



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC INFRASTRUCTURE MAPS.

BE IT ORDAINED by the people of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to amend the article relating to public infrastructure maps to clarify the role of the department of planning and permitting in reviewing council-proposed revisions to the maps and the types of public infrastructure projects to be shown on the public infrastructure map.

SECTION 2. Chapter 4, Article 8, Revised Ordinances of Honolulu 1990, is amended to read as follows:

“Article 8. Public Infrastructure Maps

Sec. 4-8.1 General provisions.

- (a) The city council shall adopt public infrastructure maps reflecting major public infrastructure projects, as defined in Section 4-8.4, that impact adopted growth policies or needed public facility policies for each of the development plan areas in the City and County of Honolulu as each of the development plans are revised and adopted pursuant to the 1992 charter amendments.
- (b) The public infrastructure maps shall not be deemed part of the development plans, shall be adopted by resolution, and shall be revised by resolution in accordance with the procedures set forth in Section 4-8.2. The city shall, when making any land use decision, consider the potential impact of the decision on those proposed projects that are represented by symbols on the public infrastructure maps.
- (c) The public infrastructure maps shall include symbols showing the general locations of major public infrastructure, as defined in Section 4-8.4. Symbols for publicly funded facilities for a development plan area for which a public infrastructure map has been adopted shall be shown on the applicable public infrastructure map prior to the appropriation of land acquisition or construction funds. In addition, no funds for land acquisition or construction shall be expended or encumbered for a project unless either the symbol for the project is shown on the public infrastructure map or the project does not meet the applicability criteria specified in Section 4-8.4 and, therefore, a symbol for the project is not required to be on the public infrastructure map. However, when time is of the essence in order for the city to comply with a state or federal



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consent decree or court-ordered deadlines, or when there is an imminent threat to public health, safety or property, funding for capital improvement projects may be initiated and appropriations may be made therefor without amending the public infrastructure map.

- (d) The department of planning and permitting shall consider all phases of a project when determining whether a project meets the applicability criteria specified in Section 4-8.4. All phases of a project shall be presented to the council prior to its adoption of the resolution revising the public infrastructure map to include a symbol for the project. Intentional parceling of projects to avoid the designation of a project as "major public infrastructure" pursuant to Section 4-8.4 shall be prohibited.

Land acquisition for the purpose of preserving open space or protecting scenic viewplanes shall not constitute parceling and shall not require [an amendment] a revision to the public infrastructure map. Future use of the land for any public improvement project of a type which meets the criteria specified in Section 4-8.4, however, will require [an amendment] a revision to the public infrastructure map.

- (e) Any questions of interpretation regarding whether a project requires placement of a symbol therefor on the public infrastructure map, or relocation of an existing symbol, shall be resolved by the city council.

Sec. 4-8.2 Procedure for the adoption and revision of public infrastructure maps.

- (a) During the initial preparation of the public infrastructure maps, projects that are designated on the public facilities map for each development plan area on the effective date of the new area development plan, that are of a type enumerated in Section 4-8.3 and that meet the criteria set forth in Section 4-8.4 shall have a symbol therefor placed on the public infrastructure map for that development plan area. The public infrastructure maps shall be drawn at a scale no smaller than 1:24,000 (one inch on the map equals no more than two thousand feet).
- (b) Revisions of the public infrastructure maps shall be made by council resolution. The council shall consider the public infrastructure map in its review of the city's annual budget. Any public infrastructure map symbol may be administratively deleted by the department of planning and permitting once the improvement or land acquisition is completed. The council shall be informed of the administrative deletion of any public infrastructure map symbol.



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- (c) The council resolution revising the map shall include, but not be limited to:
 - (1) The general location of the proposed public infrastructure; and
 - (2) A description of the project including a description of the project's size and function.
- (d) Revisions of the public infrastructure maps shall be made only for those public infrastructure projects that are of a type enumerated in Section 4-8.3, that meet the criteria set forth in Section 4-8.4, and that are consistent with the general plan, the development plans, any applicable special area plans, and the appropriate functional plans.

Any revision of a public infrastructure map may be proposed by the director of planning and permitting or proposed by the council. Upon introduction of a council-proposed resolution to revise a public infrastructure map, the city clerk shall transmit a copy of the resolution to the director of planning and permitting.

[If the department of planning and permitting has not prepared a report and recommendation to the council on a proposed revision to a public infrastructure map prior to introduction of a resolution proposing to effect the revision, the] The department of planning and permitting shall have 75 days following introduction of [such] the council-proposed resolution to review the proposal, consult with other governmental agencies and with appropriate community organizations, and prepare a report to the council making a recommendation to the council. Unless a report is received by the council, the council shall not take action on the resolution prior to the expiration of the 75 days except on a motion supported by two thirds of the entire membership of the council.

The need to revise by resolution the location of an existing symbol when a selected site differs from the location of a symbol on the public infrastructure map shall be determined by department of planning and permitting on a case-by-case basis based on the distance between the two locations, different environmental and urbanization conditions between the two locations, a change in the neighborhood board area, and past public comments. The director of planning and permitting shall timely notify the council of any decision that an existing symbol need not be relocated, and that decision shall be subject to review and action by the council pursuant to Section 4-8.1(e).



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Sec. 4-8.3 Types of public infrastructure to be shown on public infrastructure map.

(a) Symbols for the following types of public improvement projects shall be shown on the public infrastructure maps, provided they meet the applicability criteria specified in Section 4-8.4:

- (1) Corporation yard;
- (2) Desalination plant;
- (3) Drainage way (open channel);
- (4) [Energy generation facility;
- (5)] Fire station;
- [(6)](5) Government building;
- [(7)](6) Golf course (municipal);
- [(8) Electrical transmission line and substation (above 46kV but less than 138kV);]
- [(9)](7) Park (includes neighborhood, urban, community, district and regional parks, beach/shoreline parks, dog parks, nature parks and preserves, zoos and botanical gardens, and stream greenbelts);
- [(10)](8) Police station;
- [(11)](9) Parking facility;
- [(12)](10) Water reservoir;
- [(13)](11) Sewage treatment plant;
- [(14)](12) Solid waste facility;
- [(15)](13) [Fixed guideway system alignment, stations, and base yard of the locally preferred alternative;] Rapid transit corridor;



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~~[(16)]~~(14) Transit station (includes park and rides, bus transit centers, and rapid transit stations);

~~[(17)]~~(15) Major collector or arterial roadway;

~~[(18)]~~(16) Sewage pump station; and

~~[(19)]~~(17) Potable water well.

(b) The alignment of linear facilities, and the location of project boundaries, shall be considered approximate and conceptual.

Sec. 4-8.4 Applicability criteria.

“Major public infrastructure” means any public improvement project that is of a type enumerated in Section 4-8.3 and that meets any one or more of the following criteria:

- (1) It has a significant impact on surrounding land uses or the natural environment;
- (2) It establishes a new facility;
- (3) It substantially changes the function of an existing facility; or
- (4) It involves modification (replacement or renovation) of an existing facility which would permit significant new development or redevelopment[; or
- (5) It costs over \$3,000,000.00 for capital improvements].”

SECTION 3. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



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SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Barbara Marshall (BR)

DATE OF INTRODUCTION:

June 21, 2007
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Don S. Kiritaka
Deputy Corporation Counsel

APPROVED this 4th day of October, 2007.

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 07-37

BILL 52 (2007), CD2

Introduced: 06/21/07 By: BARBARA MARSHALL (BR)

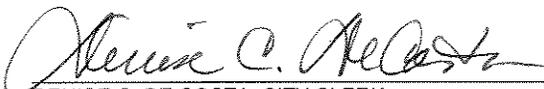
Committee: PLANNING &
SUSTAINABILITY

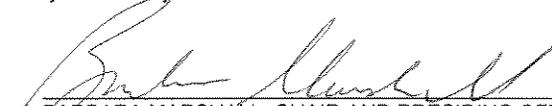
Title: A BILL FOR AN ORDINANCE RELATING TO PUBLIC INFRASTRUCTURE MAPS.

Links: [BILL 52 \(2007\)](#)
[BILL 52 \(2007\), CD1](#)
[BILL 52 \(2007\), CD2](#)
[D-0510\(07\)](#)
[CR-271](#)

COUNCIL	07/05/07	BILL PASSED FIRST READING AND REFERRED TO PLANNING & SUSTAINABILITY COMMITTEE.				
	APO Y	CACHOLA Y	*DELA CRUZ Y	DJOU Y	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y		
(*Note: Councilmember Dela Cruz was absent and not excused and pursuant to Council Rule 12.3 was recorded as an affirmative vote.)						
PLANNING & SUSTAINABILITY	07/31/07	CR-271 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN CD1 FORM.				
PUBLISH	08/04/07	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.				
COUNCIL/PUBLIC HEARING	08/15/07	BILL PASSED SECOND READING AS AMENDED (BILL 52 (2007), CD1), CR-271 ADOPTED, PUBLIC HEARING CLOSED AND REFERRED TO PLANNING AND SUSTAINABILITY COMMITTEE.				
	APO Y	CACHOLA E	DELA CRUZ Y	DJOU E	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y		
PUBLISH	08/24/07	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN				
PLANNING & SUSTAINABILITY	09/04/07	CR-307 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.				
COUNCIL	09/19/07	CR-307 ADOPTED AND BILL AS AMENDED (BILL 52 (2007), CD2) PASSED THIRD READING.				
	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y		

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


DENISE C. DE COSTA, CITY CLERK


BARBARA MARSHALL, CHAIR AND PRESIDING OFFICER