwellings subject to conditional use permit (minor) review rather than being a permitted use and requiring all farm dwellings to have an "active agricultural use requirement":
 - a. that the lot on which the dwelling is to be constructed has been in agricultural use for no less than 3 years prior to the date of application for the farm dwelling conditional use permit; and
 - b. The lot has generated a minimum of \$10,000 gross per year in agricultural product sales.

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4. Once approved and constructed, the lot is to be maintained in active agricultural use and generate no less than \$10,000 gross per year in agricultural product sales to the family occupying the dwelling.
5. Requiring the farm dwelling applicant or lot owner to provide evidence to the Planning Director that the above requirements are being met.

The Department of Agriculture supports the intent of this bold legislation that requires agricultural activity to exist before application is made for a farm dwelling. This bill objectively defines the linkage between agricultural activity and a farm dwelling on agricultural land as required in Chapter 205, Hawaii Revised Statutes. The bill's other features of increasing the minimum lot size and ongoing monitoring of agricultural activity by a minimum threshold of income generated, may have the positive effect of decreasing the demand for "gentlemen's farms;" reducing the number of applications for agricultural subdivisions that have, to date, resulted in little, if any, agricultural activity; and decoupling the market for and price of agricultural land for agricultural production versus rural-residential lifestyle.

There are issues that need to be addressed in subsequent hearings on this bill such as the status of existing subdivisions and farm dwellings that do not conform to the new standards; the development and offering of incentives to assist farmers with starting a new farm operation; and allowing for less than the minimum \$10,000 gross income due to crop market conditions, weather and pest related disasters, and other factors.

Finally, the Department needs to have the Non-Agricultural Park Land program excluded from the provisions of this bill as provided for under Section 166E-10, Hawaii Revised Statutes as some of the lessees of State-owned agricultural land under this program may not meet gross income qualifications but have their lots fully utilized for crop production.

Cityagbill.e08