




County of Kauaʻi Office of Economic Development

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TEAM OED



Kaua'i Tourism Strategic Plan

2019-2021

Vision: *Refocusing Tourism to Find Balance*

- Our goal is to refocus tourism to responsibly manage the economic activity of Kauai tourism in a sustainable manner while creating memorable experiences for visitors, improving quality of life for residents and ensuring the stewardship of our natural and cultural resources.

General Plan Recommendations

Agriculture (Protection of important Ag Land):

- Ensure agriculture-designated lands are used for agriculture and related activities, including aquaculture, commercial forestry and animal husbandry.
- Control the subdivision and alteration of agriculturally-zoned land to prevent the dissipation of agricultural potential

CEDS (Comprehensive Economic Development Strategy)

- Increase responsible, sustainable utilization of agricultural lands. (Objective 1 Action 2)
- Increase awareness/consumption of locally grown and processed food and agriculture products, incl. more promotion of the Kaua'i Grown and Kaua'i Made programs (Objective 2 Action 1)

State Law Regime

- Two laws passed in 2012 (Act 113 and 329 SLH 2012) related to greater commercial activities allowed on agricultural lands
- Legislature found similar opportunities in, like in Napa Valley, for the agricultural industry to gain additional economic activity
- Recognized the county's to make their own determinations regarding allowance of these additional commercial activities on agriculture, including overnight accommodations

State Law Regime: Act 113 SLH 2012

- Amends HRS 205(d) by adding an additional section to allow “agricultural tourism activities”
- **Includes overnight accommodations: 21-days or less**
- Overnight accommodations limited to counties with “at least three islands” and adopted ordinances related to ag tourism
- Kauai: Kauai, Niihau, Kaula

State Law Regime: Act 329 SLH 2012

- Amends HRS 165 to further broaden Ag-based commercial operations
- Adds additional section to HRS 205-2(d)13 to allow for roadside stands selling Hawaii-grown ag and value added products
- Allows for ag-activity related retail
- Food establishments

County Law Regime

- New state laws loosen the state land use restrictions in the dual zoning regime – State HRS 205 Special Permit no longer required
- County laws can be more restrictive than State laws
- Special Use Permit is still required on Kauai: Class IV Process (Application, Notice-neighbors within 300 feet, Public Hearing, Commission Action)

Examples:

- Koloa Rum: Use permit issued for tasting room and souvenir shop for new production facility – value added products and rum processing did not require permit
- Lydgate Farms: Commercial tours of chocolate farm

Potential for Abuse-Cumbersome vs. Threat

special use permit vs. over the counter permit

- “Use Creep” of commercial uses on agricultural lands
- Existing county policy of no TVRs outside of VDA – that includes Ag Lands-“gentlemen estates”
- “B&B’s no longer can get Special Permits on Ag land for Kaua‘i. In 2015, via ordinance, they were prohibited from operating outside of the VDA. Those that did secure Special Permits prior to the prohibition can and are still legally operating.”

Moving forward...

- Speaking with legislators about change in “inclusion of overnight 21 days or less” wording
 - If able, can enact our own Ag Tourism Ordinance.
- Gross Sales Thresholds to make sure the farm is a farm (similar to how Farm Worker Housing is now allowed to be built)

Questions?

- **County of Kauai Planning Department**

- Special Use Permit
Dale Cua, Planner
Email: dcua@kauai.gov
- Agricultural Specialist-OED
Marty Amaro
Email: mamaro@kauai.gov
- Currently we do not have a Tourism Specialist

Resources and Information:

HATA-Hawai'i Ag Tourism Association
Hawai'i Tourism Authority
Kaua'i Visitors Bureau
Small Business Development Center- Robbie Melton (new)
Office of Economic Development-Ag Specialist and
Business Innovation Coordinator.

<http://www.kauai.gov/oed>

<http://sfp.ucdavis.edu/agritourism/factsheets/>

<https://ucanr.edu/sites/agritourism/>

<https://www.nal.usda.gov/afsic/agritourism-and-farm-tours>