

BY BENJAMIN H. BAMFORD,
SENIOR DEVELOPMENT
MANAGER; HIGH REAL
ESTATE GROUP LLC



Controlling Land-Use Challenges

You've identified a general location for a new business or expansion of your current operations. Perhaps you want to build a 1 million-square-foot distribution warehouse near an important transportation corridor, or locate a new business opportunity at "Main and Main," where everyone else wants to be. What's next?

Today, no matter what kind of development or expansion project you're planning, there will likely be significant waves of public scrutiny and layers of governmental approvals. The number of stakeholders who actively participate in the process of land development has increased dramatically in recent years. In many cases, community groups have become so organized, they've most likely already retained legal services and are well prepared to battle your project. At the same time, opportunities have become more rare and increasingly difficult as we see the shift to ever more strict land use ordi-

Collaboration and **CREATIVE APPROACHES** to land use can result in projects that benefit your business and the community.

nances, along with stakeholders pushing back against sprawl and anything that they perceive as "un-smart growth."

Community Relations

Successful, truly collaborative development involves several overarching questions related to smart-growth principles. These questions include:

- How do you take a particular development project and make sure it

can be integrated successfully into the overall development pattern and strategic land-use guidelines of the region?

- How do you make sure it's a sustainable project that draws and retains jobs and grows businesses as well as services the community?
- How do you help protect appropriate open space and minimize misapplication of resources along the fringes of our communities?
- How do you help protect and

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upgrade our community's aging infrastructure?

Communities today are dynamic entities that are concerned about what you're bringing to the community and whether your business will remain viable into the future. The key to success is to be willing to learn what smart growth looks like in a given region and communicate with transparency and sincerity to all stakeholders.

Early in the process, communicate clearly the sustainability of your organization and how you plan to integrate yourself into the community as an employer and good corporate citizen. With that first step in place, you will find more open doors to approaches that look beyond the traditional method of evaluating simply the zoning and acreage of available sites. This is a wise move, because, as an example, even though a site may be zoned industrial, an industrial use for that site may be much less appropriate today than when the zoning originally was determined.

To find out how your project fits into the bigger picture, study the state's economic goals and infrastructure improvement plans. Are creative funding programs in place? Is this a "fix it first" state? Also become familiar with the regional and local comprehensive plans and the initiatives of key organizations dedicated to economic development and smart growth. Most county websites have links to all relevant plans and organizations.

Solutions to restrictive zoning can include wholesale changes in the zoning, specific plans for a particular site, or zoning "overlays" that allow for conditional uses different from the specified zoning. Communities want to attract development that meets their strategic plans for land use. So developers should help find creative solutions and should not shy away from introducing projects that deviate from specified and often

irrelevant zoning.

Without amendments to zoning, many win-win projects would not, by definition, ever make it onto municipalities' meeting agendas. Sometimes a community is prepared for a zoning change and is waiting for the right opportunity. You could be that opportunity. But many times it's up to a developer to be proactive and introduce new concepts to the municipality and community leaders.

Keys to Success

First and foremost, don't assume that community groups and government entities automatically have to be your opponents. They most definitely will be, however, if you don't tell them clearly what you're proposing and what's in it for them.

Education and relationship-building are crucial to your project's success. Do your homework and know what the community's needs are, and how your project will help address some of those needs. Try to get away from the vision of the municipality standing in your way, and instead see them standing beside you. They will become as much a part of your development as you are.

A project's viability is no longer just about jobs, but rather the economic impact in totality. If you can go before the community and make a strong case for your business, what your needs are, and how you're willing to be a good steward, the township or municipality will want to work with you. Whether the benefits will include job creation in a depressed economy, tax revenue that can be provided to a school district that desperately needs money, infrastructure improvements, or improved environmental conditions, you have to prove that your use is the best for that area. Doing your homework and understanding how a community could benefit from your project could result in locating at a site

that at first glance would have appeared to be unavailable for your project.

Armed with the right information, demonstrate early on to the municipality that what you're proposing will have its fair share of benefits. Get to the municipality and other stakeholders with your conceptual plans before they get to you.

Local Connections

You may not want to bring in an entirely out-of-town team, unless you want an entirely out-of-town welcome. Consultants who already know the community can be strong allies, whether experts in the fields of engineering, architecture, transportation, law, or public relations. You may want to ask the municipality who they respect and like working with: "I'm looking for a reputable engineer; could you suggest a few for me to interview?" Even if you're a global organization, go local in your subcontractor hiring.

Also consider partnering with respected local developers — they've already worked in the community, developed valuable relationships, worked through issues, and earned credibility. Such a partnership could end up saving you a substantial amount of time, money, and energy. Joint ventures or partnerships, when they're in the best interest of your company, may lead to new and exciting opportunities. One example of a creative solution to restrictive zoning is to request a zoning overlay. The process involves time, open communication, and positive relationship-building

Land-use challenges can be overcome through creativity and collaboration. Make sure any and all possible approaches are in your tool box. And then, if you are willing to go the extra mile, the community may just welcome you with open arms. **AREA**

Benjamin Bamford is senior development manager of High Real Estate Group LLC, a full-service Lancaster, Pa.-based firm and a leading developer and owner of more than 9 million square feet of industrial, office, retail, and multi-family properties throughout the eastern United States. He can be reached at (717) 209-4072 or bbamford@high.net. Visit the company's web site at www.highrealestategroup.com.