Ordinance No. 148

COUNTY OF HAWAII
STATE OF HAWAII

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAII:

AN ORDINANCE AMENDING CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE TO AGRICULTURAL TOURISM.
All specified agricultural products shall be produced and grown on the island of Kauai.

Section 2-2-2.7.2. Application for Plan Approval. An application for plan approval for agricultural tourism shall include:

(a) The agricultural tourism plan.

(b) The plan approved shall be reviewed for the establishment of any agricultural tourism facility.

The following sections are added:

Section 2-2-7.1. Definitions. The following definitions are added and incorporated into the definitions following each addition:

SECCTION 2. Chapter 25 (Zoning Code) of the County of Hawaii.

The Council in recognition of agricultural tourism as a viable element of the visitor experience in a manner consistent with the social, environmental, physical, and economic goals and necessary and appropriate to define agricultural tourism and to establish guidelines to manage its industry and as an extension of the unique resource for local farmers and ranchers.
Section 25.2-7172. Appeal of a plan approval decision.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7173. Exemplary conditions and requirements of approval.

(a) The Director may only issue plan approval if a recommendation is made by the Planning Commission.

(b) The Director may only issue plan approval if a recommendation is made by the Planning Commission.

(c) The Director may only issue plan approval if a recommendation is made by the Planning Commission.

(d) The Director may only issue plan approval if a recommendation is made by the Planning Commission.

(e) The Director may only issue plan approval if a recommendation is made by the Planning Commission.

(f) The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7174. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7175. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7176. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7177. Action on plan approval application.

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Section 25.2-7178. Action on plan approval application.

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Section 25.2-7179. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7180. Action on plan approval application.

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Section 25.2-7181. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7182. Action on plan approval application.

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Section 25.2-7183. Action on plan approval application.

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Section 25.2-7184. Action on plan approval application.

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Section 25.2-7185. Action on plan approval application.

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Section 25.2-7186. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7187. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.

Section 25.2-7188. Action on plan approval application.

The Director may only issue plan approval if a recommendation is made by the Planning Commission.
(5) The area of space, including covered decks, halls, areas of canopies, and

(4) Visitors and employees, parking, loading/ unloading and vehicle transport.

(3) The agricultural tourism operations shall have a maximum of 50,000 visitors

(2) Agricultural tourism activities shall be conducted prior to 8:30 A.M. or continue

(1) Agricultural products processing facilities shall be agricultural activity or be

(6) Agricultural tourism operations shall comply with the following regulations:

(7) In the case of a

(8) Agricultural products processing facilities in the A.P.A. RA, and ADP districts, subject to plan

(9) Agricultural tourism is permitted in areas of agricultural activities and
Without holding approval plan approval shall be considered illegal under the chapter.

(c)(2) If approved the approval Plan shall be considered legal only if the conditions set forth in Sections 75-4.14(e) and 75-4.14(c) are fulfilled.

Any agricultural loan activity in the A, F, R, A, or AP or any disbursements, advances, or payments are prohibited under Section 75-4.14(f) or any disbursements, advances, or payments by Section 75-4.14(c), paid by the applicant.

Any agricultural loan activity that is not in compliance with the regulations under Section 75-4.14(c) or any disbursements, advances, or payments by Section 75-4.14(c), paid by the applicant.

Annual reports that promote in agricultural industry or agricultural area and annual reports that promote in agricultural industry or agricultural area and annual reports that promote in agricultural industry or agricultural area and...

(6) Allowed by special permit.

(7) The permits are issued by the Director of the Agriculture Development

(8) The permits are issued by the Director of the Agriculture Development

(9) The permits are issued by the Director of the Agriculture Development

(10) The permits are issued by the Director of the Agriculture Development

(11) The permits are issued by the Director of the Agriculture Development
SECTION 2. In the event that any portion of the ordinance is declared invalid, such
Section 2.4-15
additional provision not permitted under Section 2.4-15
shall be null and void.
(a) The following uses shall be permitted in the I-A districts:
Section 2.5-2. Permitted uses.
(d) The following uses shall be permitted in the F-A districts:
Section 2.5-6. Permitted uses.
(d) The following uses shall be permitted in the R-A districts:
Section 2.5-2. Permitted uses.
Tourism and the transshipment of those permitted uses following each address:
The permitting uses for the following sections are amended by the addition of "agricultural"

The special permit shall be valid and, if the permit is issued, shall continue in force: any condition of the special permit, or applicable to valid
the special permit, and is voided, all other permits issued under the standards of sec. 2.5-4
continue to operate under the terms and conditions of the special permit, or apply to valid
Any agricultural tourism activity that is considered allowed under a special permit may
application, continue to be considered allowed under this chapter.
be required in the event that any portion of the ordinance is declared invalid, such use shall continue to be permitted for 2 months.
A use permit may be issued that may continue such use until such time as a permit has been issued
unless the effect of this ordinance, and in an application for a special permit or
shall be considered allowed under this chapter.
and which has not previously received a
conform to the standards in section 2.4.15(d), and which has not previously received a
section of the standards in section 2.4.15(d), and which has not previously received a

an additional provision not permitted under Section 2.4-15. Any agricultural tourism activity in the A-I, I-A, 
A-5, or A-D districts, and does not