



County of Hawai'i Planning Department

www.hiplanningdept.com · planning@hawaiicounty.gov

East Hawai'i Office · 101 Pauahi Street, Suite 3 · Hilo, Hawai'i 96720

Phone (808) 961-8288 · Fax (808) 961-8742

West Hawai'i Office · 74-5044 Ane Keohokālole Hwy · Kailua-Kona, Hawai'i 96740

Phone (808) 323-4770 · Fax (808) 327-3563

AGRICULTURAL-BASED COMMERCIAL OPERATION CERTIFICATION

Agricultural-based commercial operations are allowed in the County of Hawai'i on lands classified within the State Land Use AGRICULTURAL district. The state law, **Hawai'i Revised Statutes (HRS) section 205-2(d)(15)** states:

'(d) Agricultural districts shall include:

....(15) Agricultural-based commercial operations registered in Hawaii, including:

- (A) A roadside stand that is not an enclosed structure, owned and operated by a producer for the display and sale of agricultural products grown in Hawai'i and value-added products that were produced using agricultural products grown in Hawai'i;*
- (B) Retail activities in an enclosed structure owned and operated by a producer for the display and sale of agricultural products grown in Hawai'i, value-added products that were produced using agricultural products grown in Hawai'i, logo items related to the producer's agricultural operations, and other food items; and*
- (C) A retail food establishment owned and operated by a producer and permitted under Title 11, Chapter 12 of the rules of the Department of Health that prepares and serves food at retail using products grown in Hawai'i and value-added products that were produced using agricultural products grown in Hawai'i.*
- (D) A farmers' market, which is an outdoor market limited to producers selling agricultural products grown in Hawaii and value-added products that were produced using agricultural products grown in Hawaii; and*
- (E) A food hub, which is a facility that may contain a commercial kitchen and provides for the storage, processing, distribution, and sale of agricultural products grown in Hawaii and value-added products that were produced using agricultural products grown in Hawaii.*

The owner of an agricultural-based commercial operation shall certify, upon request of an officer or agent charged with enforcement of this chapter under section 205-12, that the agricultural products displayed or sold by the operation meets the requirements of this paragraph.'

CERTIFICATION: I, _____, CERTIFY THAT I HAVE READ THE ABOVE AND THAT THE AGRICULTURAL PRODUCTS DISPLAYED OR SOLD BY THIS OPERATION MEET THE REQUIREMENTS OF HRS SECTION 205-2(d)(15). I AM THE AGRICULTURAL PRODUCER WHO OWNS AND OPERATES THIS AGRICULTURAL-BASED COMMERCIAL OPERATION. I HAVE A COPY OF THIS SIGNED CERTIFICATION.

Owner/Producer/Operator's Name (print)

Owner/Producer/Operator's Signature

TMK: _____

Date: _____

Phone
number: _____

Email: _____

(over)

If the operator cannot meet the requirements of HRS sec. 205-2(d)(15), a Special Permit is required. Contact Planning Division staff at (808) 961-8288 for additional information about the Special Permit application process.

Landowner(s): (print) _____
Landowner(s): (sign) _____
Location (Address): _____