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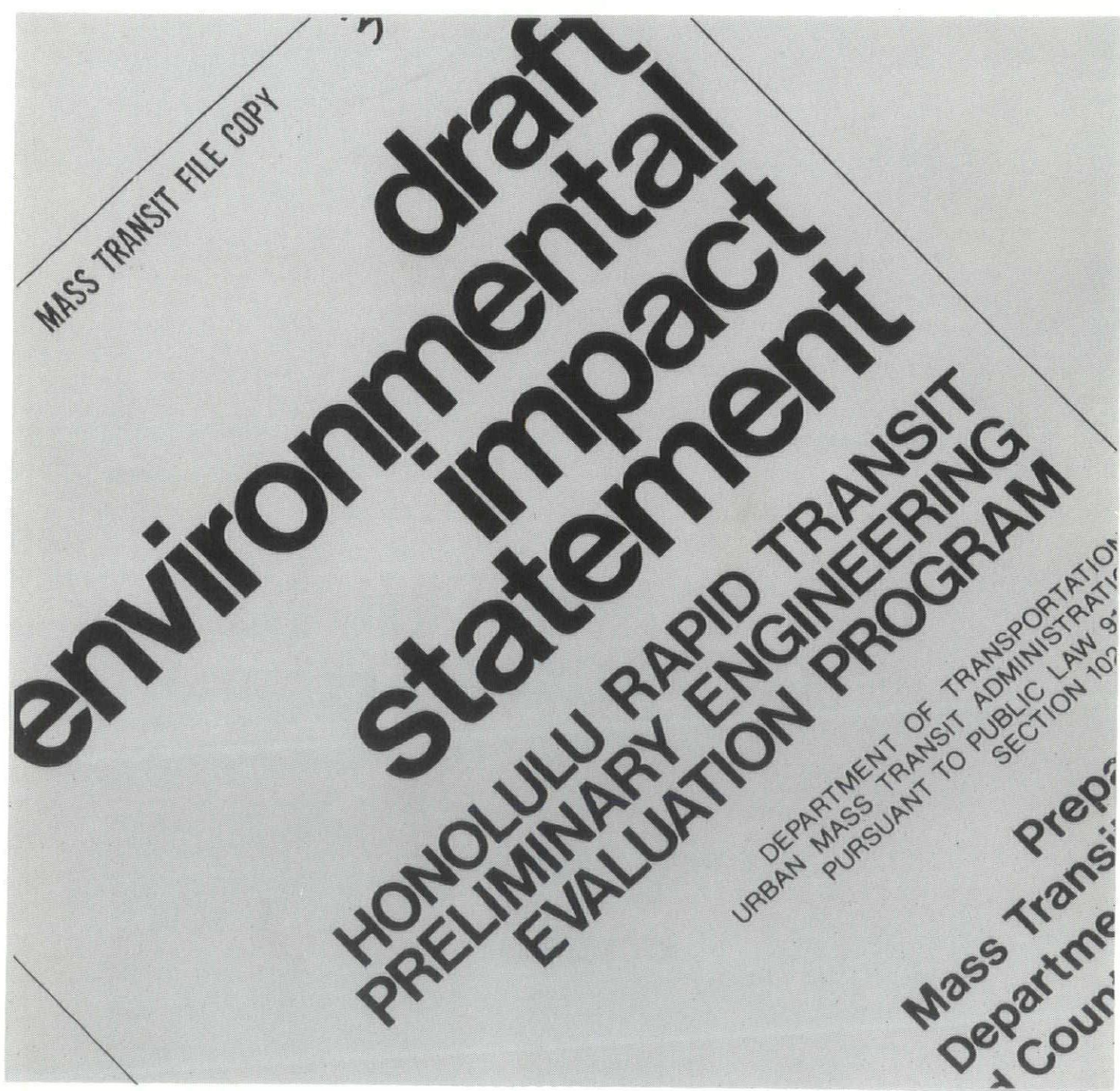
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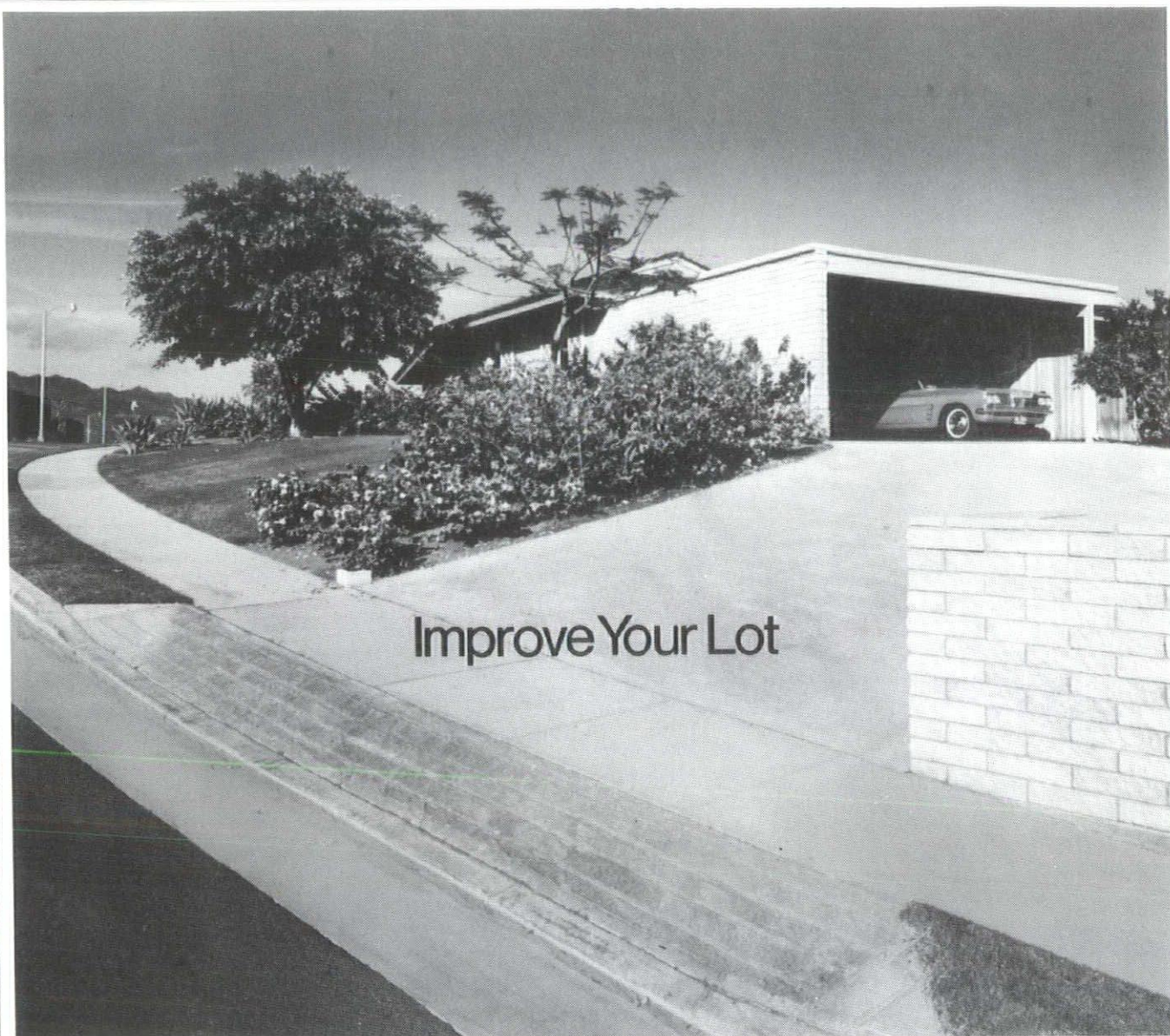
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Architects, Politics and Money

Honolulu Star-Bulletin reporter Tom Coffman has documented and brought to public attention a problem we have known about. Not all of Hawaii's architects are participants in the political payoff system, but those of us who have known about the practices and remained silent share the guilt with the actual participants.

Not all State work is given out in the manner Coffman describes. Many major projects — the Capitol Building and several University buildings for instance — do not fit into the pattern. But that does not make the practice, where it does exist, more acceptable. If it exists for even one case — we should be concerned.

Hawaii Architect has initiated an investigation that will lead to a series of articles on how other cities and states conduct architectural procurement. The Brooks Bill set up some good procedures at the Federal level, the State of California school system has some good points, New York State has others. We will find out what others are doing, then

make suggestions as to what we might do. AIA support of an effective and fair selection process could produce a much better situation, as well as better architecture.

The involvement of the development and construction industry as a whole is touched upon by Coffman, but not documented. No names and amounts are given, but there is no question but that the situation he documented re the architects is merely "the tip of the iceberg."

The real problem lies with the manner in which political campaigns are run. Campaign reform is a top priority item with Common Cause and Citizens for Hawaii. Although politics and elections would seem on the surface to be out of range of direct concern for the AIA, Coffman's articles demonstrated that they are not. AIA support for campaign reform, and AIA adoption of a no-political-contribution policy for all members, such as that adopted by New York City's architects, should be a first priority item for the Hawaii Chapter.

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Impact Statements Have Their Own Impact

by Thomas Creighton AIA
from the Honolulu Star-
Bulletin & Advertiser.
Sunday February 4

It may be time again for concerned citizens as well as business enterprises and public agencies to consider the nature of that new creature called an EIS: the environmental impact statement. For one thing several major impact statements are very much in public scrutiny — notably the one intended to assess the environmental effects of the fixed-rail rapid transit system that Honolulu is considering and, still unresolved, the one supposed to measure impacts of the H-3 Freeway.

Another reason to be clear about the purpose of such statements and their potential value is that the Legislature will consider this year a bill that would extend the requirement to prepare them to private developers as well as public agencies.

Any commission or board or council acting on a request for rezoning of land or approval of a development should, of course, consider what the impact on the environment is likely to be. The trouble is that the facts are not usually available or are partial and inadequate.

Recently an application for approval of a certain action by a private entrepreneur (not now required to provide an EIS) was presented to the Honolulu Planning Commission with a consultant's analysis of potential noise and dust pollution. This was referred to by the applicant as an "environmental impact statement," and was even called that by several State agencies that responded to it. It was not, by any stretching of the term, and such misuse of words can be dangerously confusing.

There are Federal and State requirements, regulations, guidelines and forms for an EIS and there is no reason why anyone should be unclear about meanings. The Federal law (Section 102-C of

the National Environmental Policy Act of 1969) requires all agencies of the Federal government to include in any proposal for legislation and other "major" Federal action "significantly affecting the quality of the environment" a detailed statement of its potential environmental effects.

The law briefly outlines the matters to be included in the statement, and these are amplified in guidelines. Further, the nature of what is required has been specifically interpreted in numerous court decisions.

Hawaii's State requirements are contained in an Executive Order signed by the Governor in 1971. It calls for all State agencies to file environmental impact statements for projects using State lands or State funds. The specific regulations and the essential content of these locally required statements of impact are similar to those called for in the Federal law. In fact, the 10 states that have their own EIS requirements lean heavily on the NEPA — the National Environmental Policy Act — for guidelines and procedures.

What is asked for, then, in an "official" EIS, Federal or State? Five items, briefly described as follows:

- The environmental impact of the proposed action.
- Any adverse environmental effects which cannot be avoided should the proposal be implemented.
- Alternatives to the proposed action.
- The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
- Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

This column has noted previously the provisions for public review of these required assessments, countering somewhat the fact that any EIS is likely to be self-serving and argumentative rather than objective. There are also certain interpretations and definitions that remain "moot."

For example, how big is a "major" action and how important is "signifi-

cant" impact; is no action at all one of the alternatives to the proposed action that should be studied; how much attention must be paid, in the final EIS, to opposing arguments (usually by citizen groups); who evaluates the evaluations in an individual impact statement and who does anything about it?

Despite these questions, the definition of an EIS and its required content are by now quite clear. As a recent government report noted, "court decisions have confirmed beyond doubt that together they (the five categories of content listed above) are intended to bring full disclosure of the environmental implications of an impending decision."

That is certainly a big step forward in public decision making. The big questions that remain, however, will be fully debated in this session of Hawaii's Legislature. Perhaps the most important ones are these:

- Can definition of the word "environment" be broadened — as more and more people wish — to include social and economic factors? If there is an impact on life styles, or on public or private incomes, isn't that as important as purely ecological effects?

- Should requirements be broadened to call for impact statements from private petitioners as well as public agencies? If the principle is valid, all public decisions, not just a few, should be based on impact analysis rather than hunch, bias or subjective judgments.

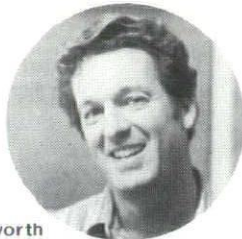
- Finally, if applicants for public approvals are required to assess impacts for individual projects or other related actions, shouldn't the State be required to have enough data to calculate total impact on the total State environment? An EIS for one development can assess its impact on highway traffic, for example, or loss of pineapple fields or pig-farm land. But shouldn't the State be required then, to evaluate the cumulative effect of many such individual impacts?

It should be an interesting debate. Starts have been made toward answering all of these questions, but there's still much public confusion about the potentials of impact analysis.



Chuck Fitzgerald

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Why California Stopped Building

from Business Week, February 4

For a few days this month, California all but stopped growing. Some cities flatly refused to issue building permits. Others warned builders to proceed at their own risk — "Just like what you see on a pack of cigarettes," cracked a supervisor in Oakland's building department.

Things had eased a trifle by mid-week, but growth, the state's largest industry, was still reeling from a California Supreme Court ruling that requires an environmental impact statement to be filed with requests for building permits on all private construction where there is "significant impact on the environment." "California's billion-dollar construction industry will come to a screeching halt," complained one builder.

California has required such statements on all state and federal public buildings since 1970, when its own Environmental Quality Act went into effect and when the National Environmental Protection Act was passed. Environmentalists have argued that the same standards should be applied to private buildings, too, and now the state's supreme court agrees. These impact statements include assessments of such things as the effects of construction on wildlife, ground and surface water patterns, the climate, and the esthetics of an area. Also, the possibility of earthquakes and surviving them may be assessed.

The ruling sparked a series of frantic maneuverings around the state to fulfill the requirements. In San Jose, the city council this week laid down a set of guidelines and provided personnel from its own planning and public works departments to help developers and builders write impact reports. In San Francisco, the planning commission adopted guidelines on what the reports should include, and the city will start processing major building permits when it works out procedures.

Confusion. With each major city adopting its own guidelines, however, confusion persists. Says Robert A. Kenealey, deputy city attorney for San

Francisco: "A big developer would be following a different set of guidelines in every city and county where he is working. That's a difficult situation." Most cities have resumed issuing permits for routine jobs, such as single-family dwellings and interior repairs. Now they are trying to find out where to go from there.

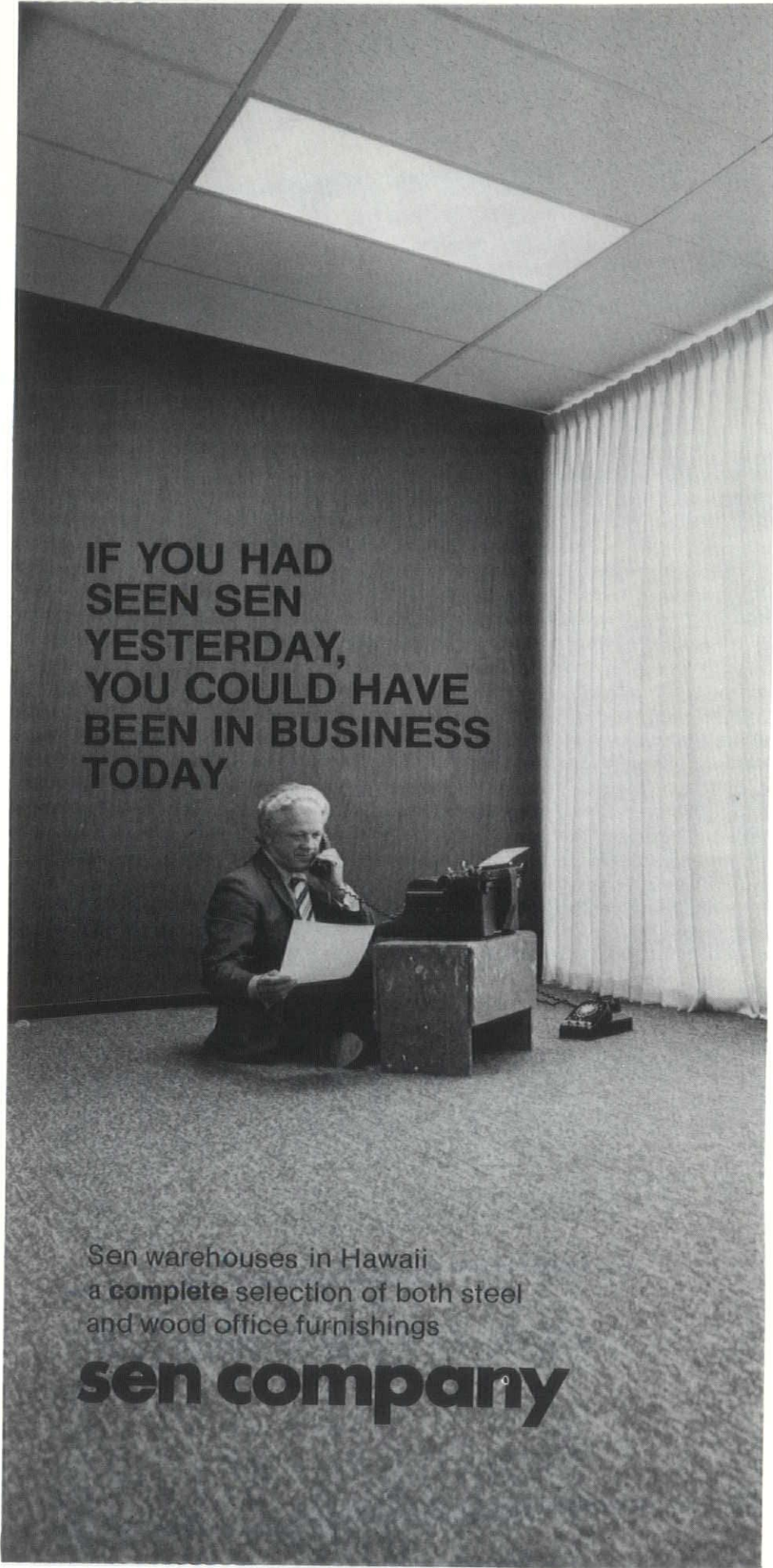
The cost of these studies will depend on the specific job. Donald E. Nelson, the Dames & Moore partner in charge of land planning and development, says an impact statement for a new gasoline station could cost anywhere from \$5,000 to \$10,000. "As a rule of thumb, any report on a project in environmentally sensitive Santa Barbara County will take twice as long as one in San Diego County," he says.

Builders' view. Apparently because of their longer lead times, industrial building projects do not appear to have been drastically hit by the ruling, through Dames & Moore says one building materials producer has asked for help. But residential developers and builders are screaming. George R. McKeon, chairman of McKeon Construction of Sacramento, which builds condominium apartments and town houses, claims to have \$9-million worth of construction tied up by the ruling. "I hope they shut this entire industry down," he growls. "Until the public realizes the gravity of the situation, this kind of legislation will continue to be enacted."

At Laguna Niguel, an 8,000-acre new town being built by Avco Corp. in southern Orange County, 43 projects worth \$300-million have been stalled, says Raymond A. Peloso, general manager. "We've got \$400,000 of front-end money tied up in one project alone," he complains, "and the bills come in daily."

Irvine Co., the largest private landowner in Orange County, has 21 projects that are probably affected by the freeze, says Raymond C. Watson, executive vice-president for land development. Watson says Irvine has hired consultants to do environmental reports on urgent projects.

California's attorney general, Evelle J. Younger, who favors the decision, says he will ask the court for a grace period of several months before localities have to comply with its decision, but any relief from the court's ruling will have to come from the state legislature, which does not convene until November 8.



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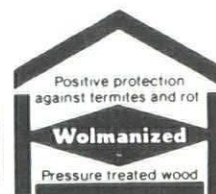
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Environmental Impact Statements and Planning Responsibility

A policy statement of the Environmental Development Council

Environment is defined in Webster's dictionary as "all the conditions, circumstances and influences surrounding and affecting the development of an organism or a group of organisms" as opposed to heredity. It is much more inclusive than mere economic, social or ecological considerations and encompasses them all.

Understanding our present environment and deciding what the environment should be at given future intervals is a function of planning.

When we are referring to the environment of the entire State the planning and policy making function should be done at the highest level of State Government and clear guidelines ought to be established for the implementation of these decisions by line agencies of government including the counties. If the State decides to turn such planning and policy decisions to the various counties it does so either because it has decided that the environment of the whole State will be best planned and implemented by a composite of county decisions or it has made a policy decision that "home rule" is a more important goal than planning for a Statewide environmental policy. A middle alternative is for the State to retain the planning and policy decisions that it considers essential to direct the total environment and grant policy autonomy to the counties only within limited areas and in accordance with guidelines which implement the State's planning and policy decisions.

What we are talking about must be directed from the top. The Legislature must establish policy; i.e., what this State's environment should be, and then create the administrative machinery to implement this. This policy decision must be made over and over again if we are to have an environment responsive to our needs.

One would think that the Department of Planning and Economic Development would be the staff agency responsible for planning. And yet the statutes provide "It shall be the objec-

tive of the department of planning and economic development to make broad policy determinations with respect to economic development in the State and to stimulate through research and demonstration projects those industrial and economic development efforts which offer the most immediate promise of expanding the economy of the State." (Sec. 201-2 HRS.) Only as an aside is the director of the department told to prepare a general plan of the State, in sections, one for each county and to offer planning assistance to the counties. (Sec. 201-23 and 24). The real policy decisions in the planning field have been left to the counties.

In reading the entire Chapter 201 one is struck with the realization that the thrust of the legislation is planning for economic development — not planning for a total environment.

This was the policy decision of the Legislature at the time of enactment, but it should be reviewed in the light of the present. The Legislature has established numerous commissions as band aid measures, but these do not make up for the fact that the citizens of this State are being denied the benefit of a top level State determination of policy which will plan the totality of our environment. We don't know where we are or where we are going, and we won't have the means to find out until it is too late.

The Commission on the Year 2000, the Commission on Population Stabilization, the powers given to the Department of Health relating to pollution control, the Office of Environmental Quality Control, the Special Assistant on Housing, attempts to preserve open space and this Senate Bill 36 are all band aid measures that can't hide the fact that we lack coordinated top level planning. As such they create a proliferation of policy decisions on lower levels which often conflict with one another and with county policy decisions.

For example, the definition of the General Plan to be developed by the Director of Planning and Economic Development reads, "General plan" means a long-range, comprehensive plan which serves as a guide for the future

physical and economic development of the State. This plan shall include but not be limited to a map of each county with a statement of development objectives including (A) a land use element, (B) a transportation element, (C) a public facility element, and (D) a population density element." (Ch. 201-21(6)).

It is obvious this definition needs to be restated if it is to function as a policy tool for our total environmental planning. As written now it relates to physical and economic development. But the requirement of a population density element is significant and should not duplicate or conflict with the work of a Commission on Population Stabilization. Note also that the Land Use Commission in its charge to classify lands is instructed to provide in urban use "a sufficient reserve area for foreseeable urban growth: and at the same time to give the "greatest possible protection . . . to those lands with a high capacity for intensive cultivation" in establishing agricultural boundaries.

But what happens when the two goals become increasingly incompatible? Who decides the policy?

The Land Use Commission has no planning powers and has not been given guidelines for policy decision. In fact, though, it must make these decisions by default of their being made elsewhere.

We object to Senate Bill 36 and similar legislation requiring environmental impact statements on these grounds. It proposes to improve the environment by requiring the submission of impact statements and yet there is no top level policy against which to evaluate the impact.

It interjects a new level of government into the process, without guidelines, and gives them final policy decision power without defining goals, without defining "environment" and without giving any criteria for the decision making process.

It asks low level bureaucrats to make thousands of policy decisions in individual instances far beyond the scope of their expertise.

It makes the submission of an impact statement "an additional means of

Continued on Page 13

Environmental Impact Statements Could Be Desirable



by Margo Wood, President
Environmental Development Council
from an address to the American
Society for Public Administration,
Feb. 8

Environmental impact statements could be desirable, provided the system is not an insulated process layer but an integrated part of the planning procedures. The way it's headed now is a measure that imposes a requirement through broad conceptual recognition of a need but fails because the guidelines of workability have not been thought through. Simply by calling it a statement we have already separated it into an independent task vehicle.

Environmental concern should not just become visible at the development level. It must be among the first criteria of overall State growth policy and of land use decision. Responsibility to the totality of environmental concern cannot be discharged by reporting on projects piecemeal without the long-term overall view. Projects can be small individually but cumulatively large over a period of years. They can also trigger decisions which are precedent for action in larger cases or represent a decision in principle about a future, more significant course of action.

If we do not have a long-term or even mid-term view of where the State is going in terms of growth policy, how can we determine whether a private project will have a significant effect on the total environment — because we don't know what that environment will

be. Instead of creating a paragon of environmental concern, why not improve our land use and zoning system, by incorporating it.

We should observe the California situation and not copy it but learn from it. If we do not do it better, then our plagiarism could give us answers we cannot live with. Instead of drawing up a better bill in a rush, let's examine our basic land use and growth patterns in Hawaii.

If the State discharges its environmental responsibility at land use level, the developer could possibly garner and collate the information necessary when he completes his regular feasibility study. Perhaps a draft preliminary statement. Within the process of land use change and zoning change, we have all the tools to ensure that the questions of environmental impact have been studied and discharged. It should be a part of the process rather than a judgmental procedure slapped on the project to test the validity of the approvals and the credibility of the statement.

The area of citizen protest is concerning. The time delays during these controversies are costly. The right to pick apart an environmental impact statement may be constitutionally just, but there must be a way to divide the frivolous and emotional objections from the valid — a way to avoid instant environmental evaluators by setting up some simple ground rules: a time schedule, credentials, and documentation of the objection. Taxpayers pay the cost of delays.

Setting up another layer of government is adding to an already cumbersome approvals procedure. Moreover it is a tax load for every citizen.

It is hoped that our politicians, in readiness to respond to the public's demand for solutions, would not deal with this issue in a shortsighted program but will approach it calmly with rational remedies.

We must address ourselves sociologically and economically to the public interest when dealing with the checks and balances of environmental concern. We should not, however, put such an impossible burden on (and consequently get questionable results from) the human evaluator, as to have that person's viewpoint on the quality of life affecting other people. Interpreting economic, social, and environmental considerations in harmonious balance with a proposed project is highly subjective and personalistic interpretation of a high quality of life. Such notions are perceived differently by practically every individual in society.

Summing up the points, they are:

1—The discharge of environmental concern must be an integral part of our land use policies and our planning process.

2—The creation of this device should not require another step added to the already overburdened agency process.

3—The guidelines and administration of this measure are more important than the enabling legislation itself. These same guidelines must be formulated concurrent with the Act itself or the lawmakers won't know what they are passing.

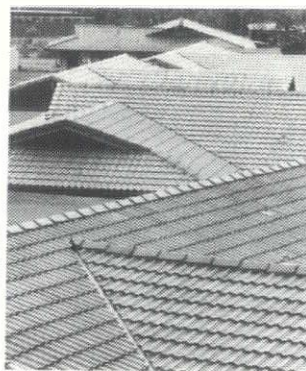
4—We must set up guidelines to avoid frivolous objection and improve the clarity of valid ones.

5—There must be a just and reasonable time limit schedule in the processing and approval stage.

6—We should not place such an arbitrary burden on individuals as to solicit their judgmental viewpoint on a quality of life level.

The environmental impact statement issue might be seen not as an entity but as the catalyst that prods and provokes us to evaluate our growth policy, our land use law, our urban programs and our methodology in carrying them out. We have nothing to lose by trying new measures and perhaps much to gain.

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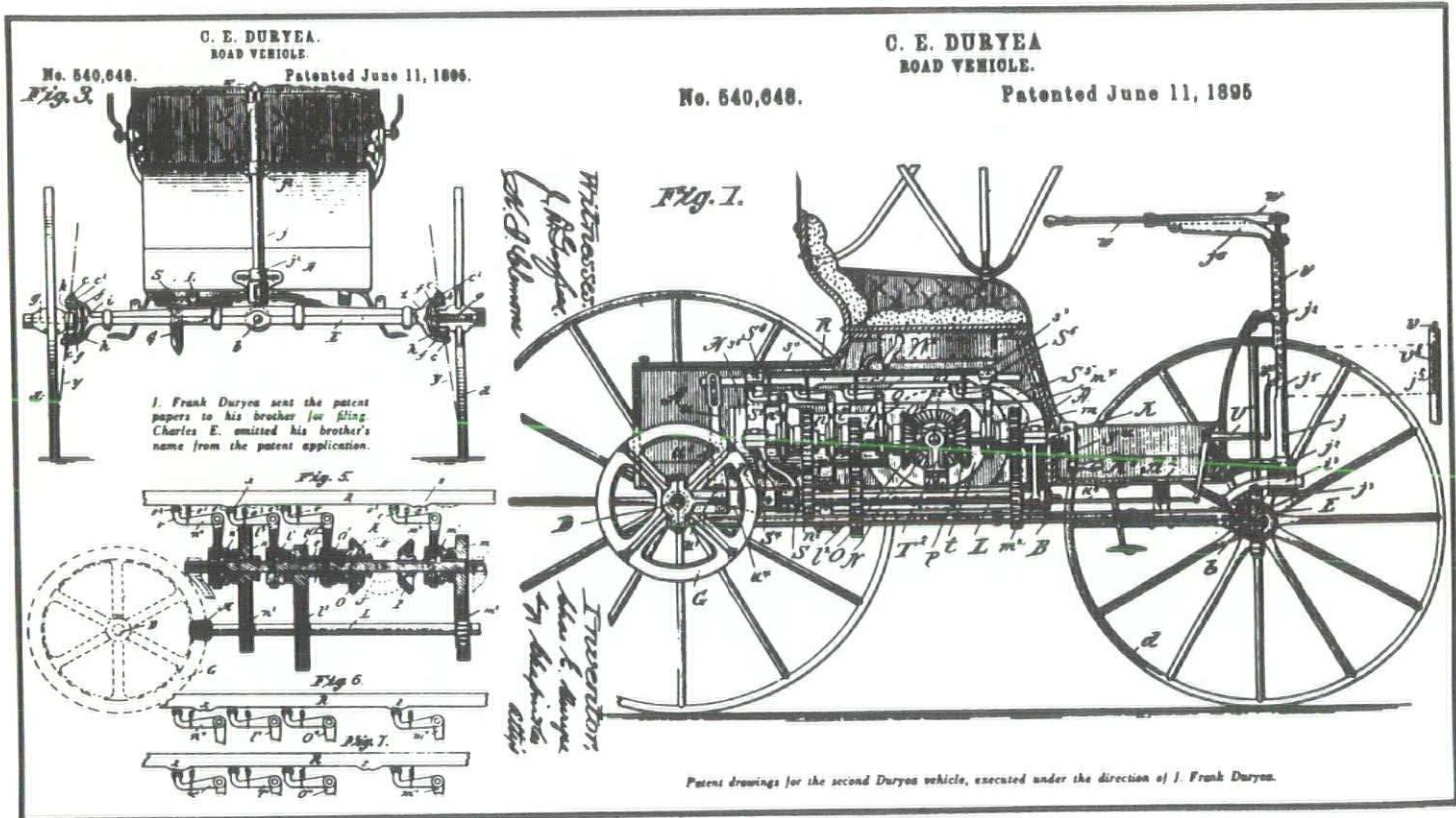
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Hawaii Architect

An EIS for the EIS

Reprinted from the Honolulu
Star Bulletin, February 3, 1973
Editorial

For those who deal even with the fringes of government the initials EIS may as well be learned now. They are going to be around awhile.

One of the major inventions and weapons of the environmental movement is the environmental impact statement (EIS).

Environmental policies, federal and state, already require an approved EIS on every major public project before it can proceed. There is strong pressure to extend the policy to major private projects as well.

Knowledgeable young men in the field are setting up private offices and preparing fancy fee schedules for the avalanche of work and paperwork they see ahead.

The purpose of the EIS is a good bit like the Stop, Look and Listen signs of railroad days.

It requires public developers to weigh the impact of their projects on other parts of the environment before they can proceed. It is a corrective against the tunnel vision (and we had lots of it) of designers and planners who had a

single goal — build a road, build an airport, build a bridge — and never thought of the impact on the neighbors and the total community.

Given a thoughtful EIS done in advance, the odds are the multi-billion dollar U.S. Defense Highway System would be a lot different than it is. Stewart Udall, one of its sponsors, says he might never have proposed it.

There would be a lot more trees standing in America today. More roads would go around beauty spots instead of destructively through them.

This is the good side of the EIS.

The bad side ought to be noted, too. Honolulu has a good current example. We have been fighting for years for a new Sand Island Sewage Treatment Plant. Finally the Federal matching funds came through last month and it looked as though we could get going.

But no. There's no ready EIS — and it will take at least nine months to write one and put it through the clearance processes.

That is if all goes well.

But it will take much longer if some foe of the project decides to challenge the EIS in court for real or imaginary shortcomings.

EIS is a handle that can easily be

grabbed to delay a project, even a desirable one.

Locally construction of H-3 is still held up by an EIS fight in court. Construction of the seaward runway was delayed for months.

All by itself EIS is thus a weapon to slow development and make it more expensive through both delays and higher costs. There are times when this will be in the public interests, but there are other times, too — as the sewage treatment plant example suggests.

Part of the trouble with the EIS today is that a good many carts are in front of the EIS horse. Projects like H-3, the seaward runway and the sewage plant were first planned when there were no EIS requirements. Handling EIS questions late in the planning stage makes them more difficult to deal with.

We can thus expect some automatic EIS improvement as the idea becomes better established and EIS work is integrated into the planning process.

But the paper already used for EIS statements amounts to the output of quite a few acres of forest that might not have been leveled otherwise. We ought to take a harder look at ways to streamline the EIS process before we allow it to expand willy-nilly.

Continued from Page 9

maintaining and improving the environmental quality of the State," instead of making it a planning tool.

It asks a new layer of government to make policy decisions currently being made by the Department of Health, the County Planning and Public Works and Building Departments and does not recognize the overlapping and conflict this will cause.

It disregards the time delays and uncertainty caused by having another agency making top level policy decisions at this level.

It disregards delays caused by citizens arguing top level planning policy at this level on a case by case basis without clear direction from the State and makes no provision for limiting legal challenges, inevitable because of the ambiguity of the bill.

In total we oppose the bill, because it is an abdication by the Legislature of the duty of making policy decisions to plan our environment.

This bill is a symptom of our problem and does not even come close to correcting the cause of our problem.

The Legislature must establish a top level State planning process if it wants to control the total State environment.

The most likely approach is to expand the role of the Department of Planning and Economic Development in the planning process and to give it directional guidelines.

Development and enactment of a meaningful Statewide general plan to shape the environment should be the goal. The data accumulated and the direction outlined in this plan would then be the criteria against which lower levels of government could judge the environmental impact of what they were doing.

In the private sector, significant environmental impact could be evaluated by an impact statement at the land use or planning stage against meaningful criteria. Ecological impact would continue to be handled by the individual

agencies. The Department of Health would handle sanitation and pollution. The Department of Public Works would handle grading, grubbing, stockpiling and silting. The Land Use Commission would handle preservation of prime agriculture land. City Planning would handle subdivision control, open space, park dedication.

These ecological decisions would then be made in the light of a total environmental plan, as could decisions of traffic, transportation, school capacities, building and safety codes, zoning and economic development.

The concept of bills like Senate Bill 36 is putting the cart before the horse. We support a detailed review of the Statewide planning process with a view toward establishing environmental planning on a Statewide basis using environmental impact statements as a tool in this process. For this reason we would support measures such as Senate Resolution 14 and Senate Bill 653 on planning.

Architectural Disasters — Who Is to Blame ?

by Hans H. Riecke, AIA
Hammarberg, Herman, Riecke

In a recent speech on Maui, Shunichi Kimura, the Mayor of Hawaii, complained that many architects, particularly Mainland architects, design their buildings in the Islands not in the tradition of Hawaiian architecture and thereby create what he called "architectural disasters." I am not sure what the Mayor calls "Hawaiian architecture" but my guess is that he has low wooden buildings with large roof overhangs in the midst of palm trees in mind.

I do agree with the Mayor that many contemporary buildings do not fit this image and many do not fit into their surroundings very well. But does the blame rest solely with the architects?

When an architect gets involved with a project, the zoning for the property for which he is asked to design a building usually has been established. What the Mayor apparently overlooks is the fact that the zoning determines the structure which will eventually appear on a parcel of land much more profoundly than an architect ever can. The zoning fixes the number of stories, the floor area of the building, the type of occupancy, the setbacks and numerous other aspects.

It should be understood that when a parcel of land is being zoned, its use is being fixed because from that day on it is bought and sold at a price based on its maximum use permissible under the latest established zoning. For instance, if a landowner asks an architect to design a building for him on land which is zoned for high-rise construction there is no way a low-rise building can be designed for this land by the architect unless the owner is willing to take a loss. The architect may be convinced that a low building would be much better suited for the land in question, but this does not mean much to the owner who stands to lose thousands of dollars. The

architect only has the choice of either turning down the job or doing the best he can under the circumstances. Most architects are not wealthy enough to be able to refuse jobs they do not particularly care for. Besides, they would be skirting the challenge of arriving at an acceptable solution under undesirable limitations. As a practicing and active architect on Maui, I find myself in conflict with my own theories numerous times, and I am not always proud of what I helped to create. I do not like to be blamed for something I have so little control over, however.

What the public should understand is that zoning is not only the key to land use but also establishes to a large degree the type and appearance of buildings which will eventually appear on a given piece of property.

I submit that our present zoning laws and procedures need major revisions so that the "architectural disasters" Kimura was talking about will not be made inevitable by unwise and insensitive zoning. Land is our most valuable resource and zoning is the only legal tool available to protect not only the public from its misuse, but also to promote the design of more fitting buildings.

Can "Progress" Be Stopped?

Land planning and zoning is one of the most challenging and complex undertakings. Through the power of zoning, government can shape the development of towns, cities, and regions for many years to come. It is for this reason that zoning of any parcel of land should be done with the utmost care.

The Island of Maui is at the crossroads today. Our zoning can continue in the fashion it has in the past or we can take a new direction and develop land that is to be zoned in the future on the

basis of a totally different concept.

Under this concept we look at the Island of Maui as a whole and ask some very basic questions: (1), what is the optimum population (residents and tourists) this Island can support and (2), what is the desirable economic and population growth rate for the island? Where and how should the growth occur? There are no easy answers to these questions, nevertheless we need to arrive at some reasonable conclusions before we even attempt to plan our land.

What we need to study is the impact a dramatic growth in tourist and resident population will have on present and future transportation facilities; power sources; water and sewer facilities; services such as schools, hospitals, community buildings, and so forth; public beaches and parks; roads and highways; and last but not least the ecology. We can no longer afford to use the old standard that growth at any rate is desirable. We know that growth usually means more jobs and higher pay, but we have to consider the sacrifices. In the name of progress which, as you know "can't be stopped," many regions on the Mainland have not only destroyed great natural beauty but also created a host of social, economic and environmental problems that simply defy solution. Maui is in the enviable position of being able to learn from other regions' mistakes, although time is fast running out.

Through wise land planning and zoning, growth can be directed so that in the future, Maui will be as desirable a place to live and work in as it is today.

A New Approach to Zoning

Land zoning should be used as a legal and positive method to reach desirable goals for the community.

The way land has been zoned on Maui in the past is disturbing. Even the 701 plans for Kihei and Lahaina which supposedly have been well studied by some highly trained planners show major flaws: Only about 15 per cent of the beachfront property will remain truly accessible to the public and the plans allow high-rise structures and high density developments on the makai side of the coast roads. Besides, I question whether the impact a completed development according to these plans will have on the transportation systems, the utility systems, and the ecology has even been considered.

What other criteria should the planners consider before determining the use of the available land and arriving at a new zoning ordinance? Does it make sense, for instance, that we have at the present an over-abundance of high-priced, mostly one-bedroom condominium apartments while there appears to be a drastic shortage in reasonably priced family type dwellings. Should not the planners determine the needs of the community and zone accordingly? Zoning in combination with an enlightened tax policy can do much to discourage land speculation. It can help solve road and transportation problems by

creating attractive building sites for family type housing in or near the center of the established towns so that people can live near the places they work. It can help create a more attractive environment by including landscaping requirements in the zoning ordinance.

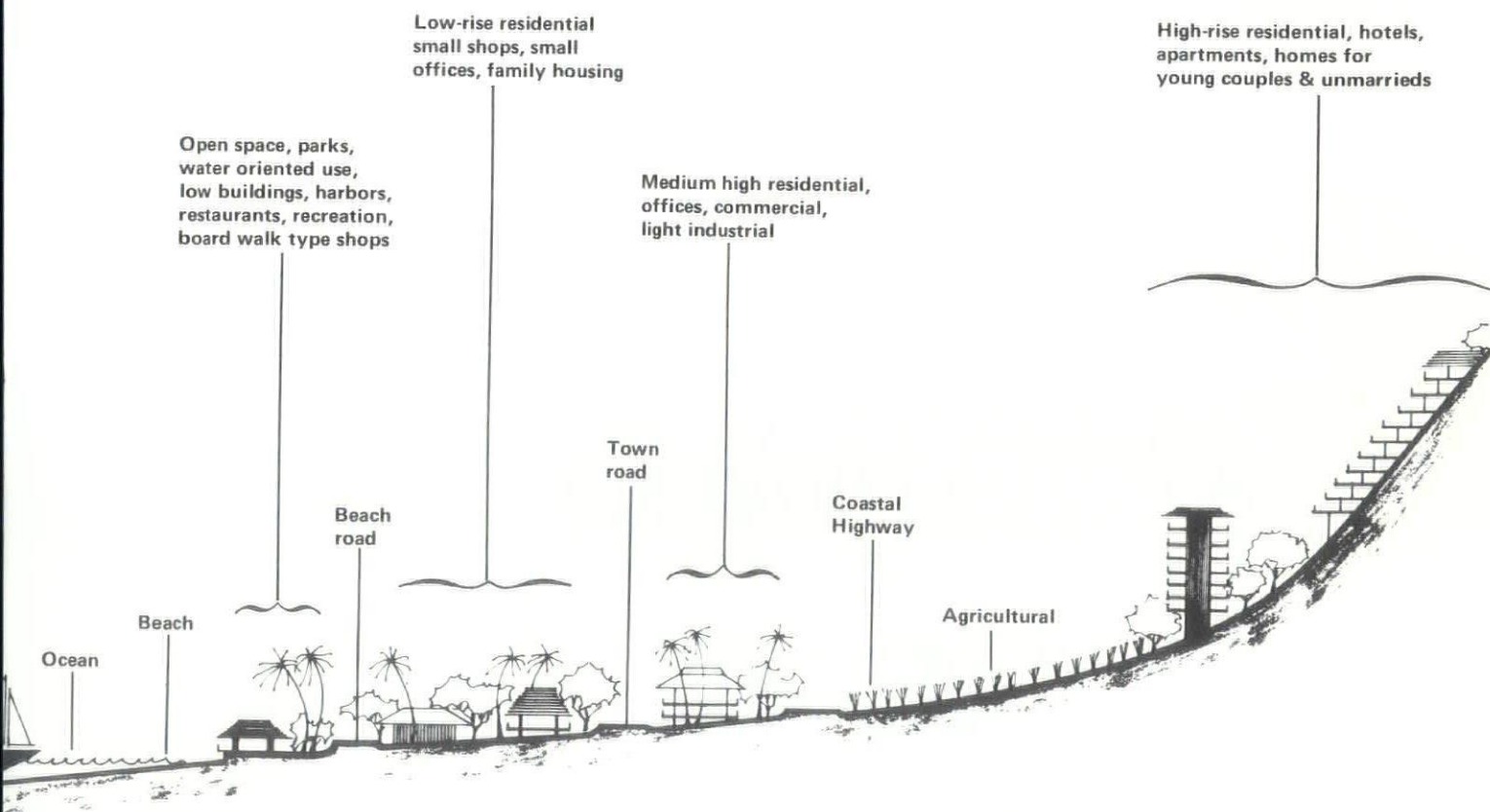
A plan review by a citizen's committee with advisory powers may be desirable for all larger structures to be built on Maui similar to what is now a requirement in historic Lahaina. Not only buildings but also the planning and construction of roads, power stations, transmission lines, parks, building signs, irrigation ditches, beach and sea wall structures, and other, should be reviewed. It would seem to be desirable to have a "watch dog" in the community in order to help prevent the occurrence of architectural as well as environmental disasters.

The accompanying sketch shows an approach to zoning that would establish two principal requirements: One, the coast remains accessible to residents and tourists alike anywhere and at any time. The limited beach accesses given by developers at the present are simply not an adequate substitute for public use and control of all coastal lands.

The second requirement is derived from the premise that views of the ocean and the coast again should not be owned by a privileged few. Like the right to breathe clean air, the public should have the right to views of the ocean along most of the coast line.

The property at the foot of the mountains is not used for agriculture at the present and commands superb views. It appears ideally suited for high-rise structures and dense development for other reasons: The native rock provides good foundations for tall structures and the effluent from sewage treatment facilities could be used for irrigation in the fields below. The land should be relatively inexpensive. Shuttle buses could take the residents to and from the beaches and town areas. Because of their distance from the highway and populated areas; the units would be quiet, close to nature and free from pollutants.

The sketch is not intended to show a development that extends for many miles without any variation. It is rather intended to give some basic guide-lines for an approach to zoning with minimum environmental impact and maximum protection for public assets.



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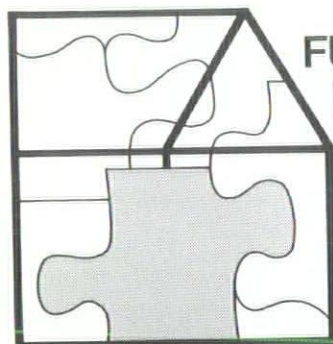
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Growth Policy For Hawaii

a Hawaii Chapter
Task Force Report
on Growth
and the Environment

The State must look for guidance in developing growth policies which will preserve and possibly enhance Hawaii as we know it.

Certain specific recommendations must be added to this general recommendation which include:

1—Develop a rational formula for a visitor population which can be sustained by our natural resources.

2—Define the kind of permanent and visitor populations which can most harmoniously be accommodated by the environment. This could include kinds of industrial and commercial activity as well as income levels of tourists which yield the greatest income for the State.

3—Tourism should be treated as a definable State industry supported by a State Government agency which would not only recommend policy regarding kind and extent of tourist facilities but which would also provide tourist support services in the form of public education and rangers to police these facilities.

4—A survey of environmental resources necessary to jointly sustain permanent and tourist populations which could include: topography, climatic data, shadow patterns, rain, sun, wind, soil characteristics, landfills; grades, creeks and streams, present land use, development patterns from some time in the past to the present, population densities, business and commercial structure, open space, public land, movement systems (volume, types, time and distances), activity specialization (where activities are centered; i.e., governmental centers, civic and community meeting places, commercial centers), also types of interaction (i.e., business, educational, social), landmarks, historic values, recreation values, wildlife values, water values, institutional values, hydrology, geology, drainage, and health factors. This and other unmentioned data could be coded, computerized, and used as a tool for growth policies.

5—Implement restraints to curb land price inflation brought about by urban

Continued on Page 17

THE URBAN WAY

by John R. Jensen
Group Vice President,
Dillingham Corp.

The variables for solving housing needs seemingly defy conclusion. But conclusions as to which way to meet our needs must be reached now. Population studies conducted by the Population Institute of the East-West Center tell us that even if zero population growth were prescribed this very day and all migration into Hawaii were stopped, the population of Hawaii would grow by 43 per cent over the next half century.

Development will take place — Where?

THE CENTRAL CITY CONCEPT

Scarce land, high costs, population increases, and the desire to preserve the environment, point to multistory housing: housing that goes up rather than sprawls, thus using the least amount of land for the largest number of people.

Whether we wish it or not, the realities have worked against the future economics of the traditional single-family home on Oahu. If we wish to house the families of the future in single-family dwellings, we are obviously going to have to move further and further into pineapple and cane land and forests, and face rising housing and commuting costs, along with less green space, more freeways, more cars, ad infinitum.

In a typical subdivision, 5 or 6 homes to the acre is normal. The home buyer has to pay for streets, utilities, and all the offsite improvements, in addition to paying for his home. Also, the taxpayers have to pay for new municipal services, police, fire, parks, schools, and freeways.

In contrast, Central City multistory residences are much more economical. The streets, utilities, and municipal services are already installed. The home buyer only pays for his home. If we assume a density of 2.8 which is the

density for "A-4 high density apartments" zoning on a 90,000 square foot lot, two acres and over, approximately 100 condominium apartments can be built per acre, 20 times as many housing units as in the suburbs, and at less cost to the home buyer, at less cost to the rest of the taxpayers — and at far less cost to the environment.

Increased density within the city will not increase traffic and air pollution proportionally because many people will be able to unchain themselves from the second car and walk to work or use mass transit — which adds, per person, only a fraction of the pollutants to the air that automobiles do.

It is my opinion that if we develop the Central City and refrain from moving into open or agricultural lands outside the Central City, we achieve several important environmental and economic goals:

We decrease proportionally automobile pollution and stultifying traffic problems, we maintain our open space, we lessen the need for additional services outside the city, and we get the most out of the developable land within the city.

That we get the most out of the Central City is poignantly significant in another way: Preserving our environment and coping with the many accelerating social problems will cost great sums of money. Many people feel that money comes from "the government." It doesn't. It comes from us. In this context, the government is only an evaluation station deciding where our money will go. If we don't properly utilize our underused land in the center of the city — and presently we don't — we erode the municipal fiscal base in two ways. First, we fail to increase real property tax revenue from lands and improvements in the Central City area and secondly, we add new city expenses to support urban sprawl. As a final supplement, we defeat the purpose of the city, which is to overcome the handicaps of distance and ease business

and social contact. We could eventually create the syndrome which some unmanageable cities on the Mainland manifest.

High-rise development should not be equated to Waikiki. If Waikiki can serve an important environmental purpose, it can serve as a laboratory test animal. It should never be allowed to become Oahu in microcosm. Historically, Waikiki was divided into small residential parcels, many only 5,000 square feet. The titles were scattered among many different owners who had different and varying approaches to development. This lack of concern among common neighbors, combined with an absence of zoning regulations, led to the concrete corridor which now screens out the ocean view.

High-rise building bears the brunt of Waikiki's criticism, but in reality it is the nature of the development not its height that is the real culprit. Zoning, or its lack, and self-interest — woefully unenlightened — created an area without broad windows to the sea, open spaces around buildings to relieve the massive construction, or planted walkways to create a feeling of ambience for natives and visitors. Surely, Waikiki must not recur, and indeed it doesn't have to.

The alternative of Los Angeles-West is not an answer for Honolulu!

Report

Continued from Page 16

land speculations. As a corollary, land taxation should not penalize agricultural land with urban development potential.

6-Zoning plans, building permits, and State CIP budgets should be coordinated so that development precedes, not follows, speculative building in order to minimize scatterization and fringe expansion. This might be done through coordination of the existing restraints of the 20-year State plan, 10-year County land use, and 6-year development plans.

SOCIAL IMPACTS

by Mary George
The Public Costs of Private
Development
Kuykendall Auditorium,
January 11, 1973

I had more than usual difficulty in putting my ideas together for this brief talk.

It wasn't until I defined "development" in this context and to my own satisfaction that I could finally make a start. I don't know if any of my fellow panelists resorted to the dictionary, but "develop" means a whole lot of things. It means unfold and disclose, to evolve, to make active what was passive, to make available or usable, to expand or elaborate.

I think all of us can agree that the kind of development we're talking about here is the one we can equate with growth. It has the basic meaning of increase; of increased use of an available resource.

I do not see any way to talk about development without making the assumption that it means an increase of people. When we talk about the replacement of existing facilities, or the improvement of inadequate dwellings we usually say "redevelopment."

So I will assume that development, for today's purposes, does not mean redeployment or improvement of what we already have, but rather new urbanization, new city services, and — inevitably — more people.

First the benefits. And there are benefits, even though the current fashion of hand-wringing about the evils of population expansion sometimes causes us to forget that growth can be both necessary and valuable.

A certain level of population density is necessary for a good many of the amenities we prize. When there was a

whole broad continent for our hardy pioneer settlers to spread out in, they didn't scatter like confetti, one to a mile or one to a quarter-section. They settled largely in communities near forts or traveled paths or river-crossings. They gathered in these tiny towns not just for protection, but largely because most people are basically gregarious. They like to be together. And there were practical reasons, too. It took a certain number of families to give joint support to a schoolhouse, a church, a doctor, a store.

Our own situation is not so very different. It takes a certain density of population to support a hospital or a symphony orchestra or an art gallery. Or a fine restaurant or a fashion boutique. Or a stadium and a major-league ball club.

We can all remember when "big" was beautiful. I wonder how many towns across the Mainland still have signs at the city limits reading "Cow Crossing, Pop. 914 — Watch Us Grow!" And when I was in grade school I can remember the interest in the rating of the world's largest cities, rather as if they were major league standings. Was Tokyo going to be bigger than London? Would Los Angeles win out over New York?

We still have a lot of that in us. Aren't we still speculating about whether or not Ala Moana is the biggest shopping center in the world? And the almanacs still devote many pages to categories of "tallest," "biggest," and "greatest."

Back to benefits. A population center, a metropolis, can support and afford not just a hospital, but many hospitals, centers of medical research, doctors who are specialists and experts in any ailment of the body or mind. A metropolis offers the breadwinner a bewildering choice of employment, and a myriad of ways in which he can spend the money he earns. If his automobile

or his blender or his electric typewriter goes on the blink, somewhere in the metropolis there's somebody who can fix it.

A high-density center can support not just a symphony orchestra, but string quartets and amateur groups of music-makers of all descriptions, not to mention choruses and choirs and rock groups and teachers who can introduce us into the world of playing the flute or the bagpipes or the ukulele. There are schools for hula and ballet, or Arthur Murray if that's your bag.

There is glamor — and a considerable amount of charm — in the cosmopolitan smorgasbord offered by the high density of an urban center. A metropolis is a magnet, especially to the young. Making it big in the city is still a target for the ambitious. Even our language reflects this metropolitan desirability. Remember the condescending phrase "a big frog in a little puddle?"

How do we set up a balance sheet that will tell us what we would be paying for living in a big puddle instead of a little one?

The traditional desirable life style here in Hawaii centers around dwelling in a single-family house with an ample yard, with our own dog and cat and papaya tree and plenty of plumerias to string our own leis. There should be room for an imu when we celebrate with a luau, and of course there would be views both mauka and makai so we can enjoy the unique magnificence of our island.

Common sense tells us that the life style we think of as our desirable right is no longer possible for a very large number of the people already living here, and that its attainability becomes more remote as the population density on Oahu increases.

Remember that Manhattan is an island too, and Manhattan once had truck farms and country houses. For all practical purposes, a house is an oddity

on Manhattan, and its people live and work in hives. The average Gotham citizen will never own a house or a car, or tend a garden bigger than a window-box, or walk on grass he has mowed.

Do Manhattanites think this is too high a cost for the opera and the plays and the universities and the cosmopolitan energy and living in the financial capital of the world?

Honolulu is still just a medium-sized puddle, but all predictions are for growth. Is the growth that will bring us cosmopolitan advantages worth confining more and more of us into what the ads call "gracious condominium living?"

And then there's crime. Have you ever wondered why crime statistics always seem to turn up on the basis of comparing cities of more or less equal size? We take it for granted that it would be silly to compare per capita crime statistics between Los Angeles and Walla Walla. I think all of us assume that density is a breeder of crime.

And poverty. Don't we think of poverty as largely an urban ill? Slums and ghettos — two ugly words — are almost always associated with urban density.

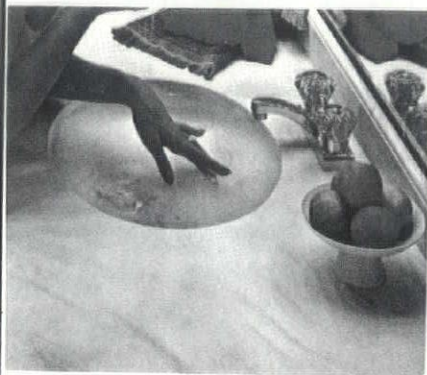
Let's look at transportation. Our consultants tell us that we have already achieved in our middle-sized puddle a density that will support a rapid transit system. This translates to read that we can no longer afford the transportation mode based on the private automobile.

The social cost of development that is mentioned most often is displacement. With our curious system of land ownership concentrated in the hands of the few, there are many renters who face being dislodged when land is opened for urbanization. We find these people in Kalama, in Kahuku, in Laie. The developments proposed for these areas will be beyond the economic reach of most of the displaced families. Are these people to be termed merely casualties of inevitable progress? Where will they go?

I find it curious, as a member of government, that the cost of government goes up, on a per capita basis, as population density increases. I had always thought that mass production leads to more efficiency and therefore to economy, but somehow this doesn't apply to public service. The cost of private services also seems to escalate with density. The telephone bills in New York City and Los Angeles would scare the heck out of any Honolulu resident. Most of us have never heard of a

Continued on Page 21

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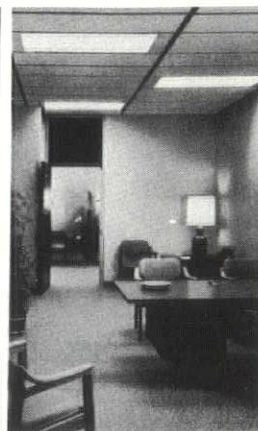
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We are currently involved in four major projects which we feel are in keeping with our objectives. These include the design and construction of a mini-park here on campus near our headquarters in the fiberglass capsule* at the foot of the department; a film and lecture series in conjunction with professionals in Hawaii; the implementation of a strict environmental code relating to building construction, through our state legislature (working with Dick Trussdell of CSI); and we will be involved in an attempt to stop H-3 through Moanalua Valley as well as coordinating design for a nature trail.

We also are working in conjunction with our regional and national student AIA and hope to send a strong delegation to the conference in May in San Francisco.

Up to now we have been working largely out of our own pockets. But needless to say, as students our own finances have dwindled. In order to continue our work and send our delegation to the conference we hope you'll give us support, financial and/or otherwise.

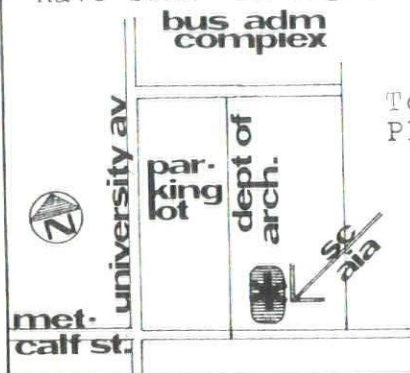
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**PLEASE
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Continued from Page 19

message unit, which is the dismal way your phone bill gets added up in Los Angeles.

And the quality of service diminishes. Have any of the people who make noise about HECO rates ever been in New York City during a brownout?

Insurance rates are apt to go higher with an increase in population.

All of us can think of a number of things that become harder to do with more density. Kite flying. Horseback riding. Pigeon raising. Playing sandlot baseball. Owning a dog. Fishing.

The basic cost of increased density, of development, should probably be related to the very simplistic philosophy which I try to apply to any legislative action I am called on to take. This deals with an individual's freedom to do anything he chooses as long as it doesn't interfere with the rights of anyone else.

Freely translated, this means that my rights end at your nose.

Going back to our legendary hardy pioneer, he could raise pigs because nobody was close enough to object to the smell. He could shoot off a cannon on the Fourth of July and no lady busybody was close enough to agitate for passage of a fireworks ordinance. He could toss his garbage onto the barnyard and set his outhouse over the stream because it made no difference to anybody else. The stream would purify itself within a mile or two, and the garbage made good fodder and good compost.

Socializing, being close to others, was his pleasure and his privilege, and the red-letter days of the settlers were quilting bees and spelling bees, town meetings, revival meetings and Chataquas.

Increasingly our greatest asset and privilege is the right to be undisturbed by others. It is a right which may, with higher density, be reserved to the rich.

I truly believe that with unrestricted development solitude and privacy will be tomorrow's consummate luxury.

Nobody regrets more than I the necessity of passing more and more laws to protect us from each other. But the noise ordinances and the anti-pollution regulations and the traffic signals and all the rest of our mountain of legislation are largely directed to this end: trying to make it possible for us to live harmoniously together.

So this is the greatest social cost of development: the increasing limitation of our individual rights to live and act as we please.

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Professionally Liable To Serve, Not Insure

by James L. Srodes
Building in Design and Construction
December 1972

The California Court of Appeals a few months ago handed down a truly momentous decision on professional liability. The case, *Allied Properties vs. Blume*, App. 102 Ca. RPTR 259 (1972), is noteworthy because it rejects an attempt to impose the legal standards of strict liability and implied warranty against architects and engineers.

According to the facts set out by the

court, Allied operated a luxury hotel on the Santa Barbara harbor. The owners decided that a pier would be a valuable attraction. They asked Blume's engineering firm to design one that could be constructed for about \$55,000. Blume's feasibility study concluded that the project would cost at least \$150,000. The court placed great weight on the fact that Blume's study was for engineering problems alone and did not go into the economics of the project — such as usage, operation or financing.

Without conducting an economic study of its own, Allied took Blume's information and authorized the firm to prepare a design for the pier. "At the design phase," said the court, "Blume's responsibility was to design a structurally sound pier that would withstand the exposure of the site."

Care in Engineering

As a part of the study, Blume employed an expert oceanographer to provide data on wave impact on the proposed structure. Based on that report, Blume changed his original design. The court found that Allied ignored some of Blume's recommendations and that Blume on several occasions informed Allied's officers that his own engineer believed that use of the pier facilities would be restricted at certain times of the year when the water was too rough.

The pier was used the first season it was constructed but thereafter was used very little, according to testimony. Some witnesses said the water was too rough, others said the pier was too small and inconvenient. Two years after con-

struction, Allied sued Blume to recover the \$155,000 cost of the pier plus damages. The trial court found for Blume. At the Appeal Court level, Allied's lawyers argued unsuccessfully that Blume should be held to strict accountability since he implied a guarantee — or warrant — that the pier and floats he had designed were reasonably suitable for use by small craft. The court disagreed.

The judge who wrote the opinion, Justice Taylor, had earlier extended strict liability into a land development case. But he drew the line between Blume and a seller of property who obligates himself to deliver land in the condition he represents it to be. "The general rule is applicable that those who sell their services for the guidance of others . . . are not liable in the absence of negligence or intentional misconduct. The services of experts are sought because of their special skill. They have a duty to exercise the ordinary skill and competence of members of their profession. Those who hire such persons are not justified in expecting infallibility, but can expect only reasonable care and competence. They purchase service, not insurance."

Governmental Relations Committee

The Governmental Relations Committee, since the beginning of the Regular Session, Seventh Legislature, State of Hawaii, has sifted through 691 Senate Bills, 942 House Bills, 15 Senate Concurrent Resolutions, 84 Senate Resolutions, 58 House Concurrent Resolutions and 217 House Resolutions.

As of this date, 40 bills are of interest or apropos to our profession. Please be aware of the time, effort and monetary value that this committee is expending.

The members of the committee include Ernie Hara, Elmer Phillips, Mike Suzuki, Art Kohara, Fred Laing, Richard Matsunaga, Edwin Murayama, and Dennis Toyomura.

Keeping Hawaii Plastered TEXTURES...



T-12 Apply medium coat with rounded trowel in random pattern, overlapping strokes: rub with burlap: trowel over high spots

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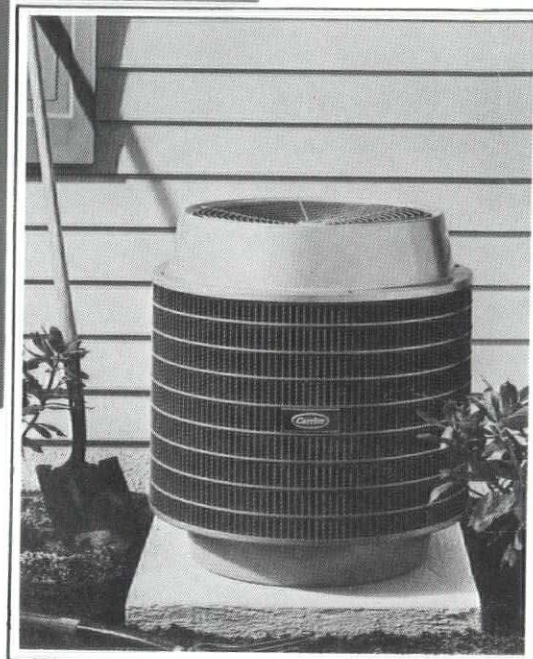
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