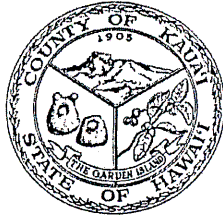


**Bernard P. Carvalho, Jr.**  
Mayor



**Michael A. Dahilig**  
Director of Planning

**Gary K. Heu**  
Managing Director

**Dee M. Crowell**  
Deputy Director of Planning

**PLANNING DEPARTMENT**  
**County of Kaua'i, State of Hawai'i**

4444 Rice Street, Suite A-473, Lihu'e, Hawai'i 96766  
TEL (808) 241-4050 FAX (808) 241-6699

**DIRECTOR'S MANDATORY DECLARATION**  
**INVOLVING AGRICULTURAL RELATED STRUCTURES**

Completion of this form is necessary in order to recognize the Applicant's intention to construct a Agricultural/Aquacultural structure where no County building permit is necessary, pursuant to Section 46-88 of the Hawai'i Revised Statutes (HRS). By signing below, the Applicant agrees to the following:

- a. Agricultural buildings, structures, or appurtenances thereto, which are not used as dwelling or lodging units, may be exempted from existing building permit requirements where they are no more than 1,000 square feet in floor area;
- b. The exemptions identified in HRS §46-88(a) & §46-88(b) shall apply, provided that:
  - 1) The aggregate floor area of the exempted agricultural buildings shall not exceed:
    - A) Five thousand (5,000) square feet per zoning lot for lots of two acres or less;
    - B) Eight thousand (8,000) square feet per zoning lot for lots greater than two acres but not more than five acres; and
    - C) Eight thousand (8,000) square feet plus two per cent (2%) of the acreage per zoning lot for lots greater than five acres; provided that each exempted agricultural building is compliant with the square foot area restrictions in subsection (a) or subsection (b);
  - 2) The minimum horizontal separation between each agricultural building, structure, or appurtenance thereto is fifteen (15) feet;
  - 3) The agricultural buildings, structures, or appurtenances thereto are located on a commercial farm or ranch and are used for general agricultural or aquacultural operations, or for purposes incidental to such operations;
  - 4) The agricultural buildings, structures, or appurtenances thereto are constructed or installed on property that is used primarily for agricultural or aquacultural operations, and is two or more contiguous acres in area or one or more contiguous acres in area if located in a nonresidential agricultural or aquacultural park;
  - 5) Upon completion of construction or installation, the owner or occupier shall provide written notice to the appropriate county fire department and county building permitting agency of the size, type, and locations of the building, structure, or appurtenance thereto. Such written notification shall be provided to the county agencies within thirty days of the completion of the building, structure, or appurtenance thereto. Failure to provide such written notice may void the building permit or building code exemption, or both, which voidance for such failure is subject to the sole discretion of the appropriate county building permitting agency;

- 6) No electrical power and no plumbing systems shall be connected to the building or structure without first obtaining the appropriate county electrical or plumbing permit, and all such installations shall be installed under the supervision of a licensed electrician or plumber, as appropriate, and inspected and approved by an appropriate county or licensed inspector or, if a county building agency is unable to issue an electrical permit because the building or structure is permit-exempt, an electrical permit shall be issued for an electrical connection to a meter on a pole beyond the permit-exempt structure in accordance with the installation, inspection, and approval requirements in this paragraph;
- 7) Disposal of wastewater from any building or structure constructed or installed pursuant to this section shall comply with Chapter 342D, HRS; and
- 8) Permit-exempt structures shall be exempt from any certificate of occupancy requirements.

**SUBMITTED BY:**  
(Applicant's Signature, Date)

**PLANNING DEPARTMENT:**

Applicant	Date	Staff	Date
Class I Zoning Permit No.			
Tax Map Key Parcel No.			
Applicant's Name & Mailing Address			