

PUBLIC HEARING

SEPTEMBER 26, 2018

A public hearing of the Council of the County of Kaua'i was called to order by Mason K. Chock, Chair, Planning Committee, on Wednesday, September 26, 2018, at 1:35 p.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Lihue, and the presence of the following was noted:

Honorable Arthur Brun
Honorable Mason K. Chock
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable Derek S.K. Kawakami
Honorable JoAnn A. Yukimura
Honorable Mel Rapozo

The Clerk read the notice of the public hearing on the following:

“Bill No. 2719 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO AGRICULTURE DISTRICTS (ZA-2014-4) (*County of Kaua'i Planning Department, Applicant*),”

which was ordered to print by the Council of the County of Kaua'i on August 22, 2018, and published in The Garden Island newspaper on August 30, 2018.

The hearing proceeded as follows:

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Committee Chair, we have one (1) registered speaker.

Committee Chair Chock: Thank you. Who is our first registered speaker?

Ms. Fountain-Tanigawa: Felicia Cowden.

Committee Chair Chock: Felicia, you may come up.

FELICIA COWDEN: *Aloha.* Felicia Cowden, for the record. I am really happy to see this bill be put forth. I think that we have some land use issues that creates confusion right now when there is one (1) house per acre and that is designated as R-1. It is kind of an uphill battle for people who have small-scale farms. Maybe they have a few goats, some chickens, or different things and very often they are running against Covenants, Conditions, and Restrictions (CCNRs) of agricultural subdivisions. They actually do not allow agricultural applications and we want to have it be easier, not harder for small-scale food production and farms. As a member

of the Hawai'i Farmers Union United—I am their government affairs person—we see this as a really good step in the right direction...I think there are a lot of applications for it. I am giving double-thumbs up for at least opening up the discussion. I am open to hearing what is maybe problematic in it, but for the most part, I think it will bridge what has been really hard for very small farmers. Right now, if you are not two hundred (200) acres or a big, huge company, you are not respected as a true agricultural producer and subsistence farming and small-scale farming has a lot of value and it is good to not feel almost like a criminal for actually having animals and small-scale livestock on your property.

Committee Chair Chock: Thank you. Councilmember Yukimura.

Councilmember Yukimura: Felicia, I do not quite understand how you think this Bill will allow agricultural uses on R-1 lands.

Ms. Cowden: Well, the best that I can see when I look at some of these properties, like in Kīlauea and different places, some of them are Agriculture and we do not have Rural the way it is defined at the State Land Use area. It seems like it goes Residential right up to big agriculture, so when it is big agriculture, you have to have the kind of capacity to really show something at a level that are these big companies. When you are in a residential area, you are getting high taxes and we want the open space. I think opening up the discussion...I have not looked at it deeply, but when I look at the surface of it, it seems like that is something that we have been missing for some time. We do not want Urban going right up to big agriculture.

Councilmember Yukimura: The Agricultural One (AG1) and Agricultural Two (AG2) bill requires that the underlying zoning of the lands be agriculture; that is why I am not clear how you think it is going to apply to residential.

Ms. Cowden: I want to layer in the Rural land use designation as set out there by the State. There are four (4) land use designations and one of them is Rural. If we could contemplate utilizing that for places like...I do not want to say Kīlauea, Moloa'a...any of these areas that are in between...I would think Ōma'ō, Lāwa'i, and places where people are actually doing small-scale farming where they can have small-scale livestock, that is what I am looking for. So maybe that would be the AG1 designation and I am open to learning why Rural would be problematic, but it seems like when I look at the Land Use Commission's four (4) designations, it is odd that we do not have Rural since what we are looking for is Rural.

Councilmember Yukimura: Thank you.

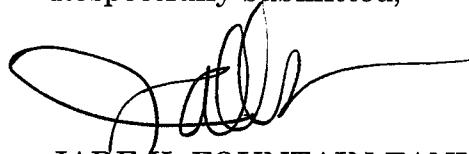
Committee Chair Chock: Thank you. Anyone else registered to testify?

Ms. Fountain-Tanigawa: There are no further speakers.

Committee Chair Chock: Would anyone from the audience like to testify at this time? If not, this will conclude our public hearing on Bill No. 2719. It will go to the Planning Committee next for deliberation. Thank you.

There being no further testimony, the public hearing adjourned at 1:41 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jade K. Fountain-Tanigawa', with a long horizontal flourish extending to the right.

JADE K. FOUNTAIN-TANIGAWA
County Clerk

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