

- ii. Weed Control
- iii. Help with calving and lambing and rotation livestock through pastures
- iv. Pruning trees, irrigation, weed control and harvesting of crops

7. In addition, you have provided evidence of a General Excise Tax License.

8. Evidence of Agricultural Income: Estimated gross income: Future projected earnings. These prices are based on estimates of total production per year per individual species.

Product	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Sheep	0	0	0	0	0	500	900	1500	2500	3200
Cattle	0	0	0	0	500	1000	2000	4000	6000	8000
Vegetable	0	0	0	100	150	200	250	300	350	400
Coconuts	0	0	0	0	0	0	0	100	300	500
Fruit Tree	0	0	0	0	0	0	200	300	500	750
Total	0	0	0	100	650	1700	3350	6200	9650	12850

9. Hours required for Establishing AFD: 16 total hours required.

	Current average labor hours per week	Future average labor hours per week
Sheep:	4	5
Cattle:	6	7
Vegetables:	2	4
Coconuts:	1	1
Fruit Trees:	3	<u>3</u>
Total hours =	16	20 – 30 hours

FINDINGS

- 1 Chapter 205, Hawaii Revised Statutes (HRS), the State Land Use Law does not authorize residential dwellings as a permitted use in the State Land Use Agricultural district unless the dwelling is related to an agricultural activity or is a farm dwelling. A **farm dwelling** as defined in HRS Chapter 205-4.5 means a **single family dwelling located on and used in connection with a farm**, including clusters of single family farm dwellings permitted within agricultural parks developed by the State, or **where agricultural activity provides** income to the family occupying the dwelling. (Emphasis Added)
2. The subject lot was created as SUB-02-000139 Rev-2 dated August 24, 2011.
3. The Farm Plan and the agreement to use the additional dwelling for agricultural or farm related activity on the building site demonstrate that there will be income-producing agricultural activity in the future.

4. In addition, the following agencies have submitted their comments as identified below:
 - a. Department of Water Supply (DWS): Memo dated August 3, 2017, DWS does not have any objections to the proposed application as long as the applicant is aware that the DWS cannot provide service to the proposed additional farm dwelling. The existing 5/8 inch water meter cannot be shared with or interconnected in any way to any other dwelling unit. A backflow prevention assembly must be installed (if one does not already exist) within 5 feet of the existing meter on private property. Backflow must be inspected by the Department of Water Supply.
 - b. Department of Health (DOH) found no environmental health concerns with regulatory implications in the submittals. DOH recommends that the applicant review all of the Standard Comments on their website: <http://hawaii.gov/health/environmental/env-planning/landuse/landuse.html>. Any comments specifically applicable to this project should be adhered to. The same website also features a Healthy Community Design Smart Growth Checklist (Checklist) created by Built Environment Working Group (BEWG) of the Hawaii State Department of Health. Recommend that parties apply the healthy built environment principles in the Checklist.

DECISION AND CONDITIONS

In view of the above, your request to construct one (1) Additional Farm Dwelling on the property is approved subject to the following conditions:

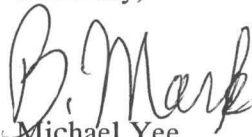
Your AFDA has been approved based on existing and proposed agricultural activity as summarized in your application and this letter.

1. The AFD shall be used for farm-related purposes and provide shelter for persons involved in the agriculture or farm-related activity on the building site. Family members who are not engaged in agricultural or farm-related activities are allowed to reside in the additional farm dwelling.
2. An Additional Farm Dwelling Agreement affidavit shall be notarized and submitted to the Planning Department for recordation with the Registrar of the Land Court, State of Hawaii, which states that the additional dwelling shall be used for farm-related purposes.
3. The agreement shall run with the land and apply to all persons who may, now or in the future, use or occupy the additional farm dwelling. The enclosed AFD Agreement must be returned to the Planning Department with the appropriate notarized signature(s) along with a check made out to the Bureau of Conveyances in the amount of \$31.00 in accordance with the enclosed AFDA Instructions.
4. All other applicable rules, regulations, and requirements of the Planning Department (including but not limited to the Hawaii County Code, Chapter 25, Zoning), Department of Public Works, Department of Water Supply, Fire Department and State Department of Health and any other reviewing agencies/divisions listed on the Building Permit (BP) Application shall be adhered to.

5. The applicant is responsible for any State and Federal tax consequences due to the income produced from the farm activity.
6. The First Party (as identified in the Additional Farm Dwelling Agreement) shall allow the Second Party or its representative to inspect the farm upon reasonable prior notice.
7. DWS has noted that no additional water meter is available at this time. Planning suggests the following:
 - a. Any dwelling not serviced by a County water system should be provided with and maintain a private potable rain-water catchment system with a minimum capacity of 6,000 gallons for domestic consumption or potable uses. This catchment system should adhere to the Department of Public Works, Building Division's "Guidelines for Owners of Rain Catchment Water Systems" as well as the State Department of Health requirements related to water testing and water purifying devices.
 - b. Any farm dwelling should be provided with and maintain a private water supply system with an additional minimum storage capacity of 3,000 gallons for fire-fighting and other emergency purposes. The emergency water supply system, including the necessary compatible connection devices and the location of the water storage unit on the property, should meet with the approval of the Hawaii County Fire Department
10. This AFD shall be valid for a period of two years from the date of this approval letter to secure a Building Permit (BP) for the AFD. Failure to secure a BP for this AFD on or before August 29, 2019 may cause the Director to initiate proceedings to invalidate the AFD.

Please feel free to contact Terry Dunlap of this office at (808) 323-4770 or email terry.dunlap@hawaiicounty.gov should you have any further questions and/or concern.

Sincerely,



Michael Yee
Planning Director

TKD: tkd: \\coh141v\planning\Staff\Terry\AAA-REVIEWS\TMK-5-5-008-051 Oram Additional Farm Dwelling\TMK 5-5-008-051 AFD Oram.doc

Enclosures: AFD document instruction sheet
AFD document
DWS and DOH Comment Letters
XC: Chief Sanitarian, DOH
w/o encl. Manager-Chief Engineer, DWS
Administrator, RPT