



County of Hawai'i Planning Department

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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): _____
Description of Agricultural-based Commercial Operation (Type of activity; type and size of structures; days/hours of operation; expected number of vehicles; number of off-street parking stalls, ADA parking, etc.): _____ _____ _____
Primary Hawaii-Grown Agricultural Products Promoted: _____

Other Information: _____

<u>Clearance</u> (To be completed by Planning Department):	
SLU: _____	Zoning: _____
Size of Property: _____	District: _____
☐ ALLOWED	☐ NOT ALLOWED: SPECIAL PERMIT REQUIRED
Comments: _____	

Planning Department Reviewer: _____	Date: _____

Agricultural-related Activities: (please answer the following questions on a separate page)

1. Describe in detail, the Agricultural activity you want to operate on your property.
2. Is owner/operator growing or raising Agriculture on the subject property or on other property owned or leased? List what is grown.
3. Will owner/operator sell what is grown or raised in its raw form? List what will be sold.
4. Will the owner/operator process, package, sell what is grown on the premises?
5. Will owner/operator use what is grown or raised to create a finished commercial product that will be sold/served on the premises? List items to be sold.
6. Will owner/operator use what is locally grown or raised by others in creating/ serving the commercial product? List all ingredients.
7. Will the owner/operator need to use ingredients or serve items that are not locally grown?
8. Will owner/operator create and sell value-added products on the premises? List items.
9. Will owner/operator sell logo items related to the ag operations and other food items? List items.
10. What type of structure will be built for your business operation?
11. Is a retail food establishment permit required from DOH? If Yes, Certification required that you are in compliance with DOH rules.
12. If proposing Ag-based Commercial Operation what type of operation are you proposing?

FOR STAFF USE ONLY:

Categories:

- ☐ Determination: Ag-Processing Minor
- ☐ Determination: Ag-Processing Major
- ☐ Determination: Ag-Tourism
- ☐ Determination: Special Permit
- ☐ Determination: Ag-based Commercial (A) Roadside stand (Sell Ag products grown in HI & valued- added products using locally-grown)
- ☐ Determination: Ag-based Commercial (B) Retail activities in Enclosed structure (Sells Ag products grown in HI, value-added, logo, food)
- ☐ Determination: Ag-based Commercial (C) Retail Food Establishment (prepare/serve food in facility approved by DOH)