



# PRIVATE SECTOR LAND USE AND ZONING

## PROPERTY DIVISION

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Land use sits at the intersection of the public and private sector, and so does our firm. Local government is part of our firm DNA, and we bring this insider perspective to our private clients, counseling you on property rights protections and obtaining land use and zoning approvals. Because there can often be delays with public sector processes, it is critical to hire land use and zoning counsel with local government knowledge who can plan ahead and move the process as quickly as possible.

We represent owners, developers, investors and lenders in land use and zoning matters throughout South Florida at the municipal, county and state level. For example, we helped a major commercial and hotel developer secure development approvals for four city blocks in Downtown Miami, including a convention center with 500,000 square feet of convention space and 1,800 hotel rooms. We also secured development approvals for dozens of multifamily residential developments through South Florida on behalf of major multifamily developers. We were also instrumental in amending the City of Miami's development regulations to encourage mixed income development and then secure development approvals for the city's first mixed-income project in the Downtown/Brickell area.

We handle entitlement issues faced by innovative and uncommon types of facilities like publicly-controlled, privately-operated professional entertainment and sporting facilities and quasi-institutional, community-serving facilities such as cemeteries and adult congregate housing.

We provide counsel to high-net-worth families and individuals building their homes. For one wealthy family, we navigated general neighborhood opposition to new development, tree preservation requirements and potentially historic preservation requirements in order to secure development approvals for the redevelopment of multiple lots in Coconut Grove as a family compound of three large single-family homes.

Our team includes AmLaw 100 trained and tested zoning and environmental lawyers, lawyers with urban planning degrees and close involvement with the Urban Land Institute, and attorneys who formerly worked in local government including the City of Miami's Zoning Department and the Miami-Dade County Attorney's Office.

## ENTITLEMENTS AND APPROVALS

Sometimes, the quickest route to entitlement approval may involve changing the law itself and we have considerable experience drafting regulations. When existing laws provide a viable solution, though, we draw from our knowledge of applicable codes and, with the addition of our creativity and ingenuity, devise unique solutions tailor-made for our clients. But we bring something else to the table—established, cultivated personal relationships with local government staff and elected and appointed officials, in some instances going back 40 years.

We are uniquely qualified to handle each stage of the development process, including pre-acquisition due diligence and counsel, preparing entitlement summaries and issuing opinions in connection with lender financing, securing development approvals, obtaining permits for construction, securing operating licenses, and assisting with regulatory compliance after a new development is occupied and operating.

## HEARINGS AND APPEALS

With the assistance of our administrative, regulatory and litigation lawyers, we frequently represent clients at public hearings before all land use and zoning bodies. These include county and municipal commissions and councils, planning and zoning boards, historic preservation boards, unsafe structure boards, code enforcement boards, architectural review boards, and community revitalization agencies.

We also have ample experience with specialized state boards and entities, including the Department of Environmental Protection, the Florida Department of Transportation, the South Florida Water Management District, the Florida Building Commission, and Miami-Dade County's Environmental Quality Control Board and Board of Rules and Appeals.

In addition to obtaining entitlements, our lawyers provide substantive advice and assistance on land use-related litigation, draft specialized use and property development agreements and restrictions, and provide support on land use appellate matters.

## OUR INSIGHT

Be mindful of local community concerns and needs and try never to make a request that would directly offend the community. Excessive requests typically put local government officials in an untenable position with their constituency and can poison valuable relationships.