

Worried about avoiding costly permitting delays? Know thy site

By L.K. HAWKINS

The regulatory review and approval process for new golf course development projects poses one of the greatest risks to project success and financial outcome. There are numerous examples of golf development projects that failed because of convoluted planning, permitting- and approval-process difficulties that drained financial resources and, ultimately, cast doubt on viability of the project.

Wide differences in the time required for project approvals and permits can be seen. While each state and local jurisdiction can vary greatly in the permitting and political approval process, there are examples of golf development projects under the same regulatory jurisdictions that varied in approval times as much as three to four years.

The time involved in gaining approvals for construction is a direct function of understanding the site, the regulatory process and managing the approval program.

In most cases, there are very common reasons for permitting difficulties. The most obvious of these is a lack of understanding regarding the site's limitations, for either environmental or practical construction reasons.

Another equally common problem has been the lack of understanding and management of the approval process. It is not uncommon to see projects with completed site plans and golf course grading plans submitted for review, only to find — after many months of effort — there were significant environmental limitations on the site that were not identified or considered in the plans.

Once involved in the permitting process, the developer often finds he is in a position of reacting to regulatory or political issues, concessions and unexpected requirements rather than managing a well planned and anticipated approval process. Other issues such as water resources, water quality or other environmental concerns surface late in the approval process and become political "hot buttons". Obviously, in this situation, the effort and resources expended in planning have been wasted and the work has to be redone. The project often becomes a costly rescue effort that might not survive unless there are sufficient financial resources to meet the task.

Developers often invest in financial feasibility studies to test the viability of their golf market, but frequently neglect to invest in a proper site assessment to determine if the site can realistically support the planned golf course or real estate development. Further, a lack of properly understood permit and approval requirements, as



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well as management of the process, increases the risks associated with the project because construction approval times become unpredictable or uncertain.

Because of the significant risks in obtaining timely approvals for new projects, the "due diligence" process must extend beyond financial feasibility and real

estate concerns. A proper site assessment conducted by qualified environmental scientists and the course architect should be at the top of the "risk management" list.

Most regulatory review authorities will require an environmental assessment of the site, in some form, before they will review the project for approval. While this assessment as a condition of project review may surface at some time in the approval process, it

does not provide the developer with the timely information needed to evaluate the feasibility of the site for his planned project. The developer must take the initiative to properly understand the development site in order to manage his financial risks.

The site assessment should simply identify any and all environmental areas or natural features regulated at both federal and local jurisdictional levels, i.e. any areas that have potential for limiting land uses. These might include, but

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* For more information contact the GC-SAA Education Office at 913-832-4430.

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should not be limited to wetlands and protected habitats, protected wildlife, protected or regulated waterways, archaeological or cultural resource sites and/or unique natural features or conditions.

A proper site assessment identifies those conditions that have regulatory and site-planning ramifications and should not include extensive or costly studies at this stage of the planning process. Gaining this level of understanding of the site, its potential limitations and regulatory requirements, the developer can make educated planning and permit requirement decisions while managing this level of financial risk.

If the golf course site can be legally permitted for the planned development in terms of zoning and land use regulations, and the site limitations or environmental sensitivities do not preclude development feasibility, the project can be approved.

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