

SUSAN TREVARTHEN

PARTNER

CHAIR OF PUBLIC SECTOR LAND USE AND ZONING PRACTICE GROUP

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As a Florida Bar Board Certified attorney in City, County and Local Government Law with a Master's degree in planning, Susan Trevarthen has an in-depth and specialized knowledge of the challenges faced by local government clients in the complex areas of land use, planning and zoning. Her work includes negotiating development agreements and approvals, drafting municipal codes and plans, defending challenges to municipal regulations and decisions, handling public hearings and advocating for municipalities on legislative issues in her field.

Susan is also a trusted advisor to elected officials, municipal staff, managers and attorneys on new and evolving municipal issues such as medical marijuana and loss of control over rights of way as ride-sharing services and e-scooter companies compete for use. She also serves as the lead municipal attorney for two coastal communities in Miami-Dade and Broward Counties.

Susan's practice includes constitutional law issues such as regulatory taking cases and land use and zoning decisions that raise First Amendment issues, including sign codes, adult use and religious

PRACTICE AREAS

- Ethics
- Municipal Counsel
- Public Sector Land Use and Zoning
- Special Counsel to Local Government
- Utilities
- Administrative Proceedings
- Appellate
- Constitutional Challenges
- Environmental and Regulatory Challenges
- Governmental Actions

regulations, Bert J. Harris Act claims, comprehensive plan challenges and petitions for writs of certiorari.

Susan was instrumental in helping to develop the field of school concurrency policy and law in Florida, and has represented local governments and school boards across the state on school planning, facilities issues and mandatory school concurrency.

Susan is a member of the College of Fellows of the American Institute of Certified Planners and has held leadership positions in The Florida Bar's Section for Environmental and Land Use Law and Section for City, County and Local Government Law. She is the chairperson of the Board of Directors of 1000 Friends of Florida. She speaks and publishes frequently on planning, zoning and land use issues and has been a regular guest lecturer at the University of Miami School of Law, St. Thomas University School of Law and Florida Atlantic University School of Urban Planning.

PROFESSIONAL & COMMUNITY INVOLVEMENT

- Florida Municipal Attorney Association, Steering Committee, 2023
- 1000 Friends of Florida, Member of Board of Directors, 2015-present; Legal Committee Chair, 2019; Chairperson of Board of Directors, 2020
- Citizens for a Scenic Florida, Board of Directors, 2013-present
- The Florida Bar Section of Environmental and Land Use Law, Former Executive Council Member
- The Florida Bar Section of City, County and Local Government Law, Former Executive Council Member
- American Institute of Certified Planners, 1995-present
- American Planning Association, 1990-present
- City of Boca Raton Environmental Advisory Board, 1994-2000

AWARDS & RECOGNITION

- Florida Trend's Legal Elite, Notable Women Leaders In Law, 2026
- Florida Trend, Notable Real Estate/Land Use Attorneys, 2025
- Lawdragon, 500 Leading Real Estate Lawyers Guide, 2025
- Florida Super Lawyers, 2006-2019, 2023-present
- Best Lawyers in America, 2023-present
- Home Rule Hero, 2021
- MDCLC President's Municipal Service Award, April 2017
- Martindale-Hubbell AV Preeminent Rating
- Florida Trend's Legal Elite, 2012
- Daily Business Review, Finalist - Most Effective Lawyers, Public Interest, 2010
- Cited with favor by Florida's First District Court of Appeal in

and Defense
- Real Estate, Land Use and Zoning Disputes

ADMISSIONS

Florida, 1991

U.S. District Court for the Southern District of Florida, 1993

U.S. Court of Appeals, Eleventh Circuit, 1997

U.S. Court of Appeals, 9th Circuit, 2011

United States Supreme Court, 2003

EDUCATION

University of North Carolina School of Law, J.D., 1991

University of North Carolina, MRP, 1991

Duke University, AB Public Policy Studies, *cum laude*, 1986

- Burns Fellowship in Development Planning

CERTIFICATIONS

Board Certified by The Florida

M&H Profit, Inc. v. City of Panama City, 28 So. 3d 71 (Fla. 1st DCA 2009) for article on Harris Act

PUBLICATIONS

- Co-author, *COVID-19 Lessons for Emergency Orders: A South Florida Perspective*, The Agenda - The City, County and Local Government Law Section, The Florida Bar, Fall 2020

REPORTED CASES

- *Restigouche v. Town of Jupiter*, 845 F. Supp. 1540 (S.D. Fla. 1993)
- *Schumacher v. Town of Jupiter*, 643 So. 2d 8 (Fla. 4th DCA 1994)
- *Section 28 Partnership, Ltd. v. Martin County*, 676 So. 2d 532 (Fla. 4th DCA 1996)
- *Woodrow Kantner, Trustee, Carolyn Weaver & YMCA v. Martin County*, 929 F. Supp. 1482 (S.D. Fla. 1993)
- *Town of Jupiter v. Michele Alexander*, 747 So. 2d 395 (Fla. 4th DCA 1998)
- *MediaNet of South Florida, Inc. v. City of Miramar*, Case No. 03cv61689 (S.D. Fla. 2002)
- *Florida Outdoor Advertising, LLC v. City of Boca Raton*, 266 F. Supp. 2d 1376 (S.D. Fla. 2003)
- *Renaissance Charter School, Inc. v. Dep't of Comm. Affairs and School Board of Miami-Dade County*, Case No. 1D09-2065 (Fla. 1st DCA 2010)
- *Seay Outdoor Advertising, Inc. v. City of Mary Esther, Florida,* 397 F.3d 943 (11th Cir. 2005) (amicus brief for Citizens for a Scenic Florida)
- *City Of Weston, Florida, et al.. v. The Honorable Charlie Crist, ,* Case No. 2009 CA 2639 (Fla. 2nd Jud. Cir. 2010)
- *Outdoor Media Group, Inc., and Chance Outdoor, LLC, v. City Of Beaumont, California*, Case No. No. 10-56081 (9th Cir. 2011) (amicus brief for Citizens for a Scenic Florida)
- *Atwater v. City of Weston*, 64 So. 3d 701 (Fla. 1st DCA 2011)
- *Reed v. Town of Gilbert*, ___ U.S. ____, 135 S.Ct. 884 (2015) (co-authored amicus brief for American Planning Association)

- Press Mentions
- Presentations
- Publications
- Representative Experience

Press Mentions

- *Bal Harbour joins lawsuit challenging Florida bill that restricts local control over planning, land use*, The Real Deal, October 30, 2025
- *Orange County joins in Lawsuit over Senate Bill 180's Legality*, The Apopka Chief, October 3, 2025
- *City of Alachua Joins 24 Other Municipalities and Counties in Lawsuit Challenging SB 180*, Alachua Chronicle, September 29, 2025

Bar in City, County and Local Government Law, 2003

American Institute of Certified Planner (FAICP), College of Fellows

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American Institute of Certified Planners (AICP)

- *Local Restriction in New Florida Hurricane Law Cause Friction*, Law 360, July 2, 2025
- *Specialist Lawyers Say Bioethanol Proposal Violates City Code*, Fernandina Observer, May 24, 2024
- *Legal opinion says bioethanol plant cannot be built in the city*, News-Leader, May 23, 2024
- *Downtown West Palm Beach Leaders Ask for 'Timeout' on New Marijuana Dispensaries*, Commercial Observer, December 27, 2022
- *Venice council to discuss resident challenge to land development rules,* Herald Tribune, December 12, 2022
- *'False Choice': Florida Economy, Environment Aren't Conflicting Concepts, Attorney Says*, Daily Business Review, August 17, 2020
- *Fighting for Federal Support: Planners Speak Out*, American Planning Association, July 8, 2020
- *Holiday Inn settlement approved; vacant hotel will be demolished*, New Pelican, July 1, 2020
- *With COVID-19-related budget cuts looming, Florida should kill budget-busting road projects*, SunSentinel, April 3, 2020
- *Local regulations mixed bag for pot dispensaries*, News Service of Florida, August 2, 2016
- *The Fallout from the Supreme Court's Sign Ordinance Ruling*, The National Law Journal, August 14, 2015
- *With Ruling, It's Time to Revisit Municipal Sign Ordinances,* Daily Business Review, July 2, 2015
- *Old Liens May Still Haunt in Zombie Foreclosures*, Daily Business Review, November 4, 2014
- *Municipalities Have Much to Address with Digital Billboards*, Daily Business Review, January 3, 2013
- *Signs of the Times: New Frontier*, Florida Trend, December 2011
- *Growth Law Challenge Leads to Recommendation to Clarify 'Unfunded Mandates'*, The Current, September 16, 2011
- *The Next Generation of Florida's Growth Management*, The Miami Herald, July 25, 2011
- *House Passes Growth-Management SB360 Do-Over Bills*, Florida Tribune, March 16, 2011

Presentations

- *Update on Changes to and Implementation of the "Live Local Act" – "How to Avoid Thor's Hammer"*, City, County and Local Government Law (CCLGL) Section, April 23, 2026
- *The Evolving Live Local Act: An Update on How LLA 3.0 Affects Local Government*, City, County & Local Government Law Section of the Florida Bar, November 12, 2025
- *Live Local Act*, City, County and Local Government Law (CCLGL) Section's 48th Annual Conference, April 18, 2025
- *SRF Presents: Content-Neutral Sign Codes After Reed and Austin,* Sign Research Foundation Webinar, May 24, 2023
- *Updating your Sign Code after the Supreme Court's City of Austin v. Reagan National Advertising of Texas, Inc.,* 2022 International Municipal Lawyers Association's 87th Annual Conference, October 20, 2022
- *Land Use 101 - Institute for Local Government Lawyers Program,* 2022 International Municipal Lawyers Association's 87th Annual Conference, October 19, 2022
- *Regulating Signs & Billboards after Austin v. Reagan,* Florida Municipal Attorneys Association (FMAA), July 29, 2022
- *Regulating Signs & Billboards after Austin v. Reagan,* International Municipal Lawyers Association (IMLA), June 22, 2022
- *Land Use - First Amendment,* City, County & Local Government Law Section of the Florida Bar: 45th Annual Local Government Law in Florida Course Classification: Intermediate, May 6, 2022
- *Legal Issues Surrounding COVID-19 Vaccination and Black and Minority Communities*, Weiss Serota Helfman Cole + Bierman, February 2021
- *Public Emergencies & Lessons Learned from COVID-19*, Florida Municipal Attorneys Association, June 2020
- *Planning in the Courts*, American Planning Association Florida's 17th Annual Public Policy Workshop, February 2019
- *Medical Marijuana And Its Impact On Our Communities*, Florida City and County Management Association, June 2018

- *Building an Ethical Organizational Culture*, American Planning Association Florida's 11th Annual Ethics Seminar: The Ethical Organizational Culture, November 2017
- *Legislative Panel Luncheon*, Broward Section of the Florida Chapter of the American Planning Association, 2017
- *Land Use - Murr v. Wisconsin Part II*, International Municipal Lawyers Association (IMLA), July 2017
- *Medical Marijuana Issues Affecting Local Government Including Land Use And Labor Issues*, Florida City and County Management Association, 2017
- *Effects of Marijuana on Cities*, Broward County Bar Association's Medical Marijuana Legalization Summit, February 2017
- *Signs in the aftermath of Reed v. Town of Gilbert*, International Municipal Lawyers Association, October 2015 and April 2016
- *Law Planning and Plain English and Managing Protective Planning Commission and Zoning Board Meetings*, APA National Conference, April 2016
- *Planning 101*, 2-Part webinar for the Florida City and County Managers Association and Florida Institute of Government, April and May 2016
- *Reed v. Town of Gilbert and sign codes*, American Bar Association, American Planning Association, Lorman Educational Services, Strafford, and 1000 Friends of Florida webinars, 2015
- *Planning and the Courts*, APA Florida Conference, September 2015
- *Quasi-Judicial Hearings and Municipal Land Use: Hot Topics*, CLE International Land Use Law Conference, August 2015
- *Medical Marijuana and Signs*, Florida Municipal Attorneys Association Annual Meeting, July 2015
- *Changes to Growth Management Laws Affecting School Facilities*, Florida Educational Facilities Planners Association, July 2015
- *Ethics Laws Affecting Florida Local Government Elected Officials*, Good Government Initiative, August 2014 and 2015
- *State-mandated ethics training for elected officials*, Space Coast League of Cities and Palm Beach County League of Cities, 2015
- *Planning and the Courts*, APA Florida Public Policy Workshop, February 2013-2015
- *What Are Cities Doing To Deal With Problematic Vacation-Rentals?* Florida League of Cities Webinar, December 2014
- *The Sharing Economy*, Florida League of Cities Legislative Conference, November 2014
- *Counsel as Ethical Counselor*, 8th Annual Ethics Seminar of Palm Beach Planning Congress, November 2014
- *Medical Marijuana*, Broward League of Cities, October 2014
- *Marijuana: What Does it Mean for Your City?* Palm Beach League of Cities, October 2014
- *Land Use Regulations of Marijuana Related Uses*, Miami-Dade County Bar Local Government Section Seminar, September 2014
- *Quasi-Judicial Hearings and RLUIPA*, CLE International Land Use Law Conference, August 2014
- *Planning Ethics*, 1000 Friends of Florida Webinar, June 2014
- *School Facilities*, APA National Planning Conference, April 2014
- Rewrote the course materials and taught land use course for Florida league of cities Advanced Institute for Elected Municipal Officials, November 2013
- *School Concurrency Unplugged*, APA Florida Conference, September 2013
- *The Politics of Sustainability, Sustainable Zoning and Development Controls, Planners Training Service,* American Planning Association, 2011
- *Planning in the Courts, Senate Bill 360 Challenge*, 9th Annual APA Florida Public Policy Workshop, 2011
- *Regulating Political Signs and Speech - Strategies for Local Governments Responding to First Amendment and Land Use Challenges*, Strafford Webinar with Interactive Q&A, 2010
- *Regulating First Amendment Land Uses*, National Conference of the American Planning Association, New Orleans 2010 and Boston 2011

- *Unfunded Mandates and the Constitutional Challenge to Senate Bill 360*, Florida On-Line Academy on Planning & Growth Topics, 2009
- *The Local Government Attorney's Guide to Successful Regulation of First Amendment Land Uses,* Florida Municipal Attorneys' Association, 2009 and City, County and Local Government Law Section of the Florida Bar, 2009
- *School Concurrency*, 25th Annual Growth Management, Energy, Climate Change, and the Environment Short Course, Florida Chamber of Commerce, 2009
- *Issues in Implementing the Harris Act*, Eminent Domain Committee, The Florida Bar, 2005
- *What Local Governments Can Do About School Overcrowding*, City, County and Local Government Law Section of The Florida Bar, Orlando 2004

Publications

- The True Impact of *Reed v. Town of Gilbert* on Sign Regulation, *Stetson Law Review*, Co-Author, Vol. 49, No. 4, Summer 2020
- Deciding Where to Take Your Takings Case Post-Knick, *Stetson Law Review,* Co-Author, Vol. 49, No. 4, Summer 2020
- Best Practices in First Amendment Land Use Regulations, *Planning and Environmental Law*, Volume 51, 2009
- Perspectives on the 2009 Growth Management Legislation and Municipal Perspectives on Senate Bill 360, Version 2.0, *The Florida Bar Journal*, Volume 83, No. 9, October 2009 "Senate Bill 360 Refined: The Impact of the 2007 Legislative Session on Local Government Growth Management, Part I," *The Florida Bar Journal*, Co-Author with Michelle Vos and Chad Friedman, Volume 81, Number 10, 2007
- Senate Bill 360 Refined: The Impact of the 2007 Legislative Session on Local Government Growth Management, Part II, *The Florida Bar Journal*, Co-Author with Michelle Vos and Chad Friedman, Volume 81, Number 11, 2007
- Senate Bill 360: Growth Management Reform Arrives and It Is All About Infrastructure, Co-Author, *The Florida Bar Journal*, Volume 79, No. 9, October 2005
- Advising the Client Regarding Protection of Property Rights: Harris Act and Inverse Condemnation Claims, *The Florida Bar Journal*, Volume LXXXVIII, No. 7, July/August 2004
- Alternatives to Takings: Procedural Due Process, Equal Protection and State Law Doctrine in Taking Sides on Takings Issues: The Public and Private Perspectives, *ABA*, Roberts, Thomas Ed., 2001
- *Special Editor*, Inverse Condemnation and Impact Fees Chapters, Florida Environmental and Land Use Law, February 2001
- Florida Supreme Court Decides That Comprehensive Plan Amendments are Legislative, *Florida Planning*, May/June, 1997
- Defensible Exactions After *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*, (Co-Author), *XXV Stetson Law Review,* 1996

Representative Experience

Comprehensive Plans

- Advised the City of Coral Gables on comprehensive plan amendment to enable form-based regulation in the Planned Area Development District.
- Advised the City of Sunrise and participated in the comprehensive plan amendment process for Tao residential high-rise development, Metropica Transit-Oriented Development, and Westerra Local Activity Center.
- Advised the City of Coconut Creek on the Regional Activity Center for the MainStreet development.
- Advised the City of Sunrise in the development and implementation of the Western Sunrise Area plan and land development regulations from 1995 to present.
- Advised the City of Homestead on the adoption of neighborhood plans for redeveloping areas of the City.

- Represented a coalition of Broward County municipalities and the Broward League of Cities in advocating for changes to the 2004 Broward County Evaluation and Appraisal process and potential changes to charter authority over land use.
- Advised municipal clients on applicants' plan amendments and related rezonings.
- Advised municipal clients on evaluation and appraisal reports and related plan amendments, and other plan amendments necessary to implement state statutes.

Public School Facilities

- Advised the Department of Community Affairs as part of the consulting team preparing technical assistance documents for the implementation of school concurrency, including a model concurrency management system and model proportionate share mitigation agreement for school facilities.
- Advised pilot communities in Sarasota County and Walton County on the implementation of school concurrency, including drafting and review of all pilot deliverables, including the public school facilities element and the school interlocal agreement.
- Advised Sarasota County School Board 10 years later on updates to their system.
- Drafted school interlocal agreements, reviewed public school facilities elements and advised on the implementation of school concurrency for Cities of Sunrise, Miramar, Weston, Dania Beach and Hallandale Beach and the Collier County School Board.
- Represented the Miami-Dade School Concurrency Task Force in its development of a recommended approach to school concurrency, and represented the Miami-Dade County School Board in its negotiations with Miami-Dade County over the school interlocal agreement, and related to implementation of school concurrency.
- Advised City of Cooper City on issues with proposed public school boundary changes and assisted in developing alternatives.
- Advised Town of Miami Lakes and the Cities of Homestead and Sunrise on review and approval of charter school facilities.

Developments of Regional Impact (DRI)

- Advised the City of Sunrise and participated in the DRI review process for the creation or amendment of DRIs for Sawgrass Mills, the Broward County Civic Arena (the BankAtlantic Center), Amerifirst/Metropica/Tao, Sawgrass International Corporate Park, and Harrison Park/Westerra.
- Advised the City and participated in DRI review process for implementation and amendment of the Villages of Homestead in the City of Homestead. Also developed new zoning districts, comprehensive plan amendments, development agreements and other associated approvals for these projects.

Development Agreements

- Represented the City of Hallandale Beach in the Development Agreement and project approvals for BeachWalk condo hotel and related public-private partnership for development of Hyde Park Kitchen, a public restaurant and recreational facilities on the city's beach.
- Represented the City of Coral Gables in the Development Agreement and project approvals for Mediterranean Village, a 7-acre mixed use infill development designed with form-based regulations.
- Represented the City of Sunrise in the land use aspects and related approvals for Development Agreements for several major projects including Metropica and Westerra.
- Represented Bal Harbour Village on a Development Agreement with the Bal Harbour Shoppes.