

December 2008

Dear Colleague,

Part Two: The Unintended Consequences of Land Use Issues

"If you like laws and sausages, you should never watch either one being made," said German statesmen, Otto von Bismark, more than 100 years ago.

Snow Properties agrees. As much as we support responsible community planning, we concur that the planning process up close can be as unappetizing as a sausage production line.

Last month we shared part of our "Top Ten" list of the **Land Use Laws of Unintended Consequences**, compiled from our decades in the trenches. This month we are discussing a few more examples, beginning with...

...Delays, Sometimes Combined with Inappropriate Product Mixes. Municipalities and their leaders rightly assign top priority to protecting the common good, with an emphasis on health and safety. Health and safety will invariably take precedence over a project's timing and aesthetics. The unintended consequences can be costly delays and projects that don't blend in with the community.

Boosting Development Costs. State laws designed to cut greenhouse gases can have myriad consequences. Under Assembly Bill 32, also known as the Global Warming Solutions Act of 2006, California must cut its collective greenhouse gas emissions to 1990 levels by 2020. It is a reasonable assumption that this will increase development costs while reducing local land use control.

Tunnel Vision. General Plans, specific plans, and current zoning laws are not conducive to out-of-the-box thinking. Creative solutions require an atmosphere of flexibility, not restrictions. The vision for an enhanced remodel, for example, soon dies because it does not conform to an existing footprint. The possibility thinking that defines the American character is often squelched by the set-in-concrete modality of adhering to the status quo.

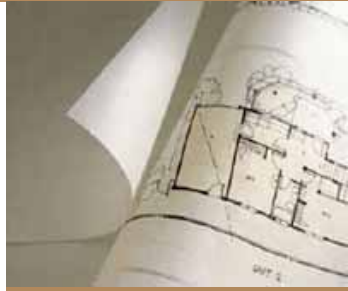
Unintended Political Consequences. Even when a planner or developer decides to conform to current zoning and land use designations, nothing is guaranteed. Many a hopeful soul has followed the letter of the law, only to be turned down by current or future office holders. Prevailing political winds can delay or even defeat an otherwise "legitimate" project. Conformance alone does not ensure success.

Sustainability. As much as we admire the spirit of sustainable development, experience tells us that it too will usher in its own set of unintended consequences. A current example of a sustainable project in California can be found [by clicking here](#).

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Snow Properties provides project management services to developers, financial institutions, owners and managers of real property assets in Southern California. Its expertise spans three decades and all stages of real estate development.

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Seasons Greetings from Snow Properties

Holiday College Bowl Schedule

Valero Alamo
Missouri vs. Northwestern
San Antonio - Alamodome
Dec. 29, 5 p.m.*
ESPN

Rose Bowl Game Presented by Citi
Penn State vs. USC
Pasadena, Calif. - Rose Bowl
Jan. 1, 2009, 1:30 p.m.*
ABC

FedEx Orange
Cincinnati vs. Virginia Tech
Miami - Dolphin Stadium
Jan. 1, 2009, 5:30 p.m.*
FOX

FedEx BCS National Championship Game
Florida vs. Oklahoma
Miami - Dolphin Stadium
Jan. 8, 2009, 5 p.m.*
FOX

[View entire College Bowl schedule.](#)

*Times as of publication date; please verify.

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