



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813

MINUTES

AGRICULTURAL DEVELOPMENT TASK FORCE MEETING

MONDAY, January 28, ~~2007~~ 2008

The Agricultural Development Task Force held a meeting on Monday, January 28, 2008 at 1:10 p.m. in the Council Committee Meeting Room, 2nd Floor, Room 205, Honolulu Hale, Honolulu, Hawaii 96813.

MEMBERS PRESENT: Yuki Kitagawa (Chair), Dean Okimoto, (Vice Chair), Jimmy Nakatani, Kapu Smith and Cal Lum

MEMBERS EXCUSED: Wayne Ogasawara, Charley Ice

ADMINISTRATION/OTHERS PRESENT:

Ikaika Anderson (Council Chair Marshall's office), Kimberly Ribellia (Councilmember Dela Cruz's staff), Stan Fichtman (Councilmember Djou's staff), Sharleen Oshiro (Councilmember Romy Cachola's staff), Andrew Sekine (Office of Council Services), David Tanoue, Deputy Director, Kathy Sokugawa, Elizabeth Chin (Department of Planning and Permitting)

AGENDA ITEMS

APPROVAL OF MINUTES

The minutes of the December 3, 2007 meeting were approved as circulated.

ITEM 2 BRIEFING ON THE LAND USE ORDINANCE (LUO)

Task Force Chair Kitagawa (Chair) called on the Department of Planning and Permitting to do a briefing on the Land Use Ordinance (LUO).

Mr. Tanoue explained that the Department of Planning and Permitting (DPP) strives to: 1) guide development, 2) protect the unique resources and environment in the community, 3) be responsive to the resident's

socio-economic, cultural and recreational needs, and 4) insure the health and safety of the residents.

Ms. Sokugawa provided the history of agriculture and its relationship to the Development Plans:

- In 1978, the State Constitution mandated the identification and preservation of Important Agricultural Lands (IAL).
- In 1986, a new Zoning Code, the Land Use Ordinance (LUO), was adopted clarifying the difference between Agriculture 1 (AG1) and Agriculture 2 (AG2) zoning.
- In 2002, the adoption of Ag Business Activities.
- In 2005, the State Legislature adopted ACT 183, providing a process for identifying IAL.
- Bill 74, (2004) related to the re-filing of DPP's version of IAL.
- The introduction of the concept of a farm dwelling under the State Land Use Law, the new Country Zoning District and the Agricultural (Ag) Cluster option.

Ms. Sokugawa also provided an overview of the policies affecting Agriculture, the rural quality of life and described the overall city planning process:

- The Rural Development Plans are currently being updated.
- The General Plan identifies the priorities issues that need to be addressed and guides the growth and land use pattern. It includes the County Planning Program, which is the growth policy preventing rural areas from developing into urban areas.
- The eight Regional Development Plans are policies under the General Plan are translated for specific regions on where growth will or will not occur and how growth should be accommodated.

- The Agriculture Protection Area Map reflects zoning of the eight Regional Development areas.
- A Growth Boundary Line is delineated on a map created from the DP's, which provides enough growth for the next 20 to 40 years, but does not encourage urban sprawl.
- The entire State is designated by the Land Use Commission (LUC) into four districts, conservation, rural, urban and agriculture.

Ms. Sokugawa responded to Chair Kitagawa by stating that there is enough Agricultural zoned land on Oahu. In 2004, there was 115,000 acres of Agricultural lands and DPP was requesting that 84,000 acres be designated in IAL and the rest in watershed forest, conservation and urban.

Ms. Chin provided an overview of the LUO:

- The LUO is the City Zoning Code that regulates use of land within designated zoning districts and sets detailed development standards.
- The LUO established two agricultural districts, the Restricted Agricultural District (AG1) and the General Agricultural District (AG2).
 - The intent of AG1 is to conserve and protect Important Agricultural Lands by permitting uses that retain lands necessary to produce food, seeds, forage and various crops for the state and for this island. Only accessory agri-business activities that meet this intent would be allowed in the AG1 district.
 - The intent of the AG2 is still to conserve and protect agriculture activities on smaller parcels and to allow a broader range of uses.
- In the preservation (P2) and country districts, limited agricultural activities are permitted such as aquaculture, crop reduction and livestock grazing.

- The LUO requires that any new dwelling on AG1 or AG2 lands must be a farm dwelling. The family residing there must derive or earn income from agricultural activities on the same site as the dwelling. The amount of land area that can be devoted to the farm dwelling and all the accessory uses and structures is 5000 sq. feet.
- A Master Use Table (Communication D-49) sets forth all uses that are allowed in every zoning district and are established accordingly for each agricultural district. Uses are further defined in Article 10 of the LUO.
- An LUO amendment is required to change, delete or add a use.
- Clarifications are done through department interpretation.
- Various levels of permitting based on type of uses are available to facilitate retention of land and minimize impacts on agriculture:
 - The Major Conditional Use Permit has a 90-day processing time and requires a mandatory public hearing.
 - The Minor Conditional Use Permit has a 45 processing time.
 - Waivers are allowed for public uses such as public schools or utility installations.
- The agricultural cluster allows dwellings to be clustered together to retain more land for pure agricultural uses
- The exclusive agriculture option allows the landowners to lease land, but prohibits dwellings but allows for the reduction and relaxation of certain infrastructure requirements.
- Accessory agri-business activities directly related to the existing agricultural activity are allowed through the Minor Conditional Use Permit. Roadside stands are allowed in the agricultural district but are limited to 500 square feet and can only be used to sell 100% of the products that are raised or grown on that site.

The following are comments and suggestions by the Task Force members:

- Establish timeframes for production or income levels to ensure farmers continue orchard crops and not become gentlemen farms.
- Create separate zoning categories and link them to IAL incentives.
- Limit farm dwellings to 2000 square feet and define exactly what the accessories would be to the operation of an agricultural subdivision.
- Require only water in the agricultural subdivision without requiring other infrastructure.
- Up-zone less important or marginal agricultural lands for a different higher purpose to take advantage of Transfer Development Rights.

Related Communications:

- D-48 Department of Planning and Permitting, copy of Agriculture and Zoning Presentation
- D-49 Department of Planning and Permitting, Excerpts from the Land Use Ordinance including the Master Use Table

ITEM 3 RESOLUTION 07-360 -RELATING TO AN AGRICULTURAL DEVELOPMENT OFFICER POSITION

Member Okimoto stated that he provided testimony in support of the Resolution to Council on behalf the Agricultural Task Force.

The Task Force supported Resolution 07-360.

Chair Kitagawa will work on developing the scope of responsibilities of the Agricultural Development Officer position

Related Communication:

M-163 Frederick M. Mencher for Grant Hamachi, President, East Oahu County Farm Bureau, in support of Resolution #07-360 and the Agricultural Development Officer position.

ITEM 4 RESOLUTION 07-374 - RELATING TO INCENTIVES FOR IMPORTANT AGRICULTURAL LANDS (IAL)

Member Okimoto highlighted his testimony from the January 8, 2008, Planning and Sustainability (P&S) Committee on Resolution 07-374:

- Initially the Councilmembers felt that the county should wait until the State provides incentives for IAL.
- Based on his suggestion that the County's incentives should be in place when the Legislature approves the IAL package, the P&S Committee members agreed to pursue County incentives.
- The proposed Agricultural Development Officer should work on developing the County's incentives and that the position be filled as soon as possible.
- The Farm Bureau will be introducing an Omnibus Bill with eight different Incentives to impress upon the Legislature that incentives are necessary to make a successful IAL commitment.
- Landowner and farmer incentives are needed to stimulate the agricultural industry.

Member Okimoto responded to Chair Kitagawa stating that a bill should be introduced to fund the counties to identify their important agricultural lands.

Member Lum suggested having a meeting with the State, County and different groups to discuss the eight incentives in the Omnibus Bill and decide on one common incentive that everyone could agree on. Member Smith noted that the biggest incentive from the landowner's perspective is the proper identification of IAL lands.

ITEM 5 ANNOUNCEMENTS

Off-road vehicle registration will be taken up at the next meeting.

ADJOURNMENT

The meeting was adjourned at 3:05 p.m.