

Village Planning: A White Paper

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by

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Press Release

ASG collaboration to assess economic and land development in Aunu'u, led by DOC

Governor Lolo Moliga's Adopt-A-School initiative has not only forged partnerships between ASG agencies and the Department of Education but has also brought together ASG agencies to determine sustainable economic development opportunities in Aunu'u. Hand in hand with the Aunu'u village council, the Department of Commerce is leading this project to assess the needs for planned use development and economic village based initiatives; the effort engages all stakeholders with the ASG agencies to provide for meaningful actionable plans in Aunu'u.

This model of collaboration will be replicated in Ta'u, inclusive in their development plan. Aunu'u and Manu'a islands present different challenges and assessment of needs that require dialogue and commitment not just by the ASG agencies but also in partnership with the villages and village councils. Acting territorial planner Liné-Noue Kruse authored several Office of Interior grant proposals that were awarded to ASG, one grant is now funding the work that is being done in Aunu'u, and will be implemented in Manu'a. Director Lafaele and staff, Tafuna industrial park manager Misipati Salanoa, Liné-Noue Kruse, University of Hawai'i professor of planning and architect Dr. Luciano Minerbi, project lead Leifiloa Carol, and GIS technician Kang Sevaio (Aunu'u resident) met with the Aunu'u Representative Talaimatai Elisara Su'a, Mayor Aleaga Nili, and village council to solidify this partnership, expected outputs, and goals of this work in Aunu'u which has already produced a report from the village council to DOC on the needs and economic opportunities in Aunu'u. DOE Director Vaitinasa Salu Hunkin-Finau authorized a space at A.P. Lutali Elementary for the DOC to work closely with the Adopt-A-School program and to coordinate and implement economic initiatives in Aunu'u. It is the intention of the DOC to engage administrators, teachers and students of the A.P. Lutali Elementary in shaping the outcome of the economic development of their community.

In order to address economic initiatives in Aunu'u and furthering this project what implementation framework will be needed to address economic opportunities Manu'a, DOC sought out ASG intra-agency collaboration. ASPA CEO Utu Abe Malae, ASEPA Ameko Pato, DPW Director Faleosina Voigt, and ASHPO Director David Herdrich are collaborators to this project to assess the economic and land opportunities in Aunu'u. Last wednesday, ASEPA Director Ameko Pato, Deputy Director Fa'amau Asalele, water specialist Casuallen Fale, ASPA water division manager Taylor Savusa, water chief operator Danielle Meleah, DOC acting territorial planner Liné-Noue Kruse, University of Hawai'i at Manoa professor of planning and architect Dr. Luciano Minerbi, GIS specialist Kang Sevaio, Moli Lemana, and Faitasi Sene completed a site visit with Representative Talaimatai.

The site visit explores what challenges and opportunities exist to develop any desired sector by the village council in coordination with DOC.

Historically the two main sources of economic activity for the Aunu'u people for the last fifty years are taro and making faausi. The Aunu'u village council submitted to DOC their economic development challenges, identifying agriculture as a challenging sector to advance. The two main challenges identified is the declining motivation for young men and women to work the taro plantation and the fau tree invasion on the taro plantation. Adding to the challenges to agricultural production is the belief that there is a disease affecting the taro plantation and possible leaching of lead from the scrap metal in the landfill that is hurting the tilapia. Their identified prioritized needs for the island are an elementary school van, passenger vessel, health clinic, cement road around the entire island connected to their evacuation routes, and fortified sea wall from the wharf to the A.P Lutali Elementary school.

DOC has already moved on the agricultural segment of economic opportunity by developing zoning maps by Liné-Noue Kruse and Dr. Luciano Minerbi to recommend zonation that will demarcate the existing urban area from the areas of conservation and agriculture to ensure longevity to any agriculture intensification program. Coastal zone manager Sandra Lutu is sending GIS technicians Kang Seva and Robert Koch to conduct GPS mapping of the agricultural lands and urban areas to survey how much lands are actually being farmed for agricultural purposes and what lands are then left for possible intensification of taro, mango, moli, pineapple, banana, peas, cucumber, and pumpkin. The GPS mapping will assist the village, DOC, and other ASG agencies to understand what is currently being farmed and used for family consumption, thereby ensuring food security for the island and what lands are available for intensification of commercial export. The existing taro cultivation is currently being done on communal lands and the communities must identify human resources that exist on island to commit to agricultural intensification programs.

The work in Aunu'u is in progress and there is much to be done, but a great deal has already been accomplished with the partnerships in Aunu'u and amongst ASG agencies. Sustainable economic development projects must be pursued with the village council in order to solve these challenges. This ASG partnership with the Aunu'u village focusing on economic and land development has quickly materialized into realistic yet constructive dialogue of what is possible in Aunu'u.

Source: American Samoa Department of Commerce [Press Release](#) to [Samoan News](#) of December 8, 2013, published on Monday December 9, 2013 at page 7.

Introduction

A place base management is the approach of this study toward village planning and ordinance design.

1. Planning Division of the Department of Commerce to discuss with the Office of Samoan Affairs (OSA) - going to Aunu'u to see what the Village Council wants in terms of development.
2. Important to discuss with the village council the concept of the project, receive blessing/approval prior to going to that island.
3. Place-based management in looking at zoning, risk, disaster management/mitigation. The process somehow molds these two aspects as to what the community feels are the needs and the opportunities.
4. Develop the regulations/ordinances from these village-based dialogue.
5. Develop economic opportunities from this development dialogue.
6. It is important is to go to Aunu'u early on to talk to the village council.
7. It is possible to utilize members of the community that have experience in place-based management and participatory approaches.
8. Develop conceptual models of the village planning process and design and regulatory outputs of this project (within the scope of the Office of Insular Affairs (OIA) grant.

Toward Village Planning for Contemporary American Samoa

Village Planning as a Three Pronged Approach

1. Village Planning as a Territorial Program

Teasing out from adopted or proposed documents elements to clarify a place base management approach centering on village planning in American Samoa, and suggest integration and synergism at the local level taking to account territorial county and district planning needs. Documents to review include:

- Territorial General Plan for American Samoa, 2007
- A. Samoa Comprehensive Economic Development Strategy 2012
- Tualauta County Land Use Plan 2001

Additional sectoral plans, on port, tourism, forestry, historic preservation, wetlands, agriculture, coral reef etc. should be also used in this analysis. The output would consists on a “white paper” on village planning for the territory, that uses a case study to explore the feasibility of the approach.

Reference: L. Minerbi narrative proposal “Integrated Community Based Economic Development and Village Ecosystem Planning” June 21, 2013

2. Village Pilot Projects Implementation

Continue or initiate support of village studies and planning initiatives already under way to move them a next step toward implementation. Examples of plans are like those in Amouli, Leone, Tula, and other villages like Manu‘a, the North Coast. DOC can support those efforts by providing by interacting with local champions and facilitators.

3. Village Planning Training

DOC collaborates with OSA to provide short training and co-learning to the village pulenu‘u in collaboration with pertinent agency staff doing village planning participatory work like NOAA, EPA, DPW, etc. so that community based economic development (CBED), land use and environmental planning are pursued in an integrated and sustainable way.

Integrated Community Based Economic Development and Village Ecosystem Planning Justification and Needs

The population of American Samoa, at 55,519 in 2010, is expected to continue to exert pressure in the near future for sensitive, affordable, and just economic development that would sustain the island people, ecology, and environment. Population projections are about 70,000 in 2015, 84,000 in 2030 and 98000 persons in 2050 (PRISM 2013 Statistics for Development) even in currently annual population growth rate is negative (-3%) (DOC Statistical Yearbook 2011).

There is need to continue the Department of Commerce (DOC) efforts toward village planning in American Samoa that would involves genuine dialogue among villagers, government, and private sector and to promote local economic

development that pay attention to the land and ocean resources from mountain and to the sea and the village plans in a given locality. This is needed because village planning can be integrated in district, county and territorial planning. And these more regional plans cannot succeed without planning at the village level.

A planning approach to integrate these various elements would be a “place based ecosystem managed method” so that villagers relate to the plan because of their own connection to the use and their tenure of the land. It would attempt to harmonize village planning in its watershed with the cultural uses of the land, but accounting for recent concerns as resiliency to climate change and to natural disaster.

The DOC can set up village planning working team to formalize collaboration with OSA by improving existing experience in individual villages so as to expand to a capacity to serve all the villages. The Process Learning Approach (Fig. 1) is a suitable one indicating 3 stages of program effectiveness, efficiency, and expansion (Korten 1980).

There is synergism and staff potential in DOC to integrate economic, physical, land use and ecological expertise into a integrated planning framework to deal with current and long range planning.

Possible Program

DOC planning staff, in collaboration with related agencies, addresses village planning in American Samoa as a programmatic endeavor starting for a least one village study and plan to be expanded to other villages, as resources and time becomes available in the future.

Suitable example include:

A Village in Tutuila,

Like Leone. Continue current efforts of community capacity building to natural disaster and support the integration of projects underway or incipient dealing with community training of youth, and then aumaga and aualuma, restoration of escape routes and staging areas, coastal and bridge reinforcement, church, building and wetlands restoration.

Like Fagasa. Look at village based economic development. Village ecotourism for cruise ship passengers that stay 4-5 hours and go boating and diving at the National Park on the North Coast of Tutuila. The idea is to generate revenues for local people by providing activities so that, for example, tourists, or cruise passengers stay longer.

A Village in Manu'a. Possible Villages Fiti'uta, Tau and Faleasao and Aunu'u. The American Samoa Governor already indicated in the press that in Ta'u island there are opportunities and needs for small scale economic development projects like water bottling, chips processing, smoked and dried fish processing a slaughterhouse to support piggeries, ice manufacturing, bakeries eco-tourism and other potentially feasible projects (American Samoa News).

Pago Village and Town remains an area that needs land use and design planning study because of the mix of public and private buildings as well as institutional, commercial and residential. An activity land use analysis and land

requirement model would help in this area (Fig. 1 Betty, 1967, Fig. 2 Island Land Requirement). This can be explored for future major funded projects like Pago, Fagatogo and Utulei.

Conceptual and Programmatic Aspects of Process Planning

There is a need to:

(a) link economic development and natural resources management via land use planning adopting a “Place Base Management” approach so that stakeholders and traditional village landowners feel a stake and ownership in the planning process.
(b) link individual local economic development projects to the essential infrastructure, services and land required that are required for their operations.
(c) look not just at individual economic projects but at the integration and packaging of economic ventures for a village.

(d) create genuine safe situation for village dialogue and planning to materialize by adapting Participatory Action Research (PAR), Participatory Learning and Actions (PLA) and flexible approaches to community dialogue like the so called “Open Space Technology” (Fig. 5) for strategic planning meetings that entails four principles:

- 1) Whoever comes is the right people.
- 2) Whatever happens is the only thing that could have.
- 3) Whenever it starts is the right time.
- 4) When it is over it is over.

Even allowing in a dialogue the so called “Law of Two Feet: If you find yourself in a situation where you aren't learning or contributing, go somewhere else.” (Owen, 1999). This method leads to the creation of a village or community strategic plan owned by the participants (Fig 6).

These facilitated dialogues must then materialize in plans and projects and the steps and formats of the “Oregon Planning Model” (APA Oregon) (Fig. 7) and “Measures of Success” (Margoluis and Salafsky 1998) (Fig. 8) are effective methods of community participatory planning.

Obviously the dialogue and community planning models indicated above will be adapted and filtered through the village social organization, village council, ‘Aumāga, Aualuma and Church Groups. The Pacific Island Managed and Protected Area Community (PIMPAC) experience in Samoa and elsewhere may be replicable and adapted to the study of local economic and business development and the ecology in American Samoa.

Any policy and program being developed needs its project description with investment and marketing implementation aspects. To move plans to actions the sustainable financial component should be explicit and a pertinent budget provided, as well as ways to keep stakeholders participants accountable, so that the local capacity to carry out the integrated projects envisioned in the village plan must be considered and supported.

For this aim the UNESCO Planning and Management Framework (Fig. 3) and Kellogg Foundation Program Planning Template (Fig 4) can be used in guiding the work.

Fig. 1 Program Learning Curve (Korten, 1980)
Program Learning Curves

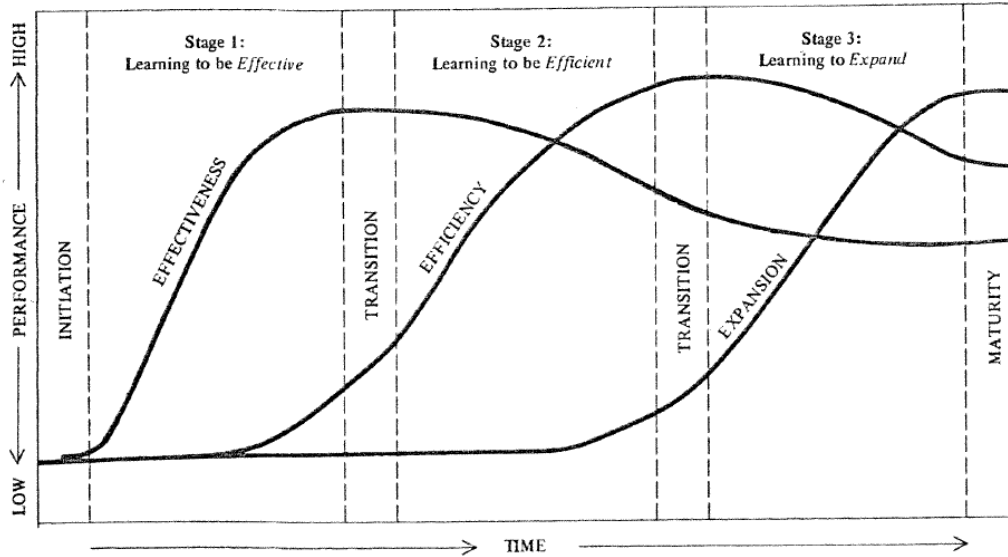


Fig. 2 Structure of Activities and Land Use Model (Betty 1967)

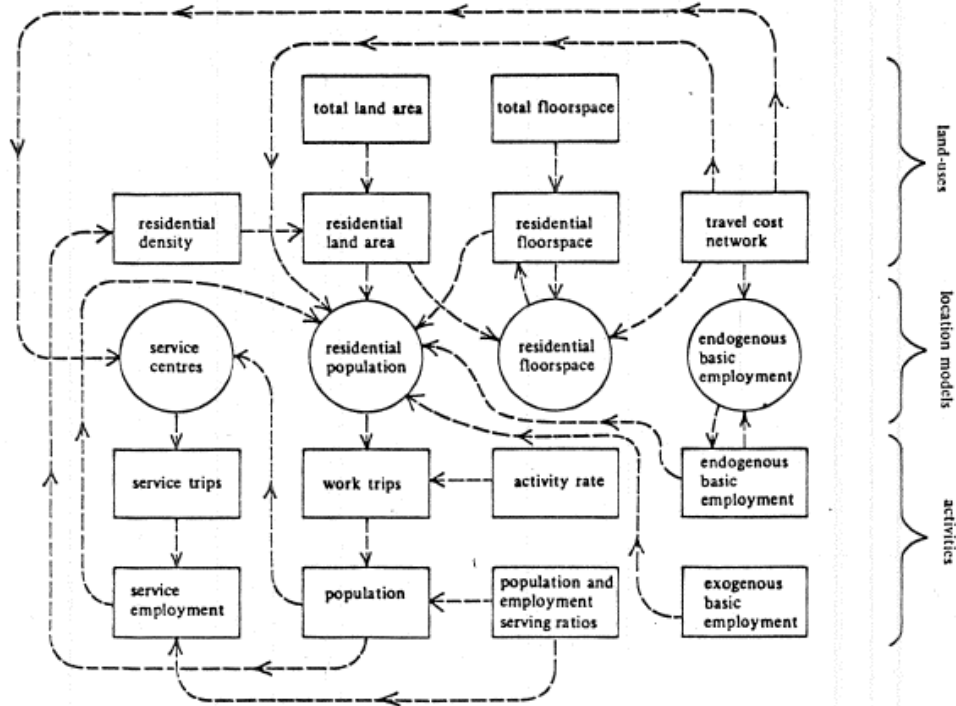
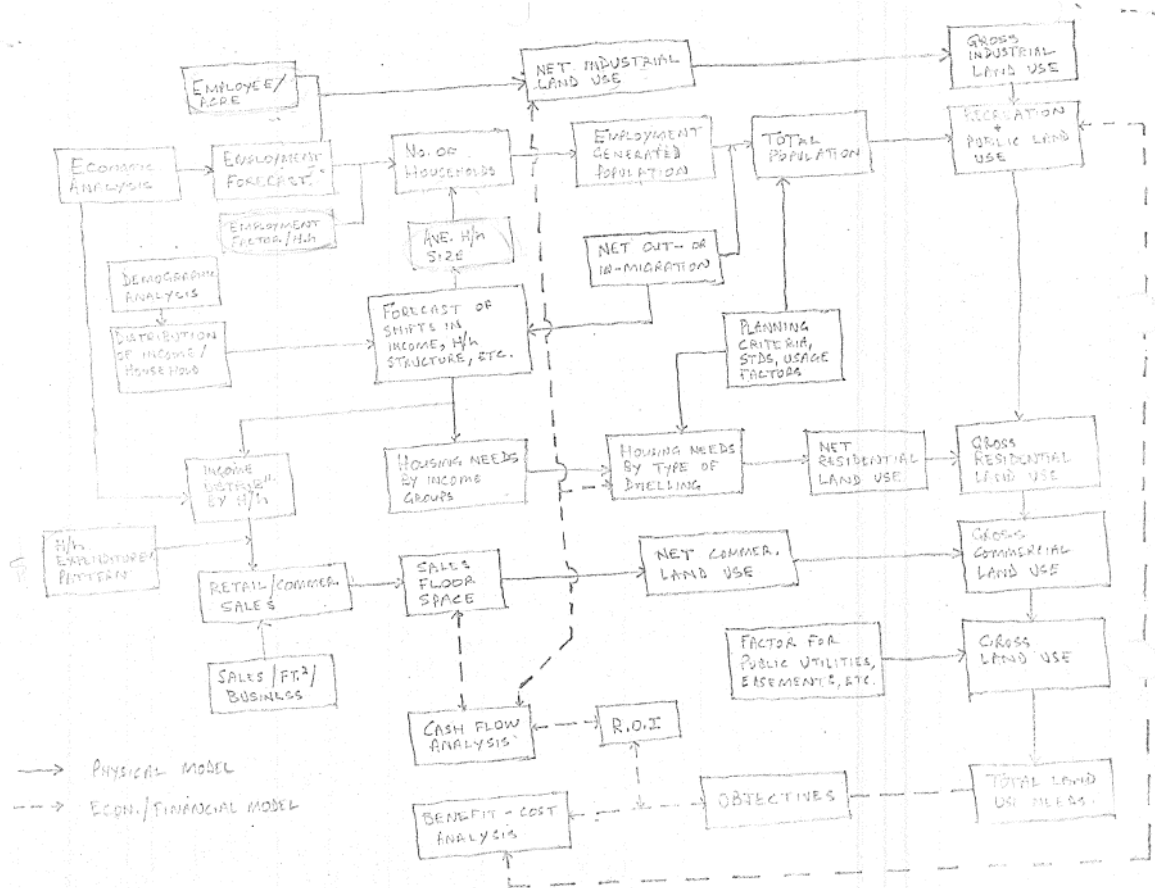


Figure 1. Structure of activities and land-uses in the simulation model.

Fig. 3 Island Land Requirement Physical and Economic Financial Model for Rarotonga



WORK PROGRAM

LAND REQUIREMENT MODEL

Fig 4. Contextual Planning and Management Framework (UNESCO 2006)

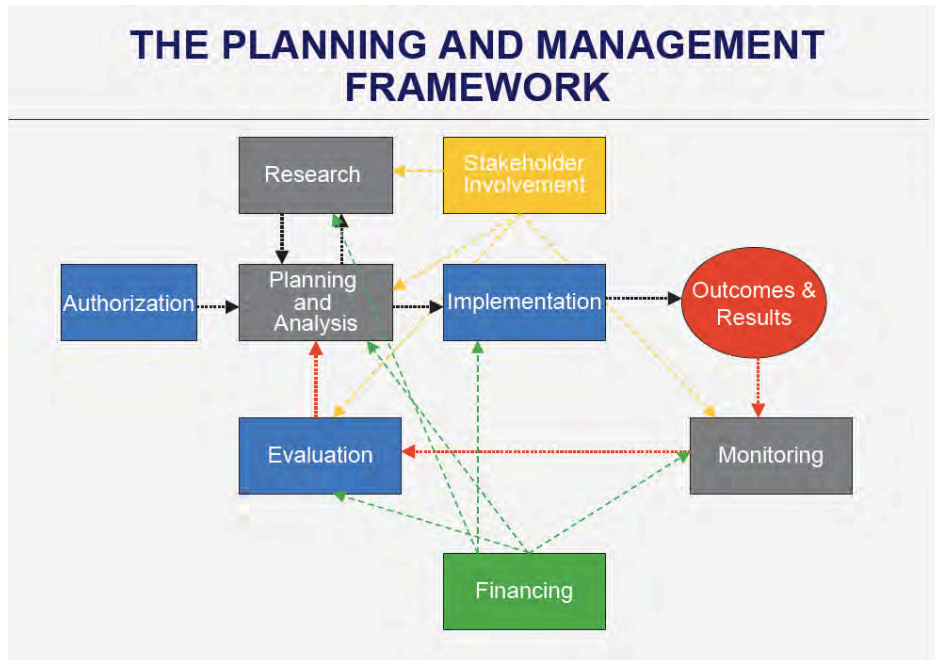


Fig 5. “Kellogg Logic Model” Program/Project Planning Template (Kellogg Foundation)

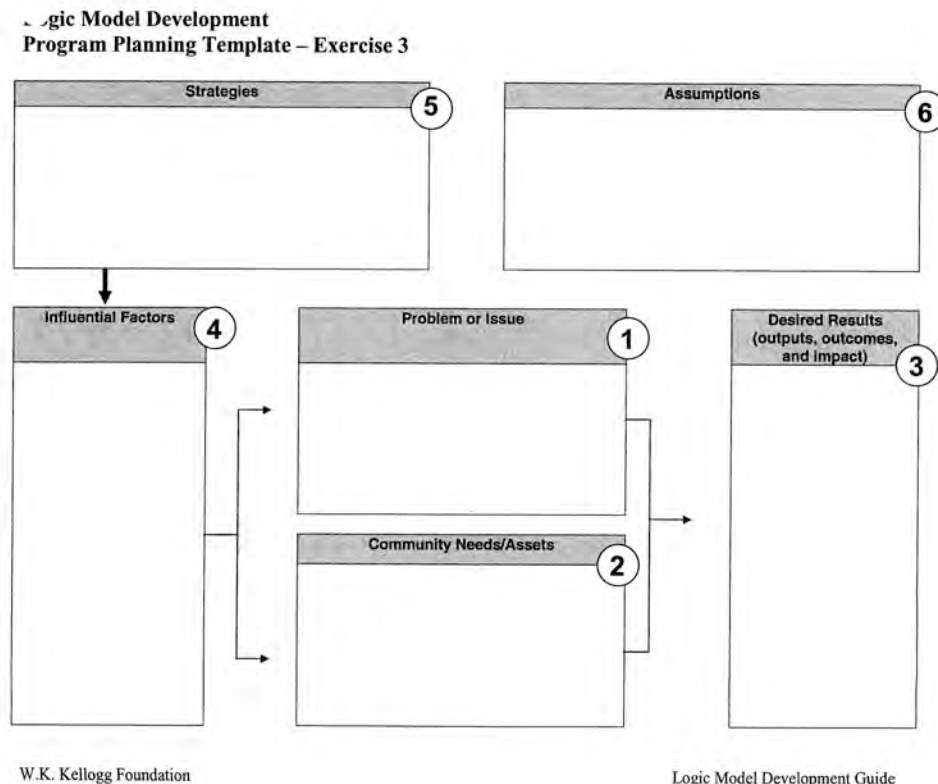


Fig 6 Open Space Technology for Community Dialogue (Owen 1999)

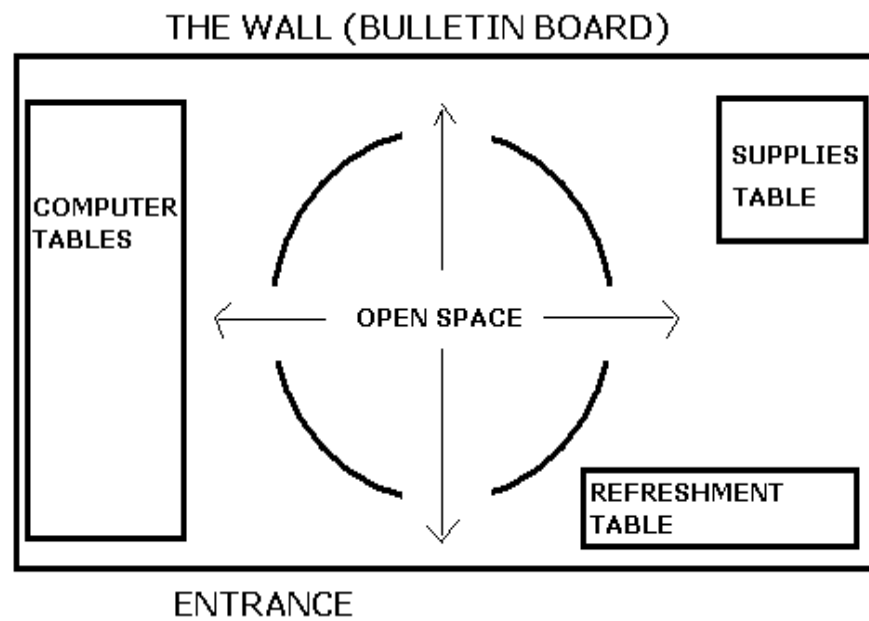


Fig 7 Village Strategic Plan Generated using Open Space Technology

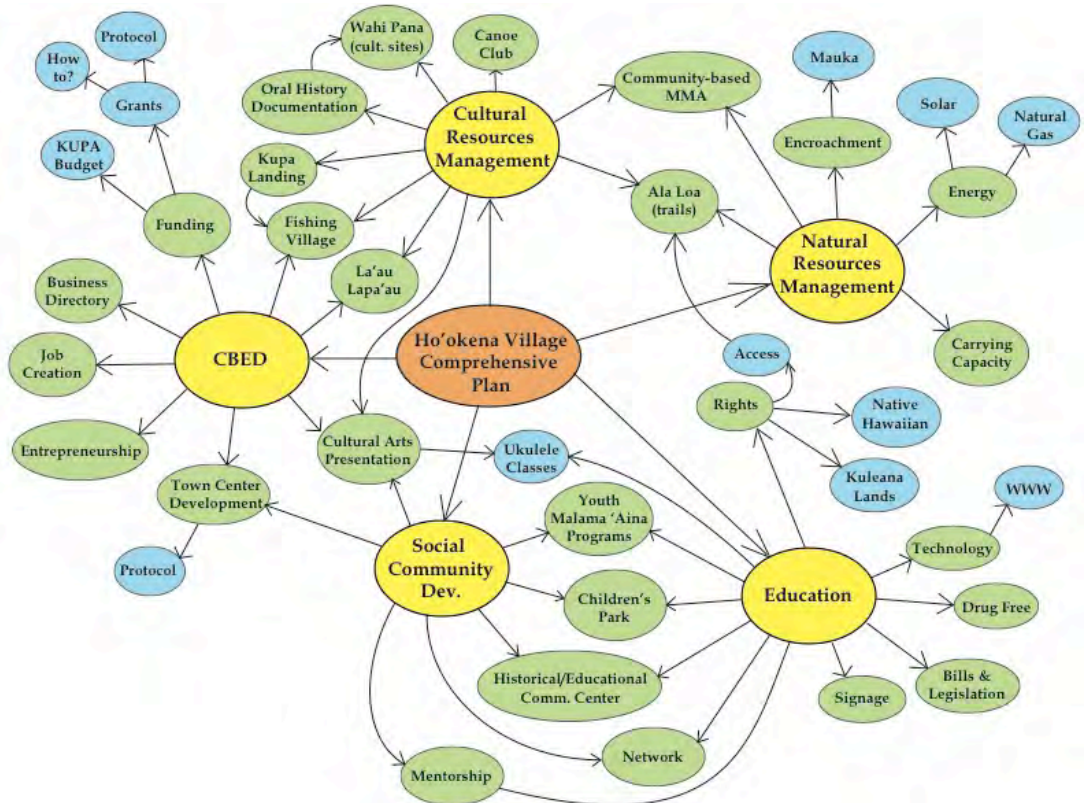
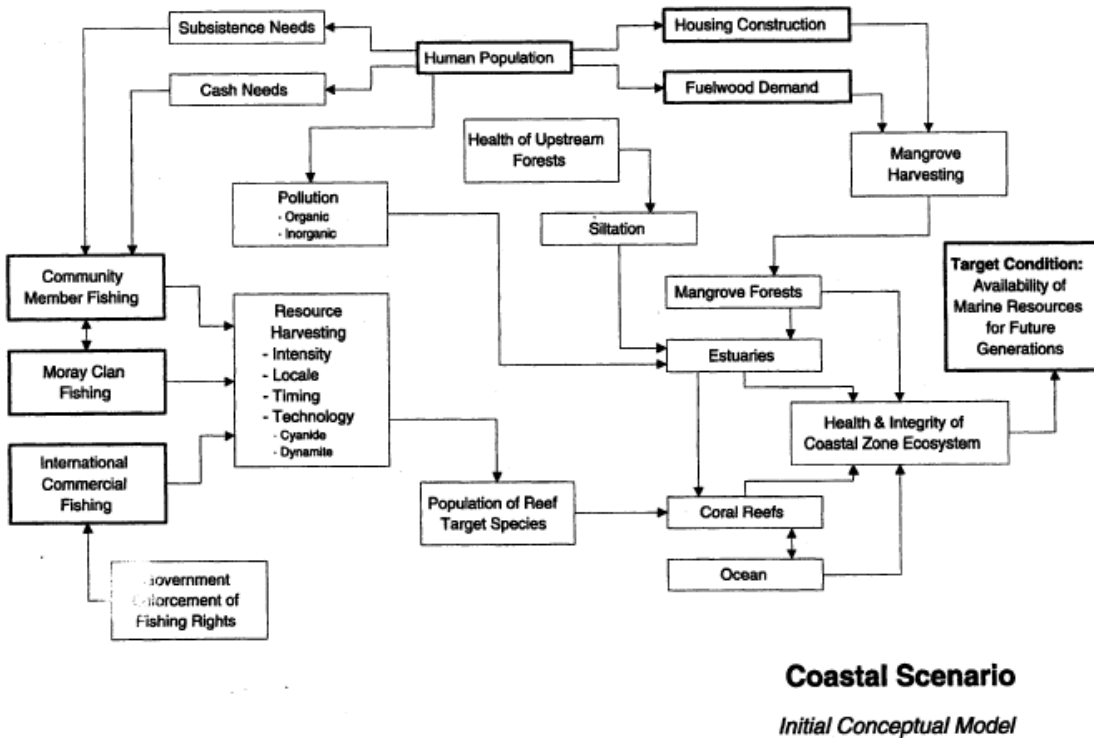


Fig 8 The Oregon Planning Steps Model (APA Oregon 1999?)

Four Steps of Oregon Model			
	<i>Driving question</i>	<i>Planning activities</i>	<i>Products</i>
Step One: Profiling the community	Where are we now?	Research and data collection, compilation and analysis. If a values statement is developed, additional activities such as a community survey, meetings <i>etc.</i> may be required.	Community profile, values statement
Step Two: Analyzing the trends	Where are we going?	Determination of current and projected trends, assessment of their future impact. Creation of probable scenario.	Trend statement, probable scenario
Step Three: Creating the vision	Where do we want to be?	Creation of a preferred scenario and final vision.	Preferred scenario, vision statement
Step Four: Developing an action plan	How do we get there?	Identification of goals, strategies, actions, implementations agendas and priorities.	Action plan

Fig 9 Conceptual Scenarios Design (Margoluis and Salafsky, 1998)



Proposed Project

Provide planning technical assistance to the planning staff of the DOC and related agencies to address village planning in American Samoa for a least one village study to be expanded in the future to other villages, as resources and time becomes available.

Technical assistance should assist in refining the programs of a village planning team at DOC in designing, and documenting integrated village economic development projects in a village ecosystem setting selected by the DOC staff who constitute the village planning advisory team.

The project requires to conduct field visit to the selected villages. DOC ensures DOC staff participation, translation, and support. DOC provides contact with OSA and village leaders. DOC provides desk space at DOC for this project.

Framework for Interagency Collaboration

A conceptual framework for interagency collaboration recognizes that agencies are, or they should be, interdependent to minimize conflict and to foster positive synergism among their programs. Effective collaboration must be done in a collegial, negotiated and sustained manner and addresses the following:

- 1- Mission: each agency has their own specific mandate and administrative rules that determine the limit and sphere the power and its responsibility to the community its serve. Agencies can establish where and how they mission conflict or reinforce each other.
- 2- Time Frame: each agency may compete for funds during the budget allocation process, they may have their programs and projects in synchrony or not. Phasing requires that each agency is aware of when, where and how another agency's initiative affect its own.
- 3- Geographic Space: each agency operation occurs is specific areas and sites, When this happens they have to assess if their projects create reciprocal positive or negative externalities.
- 4- Magnitude: the size, scale, magnitude, multitude of programs and projects of one agency may impact the work of other agencies.
- 5- Communication: prompt and routine disclosure, and sustained communication avoids many problems, delay, contrasts, inertia, and help to build trust, familiarity, and a sense of joint mission and accomplishment, among participants.
- 6- Agreements: understanding each other mission and way to operate helps to enter into an interagency collaboration that is formalized into a Memorandum of Understanding (MOU). This MOU can evolve into a public-private partnership when also the private sectors and landowners participate.

7- Best Management Practices (BMP): when communication is maintained and agreements are forged, BMP that integrates different stakeholders can be formulated through experimentation, monitoring, and mutual learning.
A Participatory Process to Formulate PUD Design and Ordinances

Partnership and collaboration involves government agencies and the village council. Non-governmental organizations (NGOs) and private sector can also participate. The chart below visualizes a bottom-up process undertaken at the village level with support and technical assistance by line agencies. This process addresses the basic steps of scoping, visioning, planning, design, implementation, enforcement, monitoring and evaluation.

Because it starts out from the identification of problems and opportunities at the village level and undertakes a need assessment, it can formulate a vision of a desirable future for a village. By exploring the alternative to achieve a common vision, it formulates a written document inclusive of planning and design aspects. Having a written village plan helps to attract more public and private funds for needed for community improvement.

Plan implementation is achievable when stakeholders enter into an agreement and sign a Memorandum of Understanding (MOU). This MOU enables collaboration to undertake programs and projects the village needs. Co-learning and experimentation in applying traditional knowledge and modern sciences is a key aspect of the Best Management Practices (BMPs) resulting from this process. Because MOUs and BMPs address many planning tasks, fewer ordinances must be enacted by the village council and by the territorial government of American Samoa. These ordinances then are more easily adopted, administered, monitored, and evaluated by village and government because they have community support.

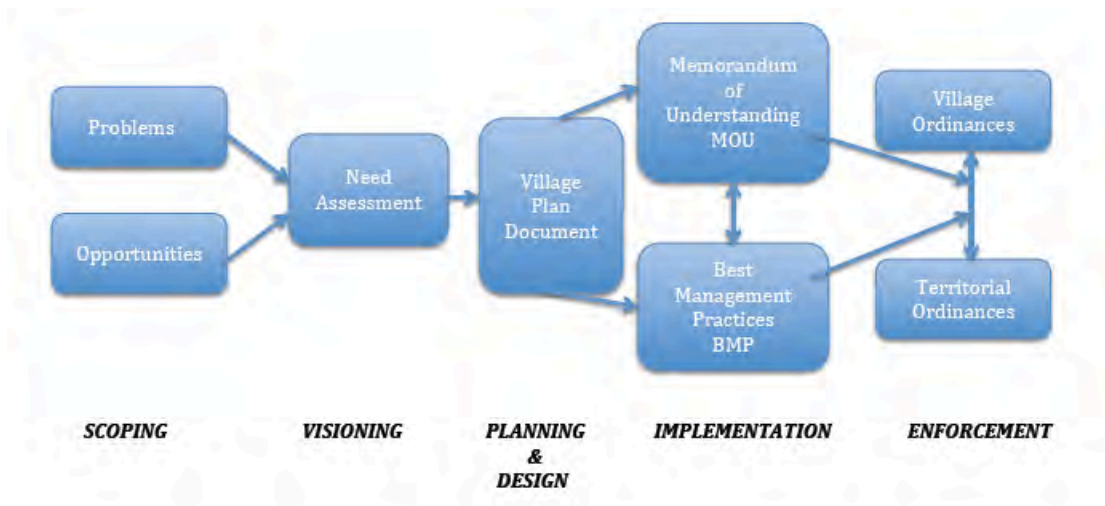


Fig. 10 A Bottom up Planning Process Leading to Plan Acceptance and Implementation

BMP: They emerge from traditional knowledge and modern science through trial and error and sharing experiences of what works well for people and environment.
 MOU: Agreements among agencies, and village councils plus NGOs and private sector to work together to do necessary tasks.
 Village Ordinances: They codify rules of behaviors, practices and design, include village operations, land use, site design and management.
 Territorial Ordinances: They are laws, rules, and regulations and standards for land use and site planning.

Eventually village strategies, programs and projects will be spelled out so that they can be implemented as the example below illustrates.

VI - 6

EXAMPLE 1 - IMPLEMENTATION REQUIREMENTS

Implementation Actions	Estimated Cost (\$)	People & Expertise	Physical Material & Land
Construct sidewalks needed by villagers	\$100,000	<i>Matai</i> , Village council, EDPO, DPW, ASPA	cement, construction machines

EXAMPLE 2 - RESPONSIBILITIES AND TIME FRAME

Implementing Actions	Level of Implementation					Agencies		Time Frame		
	<i>Aiga</i> based	Neighbor-hood based	Village based	Sub-district based	County & Territory	Responsible Agencies	Assisting Agencies	Under 1 year	1-5 years	6-10-years
1) Identify the boundary of land ownership	√	√	√	√		OSA, <i>Matai</i> , Village Council	EDPO, AG, Private Sector	√		
2) Investigate and survey land development suitability	√	√	√			DPW, <i>Matai</i>	EDPO, OSA, Village Council, Private Sector	√	√	
3) Enforce land use permits and the registration of private lands			√	√	√	EDPO, Private Sector	DPW, OSA, Village Council	√	√	√

EXAMPLE 3 - MONITORING AND EVALUATING THE PLAN

Implementing Actions	Outcome Measure		Environmental Impact	Economic Impact	Cultural Impact
	Short-term	Long-term (Goal)			
1) Set setbacks along flood ways.	How many setback sections are established? How many flood- ways are cleared?	Is the flood disaster controlled or reduced?	How many wetlands are preserved? and how many natural landscapes are saved?	What has the cost been? How much property has been protected?	Is the cultural landscape preserved or enhanced?
2) Preserve existing <i>malae</i> ; restore degraded <i>malae</i> .	How many <i>malae</i> are in excellent shape? How many of them are damaged?	How many <i>malae</i> and associated <i>fale</i> have been restored?	Has <i>malae</i> preservation helped create a positive living environment?	Has the <i>malae</i> attracted business or tourists?	Are <i>malae</i> used as open space and for recreation?

Fig. 11 Implementation and Monitoring Worksheet for Village Planning (UH DURP 1997)

References: UH DURP Spring 1997 Planning Practicum. American Samoa Village Planning Workbook. Honolulu, UH-DURP.

Institutional Aspects

Legal and Administrative Aspect

How a needed village planning process to deal with modern reality comes to fruition requires further exploration of the following points:

- 1- Enforcement limits and powers of Governor’s Executive Orders versus existing laws.
- 2- Enforcement limits of MOU, BMP, versus land use ordinances.
- 3- Reciprocal relationship, if any, between Village Ordinances versus Territorial Ordinances
- 4- Territorial Government regulatory power and limit on customary lands
- 5- Feasibility of enacting Land Use Ordinance given the current American Samoa Zoning Laws.
- 6- Update and amendment process of existing American Samoa land use and environmental laws.
- 7- Regulatory power for zoning in American Samoa Laws Title 26 Ch. 2 Administrative Rules of the American Samoa Coastal Zone Management Act. (Adopted pursuant to the American Samoa Coastal Management Act of 1990, ASCA § 24.0506, July 9, 1997.)
- 8- Regulatory power from the Comprehensive Economic Development Strategy

Application for Land Use and Building Permits

The Program Notification Review System (PNRS) with its Application requirement already provides well for a project description in terms of proposed land use, activities, and project details but more planning work is needed to fit proposed projects into the settlement setting where the project takes places so that plans, zoning, planned units development, form based zoning should exist together with urban and village standards to give concrete guidance to the PNRS process.

SECTIONS	CONTENT
Application No.	
Sec. 1 Applicant	Name, address, contacts information
Sec. 2 Proposed Land Use	Residential, commercial, industrial, agricultural, cultural, religious, educational, recreational, transportation, communication, ASG facilities, others
Sec. 3 Proposed Activities	New Construction, repair, extension, demolition, utilities, roads/driveways, paving, walls/fences,

	clearing, excavation, filling, dredging, drilling, mining, others
Projects Details	Building footprint, gross floor area, building height, number of floors, if residential number of units, no of parking spaces, if commercial what type, if industrial what type, business license for the proposed activity, project proposed start & completion dates, estimated project cost, is any of the proposed work underway or completed? Explain why done without a permit.
Sect. 4 Authority to use & occupy the land	Land registered Yes, No Land leased, Yes, No
Communally-owned land	Detailed & legal description
Verification of communal ownership:	Signature Sa'o/Matai permission to use land
Freehold or Individually Owned Land	Signature of Owner
Government-owned land	Signature of Governor
White EDPO/Yellow: Applicant/Pink Building Branch	

References: ASG Application for Land Use and Building Permit (Rev 9/93)

The application to the PNRS properly requires the signature of the Sa'o or Matai to ensure that the applicant has permission to use the land from the point of view of customary land tenure. But the proposed project should fit well into an existing and update village plan that may not even exists.

Annual Permit Report

The Annual Permit Report of the AS Coastal Management Program provides information of the permit activity types and the top villages for application. For the period of October 1, 2012 – September 30, 2013, out of a total 844 permits approved and pending the following categories emerge:

Site preparation	015 *	01.7%
Repair	142	16.8%
New Construction	290	34.4%
Extension	050	05.9%
Infrastructure	273 **	32.0%

Others	<u>059</u>	<u>06.9%</u>
Total	844	97.7%***

* clearing, dredging, drilling, excavation, filling and mining)

** paving, road/driveways, utilities

*** not 100% due to rounding.

Land related activities are less than 2% (site preparation), the activities pertinent to building structures account for 57%, infrastructure and utilities for 32%, and others for 7%.

Minor projects account for 81% and major one for 19%. Application for Tafuna are 125, Nu'uli 59, Leone 42, Vaitogi 41, Pago 38, Faleniu, Pava'ia'i, Aua, Iliili and Vailoa account for a range varying from 32 to 21 applications per village.

It can be inferred from this snapshot that the majority of these permits affect the pattern, density, layout and design of human settlement structures and infrastructures in the stated period. To have planning and design guidelines and BMP to assess these projects would be helpful.

References: ASCMP Annual Permit Report October 1, 2012-September 30, 2013

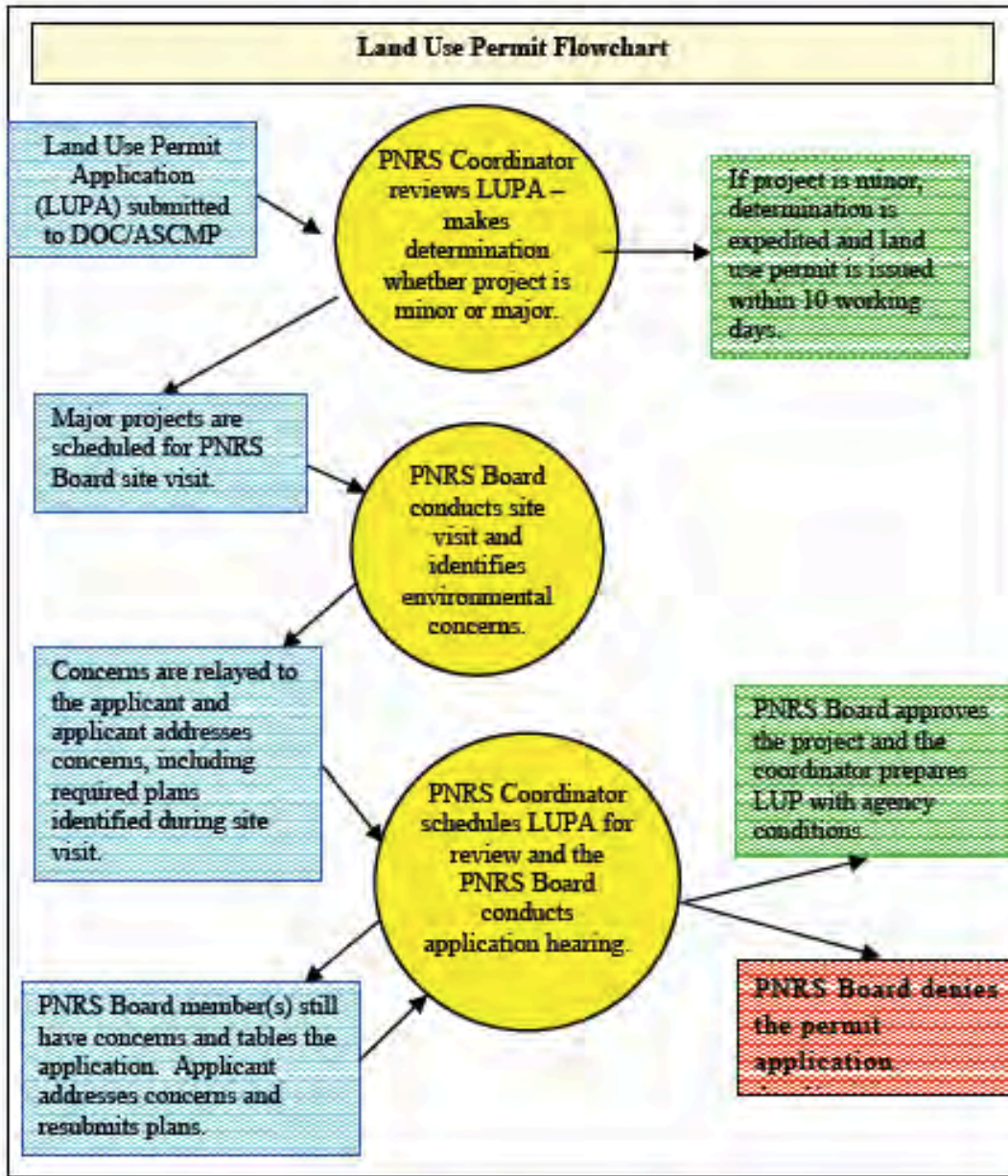


Fig. 12 Land Use Permit Flow Chart (References Herman Tuilosega, July 2005)

Reference: Herman Tuilosega. July 2005. A Review of the Land Use Planning Process and Proposal to Assist Environmental and Development Planning in American Samoa. Honolulu: University of Hawaii AOC Paper.

Villages and Title 26 Ch. 2 Administrative Rules

Title 26 Chapter 2 American Samoa Coastal Management Program Administrative Rules was adopted pursuant to the American Samoa Coastal Management Act of 1990, ASCA § 24.0506, July 9, 1997.

Public Need

In assessing whether there is a public need, one looks at the basic service provided and to whom the service is provided. Public need means a need of the people of the Territory as opposed to the needs of an individual or group of individuals. The basic purpose must be one for which a village, group of villages, county, district, or the Territory, has a demonstrated need.

The meaning of the statement above is that public need is established at the village level or above the village level.

Standards and criteria for review (26.0220)

As a requirement for approval, all projects shall satisfy or be conditioned to satisfy the following criteria:

The Project Notification and Review System shall be sensitive to the fa'a Samoa which means the traditional Samoan way of life, including but not limited to:

- a. recognizing the village council authority in regards to maintaining harmony and welfare of the community; and
- b. considering the village mitigation ordinances, village wetland resolutions or other applicable policies approved by the village council.

Promotion of recreation and public access

This chapter promotes recreation opportunities and shorefront public access shall be improved and increased for the public. So that:

- a. The acquisition, siting, development, and maintenance of varied types of recreation facilities that are compatible with their surrounding landscape and land uses, and which serve the recreation and shorefront public access needs of villages shall be promoted.
- b. Acquisition and/or use agreements and minimal development of passive recreation sites such as marine and wildlife conservation areas, scenic overlooks, trails, parks, and historic sites shall be promoted.

Regulated Activities

Regulated activities include Village ordinances adopted by the village councils. Shoreline development policy in the area measured two hundred (200) feet horizontally inland from the mean high-tide mark, projects, uses or activities shall normally be denied.

In villages with a ratified Village Mitigation Ordinance, the minimum setback established in a Village Mitigation Ordinance shall be imposed between the proposal project, use or activity and identified coastal hazards lands.

Village Mitigation Ordinances

Village mitigation ordinance means a village regulatory instrument established collectively with a village council and the American Samoa Coastal Management Program that sets forth village or municipal mitigation policies for future village development which complement and supplement Village Regulations including the most feasible coastal hazards setbacks specific to village geography. Village Mitigation Ordinances have been developed and ratified in a number of districts. Subsequent Village Mitigation Ordinances shall be adopted by the American Samoa Coastal Management Program thirty (30) days after a village council has ratified such ordinance.

Technical Assistance

The American Samoa Coastal Management Program shall provide ongoing technical assistance and education to villages to assist the villages in preparing and maintaining any local coastal management program or village ordinance in support of coastal management objectives. The American Samoa Coastal Management Program shall maintain a current series of island maps clearly showing the Territory's Special Management.

Analysis and Findings

The statement on public needs recognizes the village council authority to deal with harmony and welfare of the community as well as the power to establish environmental mitigation ordinances to protect wetlands and other "other applicable policies approved by the village council". So while it focus on community welfare and environmental protection does not exclude other applicable policies" that may deal with physical design and village design. The thing to do is to show a link between good siting and design with improved quality of life of residents and improved environment.

Clearly the current focus of this law is on coastal management, shoreline protection, and public access and it calls for further mitigation ordinances for future village development, to supplement existing village regulation so as to address coastal hazards mitigation.

Need for Village Plans

Title 10 Public Planning Budgeting and Development (10.0105) states that there are created 6 planning districts in order to provide a basis for regional citizen participation. Item (d) further clarifies that through the assistance of the development planning office, district planning boards will assist the Territorial Planning Commission in obtaining village concerns toward village problems and proposed plans. (History: 1978, PL 15-64 § 1; and 1978, PL 15-92 § 2). This is another indication that creating village plan is a necessary and legitimate part of the process envisioned in planning and development for the Territory of American Samoa.

The American Samoa Zoning Code in Brief

26.0314 Single dwelling zones, R1.

The uses permitted in single dwelling zones are:

- (1) one-family dwellings;
- (2) schools and churches;
- (3) parks, playgrounds and community buildings;
- (4) gardening for noncommercial purposes;
- (5) uses customarily accessory to any of the above uses, including home occupations and private automobile parking areas and private garages.

26.0315 Multiple dwelling zones, R2.

The uses permitted in multiple dwelling zones are:

- (1) any use permitted in the R1 single dwelling zone;
- (2) keeping of poultry and domestic livestock for noncommercial purposes;
- (3) accessory buildings and structures, stables, barns, corrals, pens, and other similar structures;
- (4) two-family dwellings and multiple dwellings;
- (5) hospitals, sanatoriums and institutional uses.

26.0316 Agricultural zones, A.

The uses permitted in agricultural zones are:

- (1) any use permitted in R1 and R2 zones;
- (2) farming, including all types of activities and pursuits customarily carried on the fields of agriculture and horticulture, and farms and ranches for the raising of poultry and the raising and grazing of domestic livestock, including dairies and hog raising;
- (3) uses customarily accessory to any of the above uses, including home occupations and private automobile parking areas;
- (4) accessory buildings and structures, including private garages, stables, barns, corrals, pens, and other similar structures.

26.0317 General commercial zones, C1.

The uses permitted in general commercial zones are:

- (1) any use permitted in the R1, R2, and C2 zones;
- (2) wholesale and retail stores, shops and businesses;
- (3) amusement enterprises;
- (4) automobile service stations, public automobile parking areas and public garages (not including automobile repair shops);
- (5) bakeries;
- (6) hospitals and clinics;
- (7) laundries and dry cleaners;
- (8) offices, business or professional, and banks;
- (9) personal service shops, including barbershops, beauty parlors and the like;
- (10) public utility buildings and uses, including fire and police stations, telephone

- exchanges, electric distributing substations and the like;
- (11) repair shops and service shops, including shoe repair shops, plumbing shops, dressmaking shops and the like, but not including automobile repair shops;
- (12) restaurants and cafes;
- (13) studios;
- (14) other uses which in the judgment of the Board, as evidenced by a resolution in writing, are similar to those listed in this section;
- (15) uses customarily accessory to any of the above uses, including only those accessory to manufacturing, compounding or processing activities as are necessary for the ordinary conduct of the listed uses and which are an integral part thereof;
- (16) accessory buildings and structures;
- (17) public vehicle parking areas.

26.0318 Limited commercial zones, C2.

The uses permitted in limited commercial zones are: personal service shops and general stores, including barbershops, beauty parlors and the like; provided, that such personal services are carried on exclusively within a dwelling.

26.0319 Limited industrial zones, M1.

- (a) The uses permitted in limited industrial zones are:
 - (1) any use permitted in the C 1 zone;
 - (2) the manufacturing, compounding, processing or treating of such products as bakery goods, drugs, cosmetics, and food products (not including fish and meat products or the rendering of fats and oils);
 - (3) the manufacturing, compounding, assembling or treating of articles or merchandise from previously prepared materials;
 - (4) automobile repair shops, including painting, body and fender work and rebuilding; truck and tractor repairing; and tire retreading;
 - (5) bottling and packing plants;
 - (6) ceramic products manufacturing.
 - (7) machine shops, welding shops and sheet-metal shops;
 - (8) warehouses and cold storage plants;
 - (9) lumber yards, building material sales yards, contractors' equipment storage yards and the like;
 - (10) other uses which in the judgment of the Board, as evidenced by a resolution in writing, are similar to those listed in this section;
 - (11) uses customarily accessory to any of the above-listed uses, and accessory buildings and structures.
- (b) The uses listed in subsection (a) must be conducted within a building, or within an area enclosed by a fence or wall at least 6 feet in height, except for necessary gates.

26.0320 General industrial zones, M2.

- The uses permitted in general industrial zones are:
- (1) any use permitted in the C1 and M1 zones except dwellings and hotels;
 - (2) any other uses not specifically prohibited by law, including those which are or

- may be objectionable, obnoxious or offensive by reason of odor, dust, smoke, noise, gas, fumes, cinders, vibration or water-carried waste:
- (3) uses customarily accessory to buildings and structures.

26.0321 Hotel zones, H.

The use permitted in hotel zones is hotels.

26.0322 Watershed conservation zones, WC.

- (a) The uses permitted in watershed conservation zones are: any use permitted in R1, R2 and A zones.
- (b) The uses listed in subsection (a) shall be conducted to insure maximum protection against erosion and contamination of water supplies, and to insure preservation of the natural characteristics of the watershed area.

26.0323 Recreation conservation zones, RC.

- (a) The uses permitted in recreation conservation zones are:
 - (1) agricultural crops;
 - (2) recreational facilities.
- (b) No structure of any sort other than as approved by the Territorial Park and Recreation Board may be constructed between roads parallel to and near the ocean, and the mean high water mark of the ocean. Where no road parallels the ocean, there may be no structure between the mean high water mark and a point 30 feet inland from the mean high water mark of the ocean.
- (c) The uses and limitations listed in this section must be conducted to insure the development of recreational facilities and the retention of the natural scenic beauty of the area.

Commentary on Zoning

A cursory review of the above zoning reveals that it is an acceptable and classic one, but it does not incorporate more contemporary understanding for the need of planned unit development design and standards, village standards, form based code (FBC), conservation design principles, low impact design, and impervious surface minimization. There is also no provision for Transfer of Development Rights (TDR) to deal with the windfall and wipeout impacting landowners when a plan is formulated, or parcel land readjustment (LR) and land pooling (LP) to facilitate parcel assemblages and redesign to fit new development standards.

Land Pooling and Land Readjustment

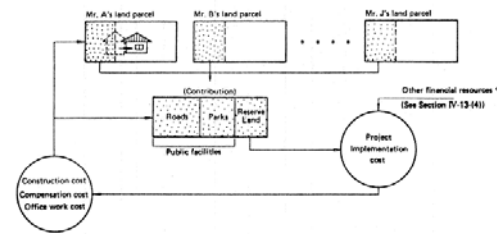
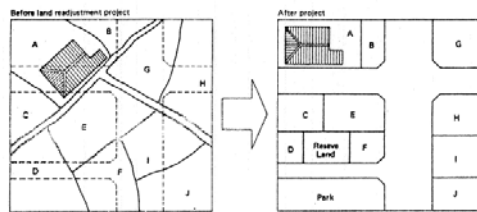


Before Land Readjustment

Land Pooling & Land Readjustment



After Land Readjustment

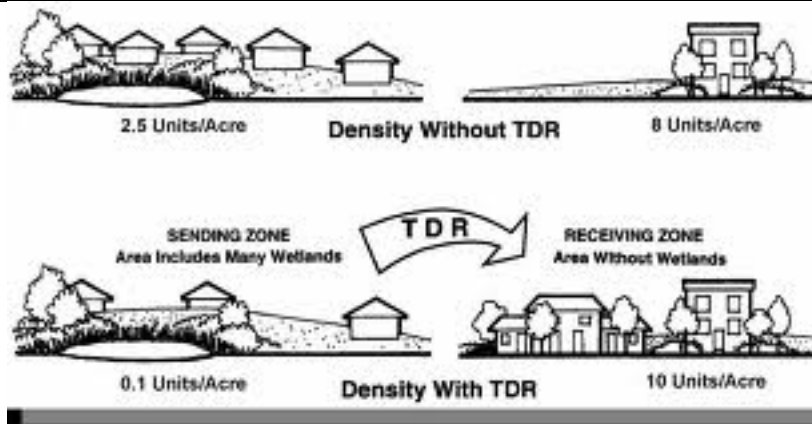


Source: Nagoya City Planning Bureau (1982)
p. 2

Two Objectives:

1. **Housing Lot Supply:**
New Town and Sprawl Prevention
2. **Development of Appropriate Urban Infrastructure:** Urban Renewal, Urban Center Development, Urban Reconstruction

Transfer of Development Rights



Transfer of Development Rights

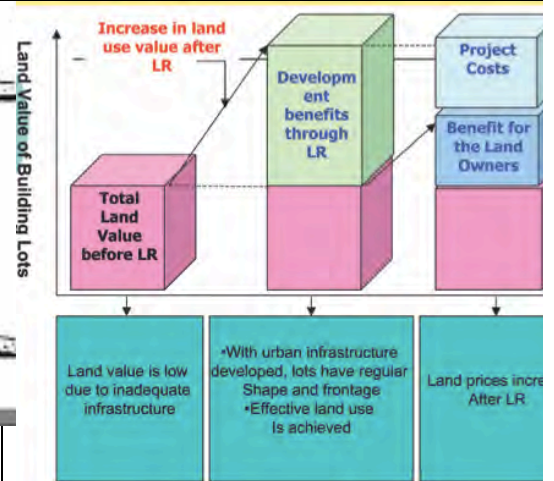
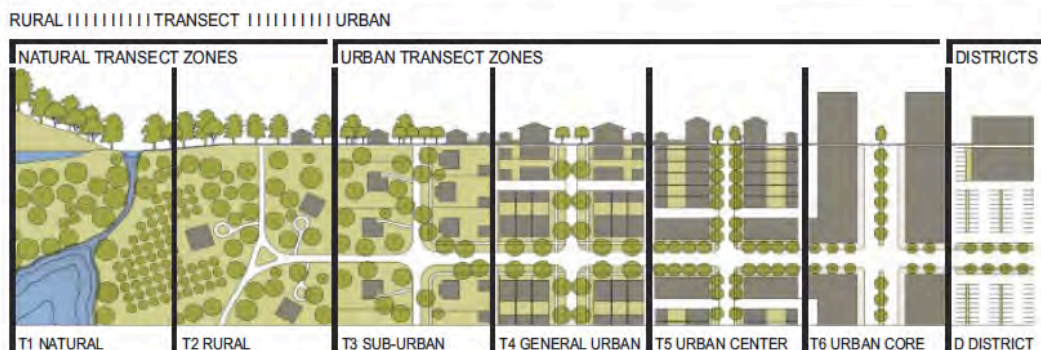


Fig. 13 Land Pooling & Land Readjustment & Transfer of Development Rights

Form Based Codes

Form-based codes (FBC) foster predictable high quality built results by using physical form (rather than separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-based codes are an alternative to conventional zoning. (Form-Based Codes Institute). Unlike conventional codes, form-based codes uses the intended form and character of a place (or context) as the organizing principle or framework of the code, rather than use, and regulate not just a single building but creates a high-quality place. (Cincinnati FBC 4-16-2013 retrieved from the web December 2013). While these FBC cannot be taken as is and transfer to American Samoa because the social, natural and built environment differs from the continental USA the idea has merit to be explored at the same time that PUD is pursued.

Thus it is useful to see how the FBC is organized. A basic idea is to see physical development in its environmental and site context using the transect to visualize a continuum of different places in a jurisdiction.



A natural transect diagram on top with the rural-to-urban transect below. This urban-to-rural transect diagram illustrates a continuum of places from the most rural to the most urban from left to right. Image courtesy of DPZ.

Fig. 14 Natural and Urban Transect depicts a continuum of places from rural to urban (Cincinnati FBC 4-16-2013)

For each zone of the transect the basic elements of the code are made explicit for what is permitted or not permitted: density, block size, thoroughfares, civic spaces, lot occupation, setbacks, building yard disposition, private frontages, building configuration, and building functions.

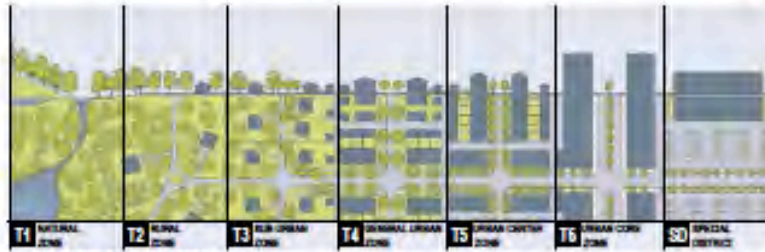
A “quick code guide” for a developer at the neighborhood level spells out the steps (1) find a transect zone for your parcel, (2) comply with the standards for site design, (3) and roads, (4) for building scale projects, (5) follow the procedures for subdividing and (6) for opting into the Form Based Code. The instructions for building-scale project are similar (1) find the transect zone for your parcel (2) (3) comply with standards for your zone, (4) choose and comply with the standards for your building type, and (5) follow the pertinent administrative procedures. A

summary table of such information is provided below for illustrative purpose.

TABLE 14. SMARTCODE SUMMARY

SMARTCODE
Municipality

Note: All requirements in this Table are subject to calibration for local context.



	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE	T6 URBAN CORE ZONE	S0 SPECIAL DISTRICT
A. ALLOCATION OF ZONES per Pedestrian Shed (applicable to Article 7 only) see Note 10							
ODI requires	no minimum	80% min	70-75%	20-45%	not permitted	not permitted	
TND requires	no minimum	no minimum	70-75%	20-45%	10-35%	not permitted	
RCC requires	no minimum	no minimum	not permitted	10-35%	10-35%	40-55%	
B. MAX HORIZONTAL DENSITY (see Section 3.4)							
By Right	not applicable	1 unit/20 ac. req.	2 units/ac. gross	4 units/ac. gross	6 units/ac. gross	12 units/ac. gross	
By ZSR	by variance	by variance	4 units/ac. gross	12 units/ac. gross	24 units/ac. gross	48 units/ac. gross	
Other Provisions	by variance	by variance	20-35%	20-35%	30-50%	50-75%	
C. BLOCK SIZE							
Block Pedestrian	no minimum	no minimum	2000 ft. min	2400 ft. min	2000 ft. min	2000 ft. min	
D. THROUGHWAYS (see Tables 7 and 8) * 2000 ft. min. with parking structures							
HW	permitted	permitted	permitted	not permitted	not permitted	not permitted	
BY	not permitted	not permitted	permitted	permitted	permitted	permitted	
AR	not permitted	not permitted	permitted	permitted	permitted	permitted	
CR	not permitted	not permitted	not permitted	not permitted	permitted	permitted	
DR	not permitted	not permitted	permitted	permitted	permitted	permitted	
ET	not permitted	not permitted	permitted	permitted	permitted	not permitted	
FD	permitted	permitted	permitted	not permitted	not permitted	not permitted	
Main Lane	permitted	permitted	permitted	permitted	not permitted	not permitted	
Side Alley	not permitted	not permitted	permitted	required	required	required	
PUB	permitted	permitted	permitted	permitted	not permitted	not permitted	
Passage	not permitted	not permitted	permitted	permitted	permitted	permitted	
Wynode Trail	permitted	permitted	permitted	not permitted	not permitted	not permitted	
Wynode Lane	permitted	permitted	permitted	permitted	not permitted	not permitted	
Wynode Route	permitted	permitted	permitted	permitted	permitted	permitted	
E. CMX BLOCKS (see Note 12) * permitted with Open Spaces							
Block	permitted	permitted	permitted	by allowed	by allowed	by allowed	
Street	not permitted	not permitted	permitted	permitted	permitted	not permitted	
Square	not permitted	not permitted	not permitted	permitted	permitted	permitted	
Place	not permitted	not permitted	not permitted	not permitted	permitted	permitted	
Playground	permitted	permitted	permitted	permitted	permitted	permitted	
F. LOT OCCUPATION							
Lot Width	not applicable	by allowed	75 ft. min/120 ft. min	10 ft. min/80 ft. min	10 ft. min/100 ft. min	10 ft. min/100 ft. min	
Lot Coverage	not applicable	by allowed	80% max	70% max	80% max	80% max	
G. BRANCHES - PRINCIPAL BUILDING (see Table 10)							
Up to Front Setback (Principal)	not applicable	40 ft. min	24 ft. min	8 ft. min/10 ft. min	12 ft. min/12 ft. min	12 ft. min/12 ft. min	
Up to Front Setback (Secondary)	not applicable	40 ft. min	12 ft. min	8 ft. min/10 ft. min	12 ft. min/12 ft. min	12 ft. min/12 ft. min	
Up to Side Setback	not applicable	80 ft. min	12 ft. min	8 ft. min	12 ft. min/24 ft. min	12 ft. min/24 ft. min	
Up to Rear Setback	not applicable	80 ft. min	12 ft. min	2 ft. min *	12 ft. min *	12 ft. min	
Frontage Building	not applicable	not applicable	40% min	80% min	80% min	80% min	
H. BRANCHES - DETACHING (see Table 10)							
Up to Front Setback	not applicable	20 ft. min -40% setback	20 ft. min -40% setback	20 ft. min -40% setback	40 ft. min from rear prop.	not applicable	
Up to Side Setback	not applicable	3 ft. min/3 ft.	3 ft. min/3 ft.	3 ft. min/3 ft.	0 ft. min	not applicable	
Up to Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. min	3 ft. min	not applicable	
I. BUILDING DISPOSITION (see Table 11)							
Adapted	permitted	permitted	permitted	permitted	not permitted	not permitted	
Altered	not permitted	not permitted	not permitted	permitted	permitted	not permitted	
Newly Built	not permitted	not permitted	not permitted	permitted	permitted	permitted	
Converted	not permitted	not permitted	not permitted	not permitted	permitted	permitted	
J. PERMIT PROVISIONS (see Table 11)							
Common Yard	not applicable	permitted	permitted	not permitted	not permitted	not permitted	
Patio & Terrace	not applicable	not permitted	permitted	permitted	not permitted	not permitted	
Terrace or Decking	not applicable	not permitted	not permitted	permitted	permitted	not permitted	
Screenwall	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Screen	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Stairland & Landing	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Galery	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Annexe	not applicable	not permitted	not permitted	not permitted	permitted	permitted	
K. BUILDING CONFIGURATION (see Table 11)							
Principal Building	not applicable	2 stories max	3 stories max	3 stories max, 2 min	3 stories max, 2 min	3 stories max, 2 min	
Outfall Bay	not applicable	2 stories max	3 stories max	2 stories max	2 stories max	not applicable	
L. BUILDING FUNCTION (see Table 10 & Table 12)							
Residential	not applicable	residential use	residential use	residential use	residential use	residential use	
Lighting	not applicable	residential use	residential use	residential use	residential use	residential use	
Office	not applicable	residential use	residential use	residential use	residential use	residential use	
Hotel	not applicable	residential use	residential use	residential use	residential use	residential use	

SC42

SmartCode Version 8.2

Summary of sample SmartCode requirements (intended to be calibrated to the context and needs of each community). Credit: Duany Plater-Zyberk & Company.

Fig. 15 A table summarizing the Form Based Code Elements for each Transect

Reference: Chicago Metropolitan Agency for Planning. ND. Form Based Codes A Step by Step Guide for Communities. Credits: Duany Plater-Zyberk & Company. Chicago: CMAP.

Consistency of PUD with Current Plans

Consistency with the Territorial General Plan of 2007

Any update and innovation of current American Samoa zoning should be matched against some of the good guiding principles outline in the plan that should inform zoning maps, PUD and the urban and village standards that would make new projects acceptable.

The Form Template below can be used to check consistency of village plans, PUD and standards to see if they implement the intent of the Territorial General Plan (TGP).

Consistency Table

TGP Areas of Concerns	PUD Ordinance / Design
<u>Avoid Negative Externalities</u>	
Adequate settlement infrastructure and services	* Urban standards should be provided by the general plan and zoning to guide PUD * PUD can provides design configurations for conservation design
Land saving settlement spatial patterns	
Regard to fragility of locality and impact on adjacent uses	* PUD would contain an assessment of project impact on site and project externalities
Rational road and circulation system; Traffic congestion or grid lock	* The general plan, and zoning and infrastructures map should provide the circulation network, the PHD would describe the internal layout to the development project
Loss of natural habitats	
Limited land for recreation	
Over-crowding of built environment	* PUD purpose is to ensure open space through spatial configurations and
Population outgrowing	

fresh water supply	density arrangements
Service for water, sewer and power systems	* Infrastructure service standards and carrying capacity should be provided to the PUD by the pertinent sectoral plans
Fire or police to provide safety	

TGP Areas of Concerns	PUD Ordinance / Design
<u>Possible Terminal Impacts</u> Shortage of water Removal of forest Elimination of wetlands & habitat Depletion of marine resources Depletion or contamination of fertile soil	* PUD should help to build through infill within the urban zone so as not to encroach of wetland and natural habitats.

References: 4.4.1 Planning & Human Settlements (i-4-9) Ch. 4 Areas of Concerns Territorial General Plan (Ex Order No. 005-2007)

Consistency with the Comprehensive Economic Development Strategy (CEDS), of 2012

The Form Template below can also be used to see how village plans, design schemes, standards and ordinances address the CEDS Concerns, and can be filled in as a checklist or better with an explanation of how the concerns are met.

Note: Land Planning Items Extract from the 2012 AS Comprehensive Economic Development Strategy

CEDS Concerns	PUD Ordinance / Design
<p>Land Constraints</p> <ol style="list-style-type: none"> 1. Limited quantity of developable land. 2. Limited land suited for agriculture or aquaculture. 3. Land tenure laws prevent highest uses, assembly into usable parcels, use as collateral, etc. 4. Limited application of zoning as a land use management tool exacerbates optimal land use. 5. Industrial Park is not always productively used, or is being used for industrial activities 6. Inability of foreigners to own land discourages investment. 7. Limited ability to use land as collateral limits access to capital. 8. Land matters frequently end up in litigation. 9. Suitable private commercial land is hard to identify and negotiate, for a variety of reasons, including vacant matai titles, uncertain boundaries, etc. 	<p>PUD addresses land constraints (1) and (2) by conservation design within urban zone land</p> <p>TDR and LR and land assembly are tools that can be studied for application in American Samoa</p> <p>Zoning should be revamped as PUD is one element of it</p> <p>A industrial park master plan would be a special PUD Zoning</p> <p>PUD requires consultation with stakeholders and landowners</p> <p>Efforts to map land tenure landownership is a must it does not matter if some land is contested, as some other is not: just knowing which is which helps planning</p>

CEDS Concerns	PUD Ordinance / Design
Territorial Government Constraints	
<p>Cost considerations in AS as transportation, labor, raw materials, markets, industrial sites, utilities, and others may be comparable in total over many locations.</p> <p>Receptivity of government and the community becomes a factor as do local tax structure, schools, health care, amenities and other qualities that appeal to their management and workers.</p>	<p>PUD is one tool that modernize zoning to address some of these concerns and aims</p>
<p>American Samoa's development effort requires closer working relationship between the government, business community, traditional leaders and community organizations.</p>	<p>PUD is requires a consultative process among stakeholders and landowners</p>
<p>Some economic development requires government investment, and the government finances are very limited to make such investments.</p>	<p>PUD encourage private sector investment by providing predictability in site design and development</p>

CEDS Concerns	PUD Ordinance / Design
<p>Tuna Industry Action Recommendation</p> <p>c. Locate suitable site for StarKist cold storage building</p> <p>d. Rebuild seawall to protect Tri-marine site</p> <p>e. Revive alia fleet (local fishing boats) for modern conditions</p> <p>f. Finance stretching of local longliners</p> <p>g. Develop or designate dock for longliners and alias</p> <p>h. Reclaim land on east side of harbor</p>	

References: American Samoa 2012 American Samoa Comprehensive Economic Development Strategy
Pedersen Planning Consultants. 2001. Tualauta County land use plan : final draft American Samoa Government Department of Commerce.

Planned Unit Development (PUD)

Planning regulations can be issued by the Governors as an Executive Order, as the recent order not to take the sea cucumbers show, that then make reference to enforcement and fine structures provided by existing regulations (Executive Order 020-2013 Moratorium on Taking and Removing Sea Cucumbers, December 4, 2013).

Eventually the matter at hand should go the Territorial Legislature, the Fono, to be enacted into law. This is so because PUD is not allowed yet under current Zoning Laws. The Department of Commerce (DOC) would prepare the PUD ordinance it would go to the Governor and then there would be give and take

Content of a PUD Ordinance

In exploring the possibility to formulate and enact a PUD ordinance for American Samoa, but without copying other places, it is useful to see what PUD would address, contain and regulates. Typically on the Mainland USA the PUD topics that are addressed would include:

PUD Topics (US Mainland Generic)

Setback
Building Height
Infill
Roof Lines and Types
Lightening
Landscape
Parking
Outdoor Storage
Service Area
Driveway Standards
Lot Size & Dimension
Site Layout
Conservation Design
Building Envelopes
Trees and Vegetation
Multifamily Buildings
Mixed Uses
Garages
Street Patterns

Planned Unit Development (PUD) Templates

Planned Unit Development (PUD) is a development and regulatory process that permits a developer to meet overall community density and land use goals without being bound by existing zoning requirements.

PUD is a floating overlay district which does not appear on the municipal zoning map until a designation is requested and approved. It includes provisions to encourage clustering of buildings, designation of common open space, and incorporation of a variety of building types and mixed land uses.

A PUD is planned and built as a unit thus fixing the type and location of uses and buildings over the entire project. Potential benefits of a PUD include more efficient site design, preservation of amenities such as open space, lower costs for street construction and utility extension for the developer and lower maintenance costs for the municipality.

Traditional zoning does not address mixed uses for buildings, changes in building setbacks, non-motorized transportation, environmental protection and possible brownfield regulations all within a confined space.

Potential Uses

Traditional neighborhood design, Preserve open space, Brownfield redevelopment, Urban infill and redevelopment, Mixed use development.

Creation

Any municipality with zoning authority is able to establish ordinances for PUDs it must have adopted zoning and subdivision ordinances and should have a

comprehensive plan.

While a PUD allows for flexible project design, standards are needed to protect public health and safety and to assure design quality and conformance to an overall plan.

Standards or criteria to be included in PUD regulations include:

- Areas where PUDs are allowed
- Developer provision of land and capital improvements for public uses.
- Dimensions and grading of parcels and a ceiling on the total number of structures permitted in the development.
- Permissible land uses
- Population density limits.
- Amendment procedures.
- Schedule of development and assurance of completion.
- Preservation of architectural, scenic, historic, or natural features of the area.

The PUD ordinance spells out the review process, opportunities for public involvement, and procedural guidelines. The community's comprehensive plan provides the overall context within which the proposed PUD developments fit in.

Administration

There are four general steps to developing a PUD:

Pre-application conference

The developer consults with planning staff on ordinance, process and project plans.

Site plan review

The site plan review consists of a detailed site analysis of existing features, often an on-site walkabout, and a discussion about project goals and possible design solutions.

Preliminary development plan

The plan includes specific documents and maps giving a legal description of the project, a detailed site plan and supporting maps. The plan commission holds a public hearing at which the developer presents the PUD proposal and the planning recommendations are made available for public review.

Final development plan

The final plan contains the detailed engineering drawings of the entire site and process for completion of the project. The entire site plan for the PUD will be reviewed as a single entity. The plan commission would, at this time, approve recording the plat.

Implementation

What is a floating zone?

A floating zone describes the permitted uses, setback requirements, and other

standards to be applied in the zone. It is not designated on the zoning map. Once enacted into law it “floats over” is available for use in any designated area in the ordinance. When an application for its use is approved, it is affixed to a particular parcel through an amendment to the zoning map.

Report Card: PHD

Cost of Implementation Above Average: The developer usually pays all project costs. Staff time or a paid consultant will be needed to create the ordinance and for project review.

Public Acceptance - Above Average:

Generally accepted if public has early input to design of the ordinance and issues are addressed.

Political Acceptance - Excellent. Politicians accept PUD as it is market and developer driven. If the public accepts the plan, politicians will also.

Equity and Fairness- Above Average: PUDs are perceived as fair because the developer pays for all project costs. Project impacts and externalities on the surrounding neighborhoods emerge if the project is not designed properly.

Administrative Complexity - Above Average: PUD proposals may involve more meetings than a standard subdivision project.

(This survey is based on a Delphi workshop in 2005 with educators and planners)

Buffer Zoning Ordinance

Between a PUD urban use and other uses a buffer zonation may be required. In Georgia, there are five guidelines on how to set up a buffer ordinance between incompatible uses so that they are mutually protected.

- *Minimum standards for* A good buffer ordinance will incorporate all state requirements into a single set of local regulations.
- *Flexibility and variance procedures*
The buffer ordinance should include variance criteria and procedures that are stringent but fair.
- *An exception for existing land uses.* Properties are only affected by the buffer ordinance when they change use—for example, when agricultural land is developed for residences.
- *Exceptions for specified activities.* Agriculture is traditionally outside the regulatory domain of local governments and may be exempted (although certain restrictions on pesticide and fertilizer application are appropriate). Forestry is acceptable within limits. Structures such as boat ramps are also excepted.
- *Guidelines for buffer crossings and restoration.* Crossings should be minimized, and restoration is sometimes necessary.

Reference: *Seth J. Wenger and Laurie Fowler* . February 2000. Protecting Stream and River Corridors Creating Effective Local Riparian Buffer Ordinances. Vol. 1, No. 1. Georgia: The Carl Vinson Institute of Government.

Planned Unit Development (PUD) Topics for Samoa

These mainland topics can be compared to those more appropriate to the situation of village and land development in American Samoa. A Preliminary list is provided below. It can be refined by better spelling out the use of land in traditional lifestyle and more modern urban settings:

More research is needed to refine the topics for a Samoan based PUD appropriate to the diverse situation of small villages versus Tafuna and Utulaei:

Community area, malae, playground recreation, graves sites

Church and church building

Clinic

School

Community Halls, business training

Council meeting Hall

Ancillary buildings to community facilities

Community and privacy in housing design and residential areas

Pulenu'u information & emergency office

Village emergency equipment shelter

Public and family parking

Stores

Small businesses

Aiga buildings

Garden plots

Plantation

Trees and vegetated areas

Garbage collection, recycling

Water, water wells, water storage tanks, water purification

Sewage

Drainage

Roads

Paths

Boat launching

Utility poles,

Utility pipes for water, energy, etc.

Disaster safe shelter

References:

Center for Land Use Education www.uwsp.edu/cnr/landcenter/ November 2005

CLUE's collaboration with the USDA, NRCS, GEM, and UWEX, entitled, "Partnership for Community Planning – Models for Land Use Education, Planning, and Management."

McMaster, Mary (n.d.) *Planned Unit Developments*. Planners Web Article 490 available at <http://www.plannersweb.com/wfiles/w490.html>

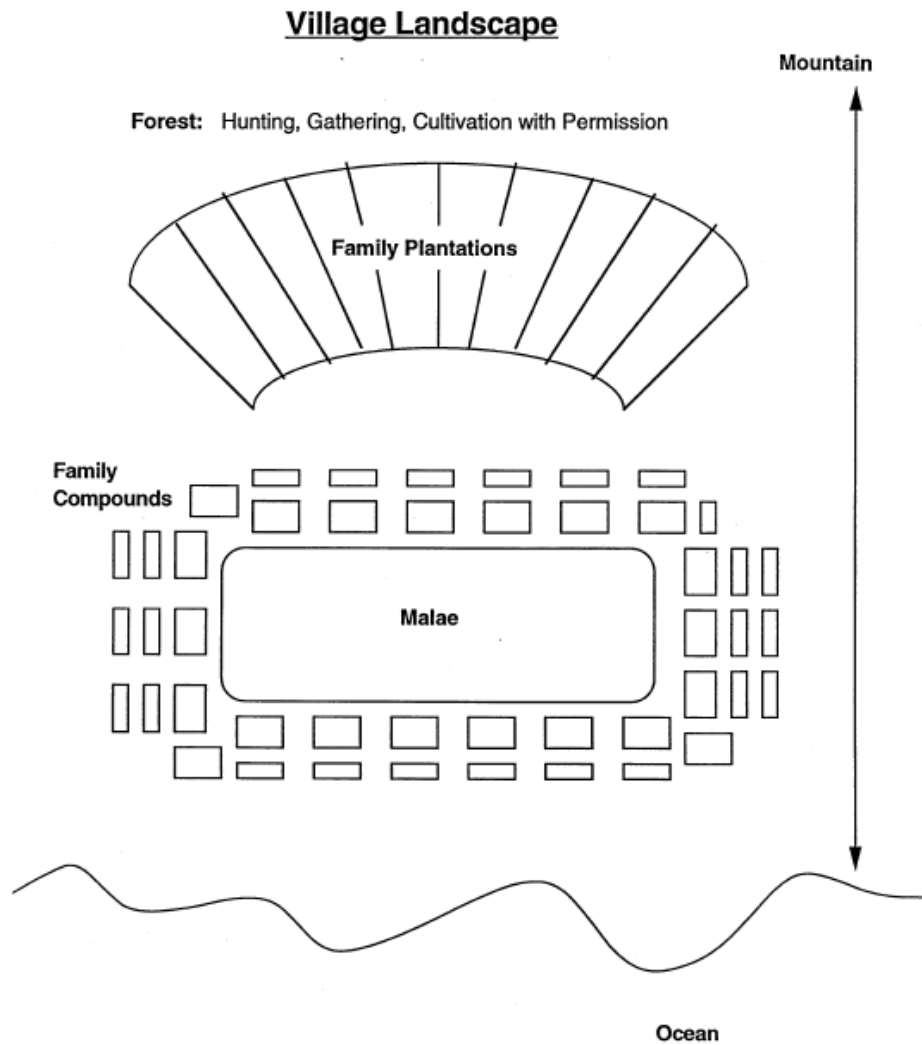
Armstrong, Melissa et al (1992). *Community Planning Handbook: Tools and Techniques for Guiding Community Change*. Michigan Society of Planning Officials, Rochester, MI.

Zoning, adapted by Kevin Struck. <http://www.uwsp.edu/cnr/landcenter/pubs.html>

Conservation Design

Some are urban and design standards other like conservation design involve also a planning process. A pilot study on village planning in American Samoa focusing on Tualauta County nicely visually explain the process and we can refer to it in the next two pages.

But before embarking in village conservation design and infill it is good to remember the prototype Samoan Village depicted below (Vaitogi Village comes to mind) where the malae is the central element of village spatial organization facing the sea, surrounded by the family compounds with their own guest houses and extended family houses, and family plantation inland toward the mountain.



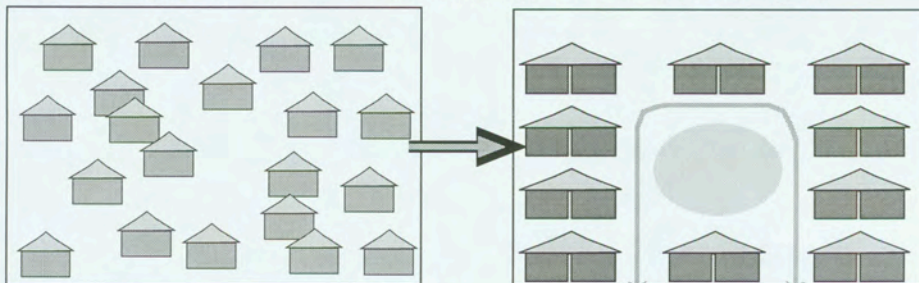
Pauline and Mikayo 2/28

Fig. 16 Conceptual Model of a Traditional Samoan Village

HOUSING

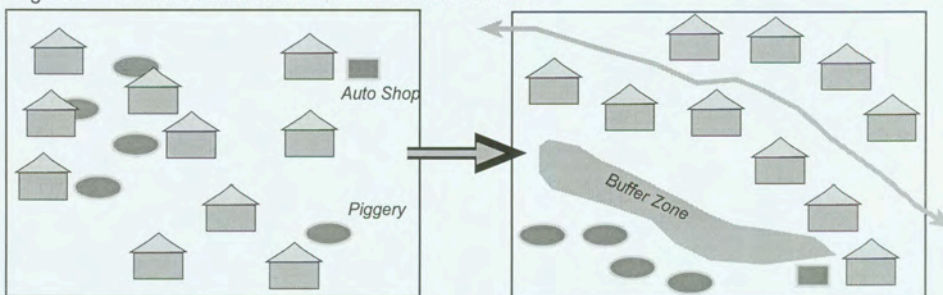
Replotting Scenarios

Figure 4 - Carrying Capacity Exceeded [too many people & houses for the land to hold]



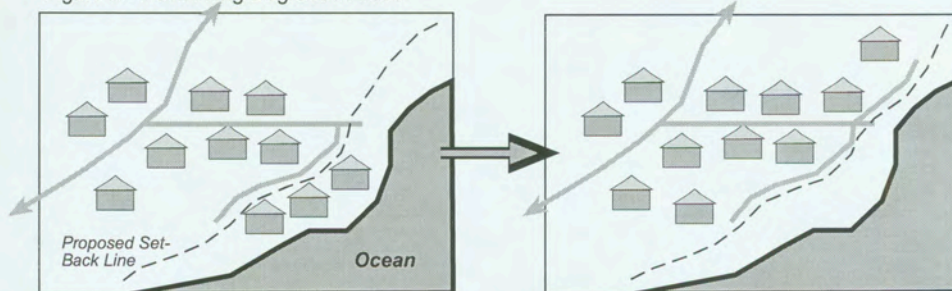
Higher density units can be built [apartments, duplexes] that allow the same number of people to live in an area with less infrastructure. This frees up land for agriculture, *malae*, cost-equity land, etc.

Figure 5 - Conflict Between Residences and Businesses



In this case a community might use replotting to set aside an area *downwind* and *downstream* for piggeries and certain small industries such as auto shops and gas stations. A **buffer zone** [ideally forest or thick scrub] could also be established to separate residences from the area.

Figure 6 - Reclaiming Degraded Areas



A community can use replotting to reclaim culturally or environmentally important areas that have already been developed on. In this case, a village wishes to establish a setback from the coast. The houses that are in the sensitive area will be removed, and relocated to a more acceptable area.

PLANNING FOR NEW DEVELOPMENT

1. CONSERVATION DESIGN

[aka: Planned Unit Development; Cluster Development]

This is an example of land that is to be developed. It abuts a paved road, has a small, intermittent stream, two groves of mixed hardwoods [including cacao, coconut, and breadfruit], and views of the surrounding mountains.

The owner would like to build 30 houses on the land.

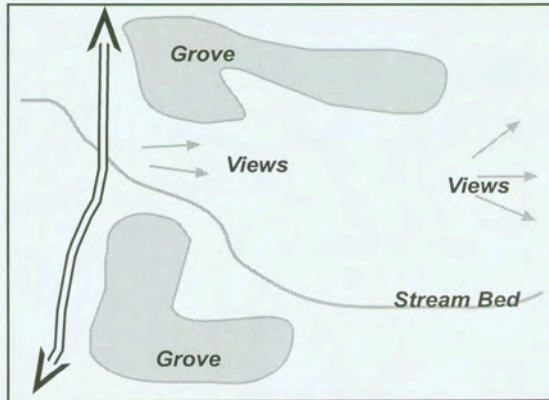


Figure 1 - Parcel to be developed

American-style **grid development** is very efficient, but ignores the physical beauty of the land and destroys its resources.

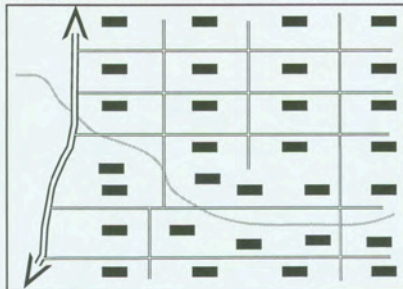


Figure 2 - American grid development

The current Samoan style of **laissez-faire development** preserves some aspects of the land, overruns others, and is inefficient.

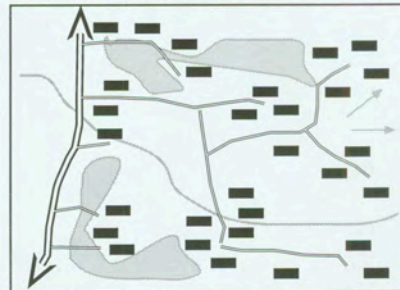


Figure 3 - Laissez-faire development

Conservation Design is a method of placing development in a culturally and ecologically sound manner.

Lot sizes are smaller than average, and houses are clustered closer together. This is done to preserve the resources of an area.

Much of the land remains communal, and public space is created.

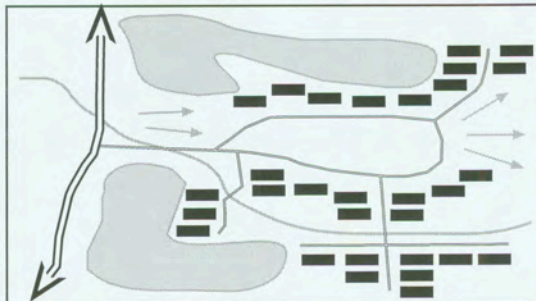


Figure 4 - Conservation Design

Four Steps for Conservation Design

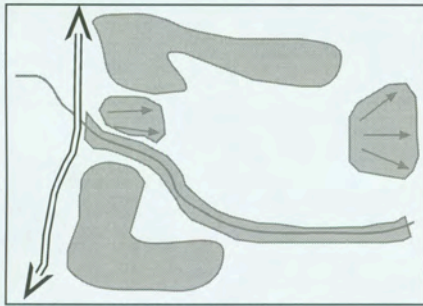


Figure 5 - Identify amenities

STEP 1: Identify potential conservation areas. In this example they are the stream bed, the views of the mountain, and the groves. Other potential areas include:

- CULTURAL: *malae, fale, falesa*, historic buildings, archaeological sites, agricultural lands, et al.
- ENVIRONMENTAL: wetlands, coasts, native forests and meadows, mountain slopes, watersheds, depressions, et al.
- AESTHETIC: open spaces, scenic views.

STEP 2: Identify the areas of potential development.

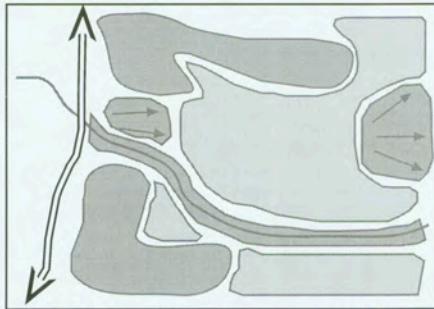


Figure 6 - Identify developable areas

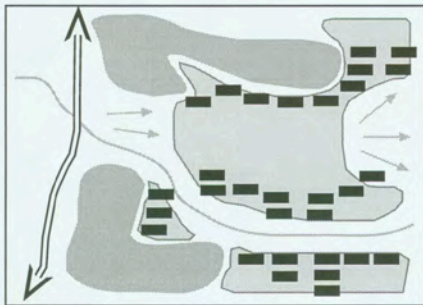


Figure 7 - Site houses

STEP 3: Place the houses and lots in the designated areas. With **Cluster Development** the same number of units as originally planned are placed, but they are clustered closer together. **Planned Unit Development** allows for an increased overall density in the area as well.

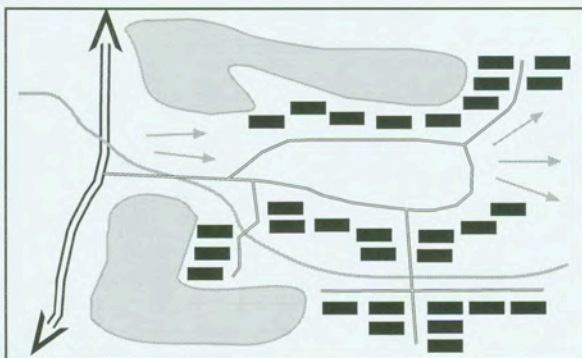


Figure 8 - Create circulation routes

STEP 4: The final step is the placing of roads. This should result in a neighborhood that is suited to the cultural and environmental character of the area.

Appendix A. Anacronyms

ANZ Australia New Zealand Bank
ASCAH American Samoa Council on Arts and Humanities
ASCC American Samoa Community College
ASCC/CHNRDASC C, Community and Natural Resources Division
ASEPA American Samoa Environmental Protection Agency
ASHPO American Samoa Historic Preservation Office
ASMCA American Samoa Medical Center Authority
ASPA American Samoa Power Authority
ASTCA American Samoa Telecommunications Authority
BOH Bank of Hawaii
CHAMBER Chamber of Commerce
CIP Capital Improvements Program
CRIAG Coral Reef Initiative Advisory Group
DAS Department of Administrative Services
DDPC Development Disabilities Planning Council
DHHS United States Department of Health and Human Services
DHR Department of Human Resources
DHSS Department of Human and Social Services
DLA Department of Legal Affairs
DLG Department of Local Government
DMWR Department of Marine and Wildlife Resources
DOA Department of Agriculture
DOC Department of Commerce
DOC/OT Department of Commerce, Office of Tourism
DOE Department of Education
DOH Department of Health
DOI/NPS US Department of the Interior, National Park Service
DOI/OIA US Department of the Interior, Office of Insular Affairs
DPA Department of Port Administration
DPPB Department of Program Planning and Budget
DPR Department of Parks and Recreation
DPS Department of Public Safety
DPW Department of Public Works
DT Department of the Treasury
DYWA Department of Youth and Women's Affairs
EAC American Samoa Economic Advisory Commission
FAA Federal Aviation Authority
FBNMS Fagatele Bay National Marine Sanctuary
FBPL Feleti Barstow Public Library
Fono Legislature of American Samoa
GOV Office of the Governor
GOV/FGC Office of the Governor, Federal Grants Coordinator
KVZK American Samoa Public Information Office (Broadcasting)
NMFS US Department of Commerce, National Marine Fisheries Service

NOAA National Oceanographic and Atmospheric Administration
NOC National Olympic Committee
NRCS National Resource Conservation Service
OFP Office of Federal Programs
OPAD Office of Protection and Advocacy
OPM Office of Petroleum Management
OTICIDE Office of Territorial and International Criminal Intelligence
P&RC American Samoa Parks and Recreation Commission
PNRS Project Notification and Review System
SFA Sports Federal of America
TAOA Territorial Administration on Aging
TEMCO Territorial Emergency Management Office
TEO Territorial Energy Office
TOFR Territorial Office of Fiscal Reform
TPC Territorial Planning Commission
UH-SSRI University of Hawaii, Social Science Research Institute
USCG United States Coast Guard
USF&WS United States Fish and Wildlife Service
WDC Workforce Development Commission
WHURP West Harbor Urban Renewal Program
WPRFMC Western Pacific Regional Fisheries Management Council

Appendix B. Existing American Samoa Government Agency Plans

ASCC Community and Natural Resources Plan of Work 2000 - 2004
ASCC Urban and Community Forestry Program, Five-Year Plan 1996 - 2000
American Samoa Medical Center Authority Strategic Plan 2000 - 2005
American Samoa Historic Preservation Plan- Five-Year State Plan 1997 - 2001
American Samoa Power Authority Water Utilities Plan 1995
2002 - 2005 Generation Construction Work Plan (ASPA)
American Samoa Workforce Development Plan 2000 - 2004
Territory of American Samoa's Child and Family Services Plan 2000 - 2004
Child Care and Development Fund Plan for American Samoa 2002 - 2003
Impacts of Rapid Population Growth in American Samoa: A Call to Action 2000
Assessment and Strategy for the American Samoa Coastal Management Program
American Samoa's Comprehensive Economic Development Strategy 2000
Tualaluta County Land Use Plan 2000
American Samoa CSBG Program Community Action Plan 2000 - 2003
Community Development and Planning Program Consolidated Plan 2002 - 2004
Territory of American Samoa Capital Improvements Program Plan 2002 - 2006
Health Workforce - 2000 Plus, Preparing for the 21st Century 1999
Initial Fiscal Reform Plan, 2001
Pago Pago International Airport Master Plan 1995
Department Port Administration Port Master Plan 1999
Territorial Comprehensive Outdoor Recreation Plan Five-Year Plan 1997 - 2002
The State Plan for the Library Services and Technology Act 1998 - 2002
Hazard Mitigation Plan for the Territory of American Samoa 2001
Rebuild American Samoa Partnership Action Plan 2000 - 2005
Marine Education and Wildlife Outreach Program Five-Year Plan 1998 - 2002
Marine Resources Research and Management Five-Year Plan 2001 - 2005

Appendix C. Proposed New and Required Agency and Comprehensive Plans

ASCC Community and Natural Resources Plan of Work 2000 - 2004
ASCC Urban and Community Forestry Program, Five-Year Plan 1996 - 2000
American Samoa Medical Center Authority Strategic Plan 2000 - 2005
American Samoa Historic Preservation Plan- Five-Year State Plan 1997 - 2001
American Samoa Power Authority Water Utilities Plan 1995
2002 - 2005 Generation Construction Work Plan (ASPA)
American Samoa Workforce Development Plan 2000 - 2004
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Rebuild American Samoa Partnership Action Plan 2000 - 2005
Marine Education and Wildlife Outreach Program Five-Year Plan 1998 - 2002
Marine Resources Research and Management Five-Year Plan 2001 - 2005

DOC spearheads 1st ever assessment of Aunu'u's economic development needs

by Samoa News staff

The Commerce Department is leading the government initiative to assess the economic development needs for Aunu'u, the first known type of economic development assessment for the island-village, whose economic base is dependent mostly on taro plantations.

According to a DOC news release, the move comes amid the success of the governor's Adopt-A-School initiative which not only forged partnerships between ASG agencies and the Department of Education but has also brought together ASG agencies to determine sustainable economic development opportunities in Aunu'u.

Hand in hand with the Aunu'u village council, DOC is leading the project to "assess the needs for planned use development and economic village based initiatives" which engages all stakeholders with the ASG agencies to provide meaningful actionable plans in Aunu'u.

"This model of collaboration will be replicated in Ta'u, inclusive in their development plan," said DOC, whose Adopt-a-School is A.P. Lutali Elementary School on Aunu'u.

"Aunu'u and Manu'a islands present different challenges and assessment of needs that require dialogue and commitment not just by the ASG agencies but also in partnership with the villages and village councils," said DOC director Kenisele Lafaele.

Acting territorial planner Liné-Noue Kruse authored several Department of Interior grant proposals that were awarded to ASG, and one grant is now funding the work that is being done in Aunu'u, and will be implemented in Manu'a.

Lafaele said the work in Aunu'u is in progress and there is much to be done, but a great deal has already been accomplished with the partnerships in Aunu'u and amongst ASG agencies.

"Sustainable economic development projects must be pursued with the village council in order to solve these challenges," he said. "This ASG partnership with the Aunu'u village focusing on economic and land development has quickly materialized into realistic yet constructive dialogue of what is possible in Aunu'u."

Lafaele and his staff, along with Tafuna Industrial Park manager Misipati Salanoa, Liné-Noue Kruse, University of Hawai'i professor of planning and architect Dr. Luciano Minerbi, project lead Leifiloa Carol, and GIS technician Kang Sevaio (Aunu'u resident) have met with Aunu'u Rep. Talaimatai Elisara Su'a, Aunu'u mayor Aleaga Nili, and the village council "to solidify this partnership, expected outputs, and goals of this work in Aunu'u which has already produced a

report from the village council to DOC on the needs and economic opportunities in Aunu'u.

Director of Education Vaitinasa Dr. Salu Hunkin-Finau authorized a space at the A.P. Lutali Elementary for the DOC to work closely with the Adopt-A-School program and to coordinate and implement economic initiatives in Aunu'u.

"It is the intention of the DOC to engage administrators, teachers and students of A.P. Lutali Elementary in shaping the outcome of the economic development of their community," said Lafaele.

DOC said it sought out ASG intra-agency collaboration on what implementation framework will be needed to address economic opportunities in Manu'a as well as address economic initiatives in Aunu'u to further the project.

ASPA Executive Director Utu Abe Malae, ASEPA director Ameko Pato, DPW director Faleosina Voigt, and ASHPO director David Herdrich are collaborators on the project to assess economic and land opportunities in Aunu'u.

ASG's team that was present during a site visit last Wednesday with Rep. Talaimatai included Pato, ASEPA Deputy Director Fa'amao Asalele, water specialist Casuallen Fale, ASPA water division manager Taylor Savusa, and water chief operator Danielle Meleah.

The site visit explored what challenges and opportunities exist to develop any desired sector by the village council in coordination with DOC.

Historically, said DOC, the two main sources of economic activity for the Aunu'u people for the last fifty years are taro and making "faausi", a Samoan food item, which is made of taro (or tapioca).

(Samoa News should point out that not mentioned in the media release is the "special" taro Aunu'u is historical known for — a dark purplish taro, grown in Aunu'u's swamp area — which many 'old timers' describe as having the smooth texture when eaten of "pulu-kamu" or "bubble gum", while still tasting like taro or tapioca.)

DOC said the Aunu'u village council submitted to them their economic development challenges, identifying agriculture as a challenging sector to advance. "The two main challenges identified is the declining motivation for young men and women to work the taro plantation and the fau tree invasion on the taro plantation," said DOC.

Adding to the challenges of agricultural production is the belief that there is a disease affecting the taro plantations and possible leaching of lead from the scrap metal in the landfill that is hurting the

tilapia.

The identified prioritized needs for the island are an elementary school van, passenger vessel, health clinic, cement road around the entire island connected to their evacuation routes, and fortified sea wall from the wharf to the A.P. Lutali Elementary school.

DOC said it has already moved on the agricultural segment of economic opportunity by developing zoning maps by Kruse and Minerbi to recommend zonation that will demarcate the existing urban area from the areas of conservation and agriculture to ensure longevity to any agriculture intensification program.

Coastal zone manager Sandra Lutu is sending GIS technicians Kang Sevaio and Robert Koch to conduct GPS mapping of the agricultural lands and urban areas to survey how much lands are actually being farmed for agricultural purposes and what lands are then left for possible intensification of taro, mango, moli, pineapple, banana, peas, cucumber, and pumpkin.

The GPS mapping will assist the village, DOC, and other ASG agencies to understand what is currently being farmed and used for family consumption, thereby ensuring food security for the island and what lands are available for intensification of commercial export.

The existing taro cultivation is currently being done on communal lands which the communities must identify human resources that exist on island to commit to agricultural intensification programs.

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Wednesday, December 11th 2013 @ 5:30pm

Naumati Room, Tradewinds Hotel

David Robinson, current Chairman, will be Reviewing our 2013 highlights.

Election of a new Board of Directors to serve thru 2014 will take place at this meeting. We encourage all members to come and participate.

If you wish to be on the ballot, require proxy forms, or need other information, please contact:

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