

Land Use, Zoning and Development

Our team will lead you through all city and county processes to secure the entitlements required for your development.

Capabilities at a glance

- **A track record that speaks for itself.** Our ability to work within local communities is proven by the many successful clients and developments which received complicated entitlements.
- **Legal advice built on strong technical knowledge.** We employ full-time land use planners who work with our zoning attorneys to assist clients with land use and zoning due diligence, site plan reviews and the preparation of all types of administrative, quasi-judicial and legislative zoning applications.
- **Politically-connected attorneys.** Our attorneys and land planners maintain strong connections with elected and appointed officials, as well as local planning and development departments, in order to provide predictable outcomes for decisions made by elected officials.
- **A full-service Real Estate Practice Group from a national law firm.** We provide a full umbrella of real estate representation, including transactional, leasing, finance, government incentives and land use/zoning that can advise on deals in all 50 states.

Attorneys with a keen understanding of land use, zoning and development law

Around the country, cities and counties are increasing regulation surrounding new development and adaptive reuse. Our Real Estate Practice Group provides robust representation on these matters to a broad range of clients nationwide, with particular strength in Arizona, Illinois, Florida and Wisconsin. We know from experience that a deep understanding of local politics helps our clients' businesses thrive. Our Land Use, Zoning and Development team maintains relationships with planning departments, city councils and county boards of supervisors across the U.S. in order to effectively advocate for and obtain the entitlements necessary for our clients' specific developments and uses. Many members of our team are highly involved in local politics, allowing us to provide our clients with a unique government perspective and high level of knowledge for local government operations.

Breadth and depth of experience from a multidisciplinary legal team

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Using a multidisciplinary team approach, our zoning practice coordinates with our transactional and leasing teams to provide seamless real estate representation to handle all aspects of your development. Our attorneys represent clients on a wide variety of zoning and land use matters, including zoning due diligence in all 50 states, rezoning cases, special and conditional use approvals, variances, vertical and horizontal subdivisions, historic preservation and landmark designations, reciprocal easement agreements, covenants, conditions and restrictions agreements, restrictive covenants, utility and right-of-way easements, all varieties of entitlements, site plan approvals, building permits, governmental incentives and legislative approvals, as well as complex pre-development, development and construction agreements necessary for the use and development of real property.

Theodore Yi
Beverly Zinn

Experience

- **Rezoning and entitlement cases** for all types of development, including luxury multi-family and affordable/workforce housing developments; mixed-use developments with unique Planned Area Development or Planned Unit Development zoning; industrial, solar and renewable energy facilities; retail and commercial; restaurants, resort and hospitality; and health care and behavioral health land uses.
- **Land use and zoning due diligence** for prospective buyers, lessees, lenders and rapidly expanding businesses.
- **Use Permits and Special Use Permits** for unique and highly regulated uses, such as solar and wind facilities, battery energy storage systems, car dealerships, sensitive laboratories, drive-thru and outdoor dining uses.
- **Variances** from local development standards including setback, height, parking, landscaping and other deviations necessary to approve a site plan for a unique site.
- **Abandonments** of alley and street right-of-way and public utility easements.
- **Obtaining interpretations and waivers** from local jurisdictions to avoid cumbersome and unintended applications of zoning ordinances.
- **Billboard entitlements and Comprehensive Sign Plan approvals** for individual sites and regional shopping developments.
- **Public Auction Processes for the Sale or Leasing** of Arizona State Land Department state trust land.

Successes

- In recent years, our land use and zoning team has maintained our status as a leader in entitling all categories of multi-family





developments, from affordable to some of the premier luxury developments approved by local governments.

- We manage large portfolios of leased and owned properties with unique situated land use needs. For example, we represent one of the largest and fastest growing instant grocery delivery companies, which has required our land use and zoning counsel to confirm the zoning, permitted land uses and compatibility of over 1,000 locations nationwide prior to the client's acquisition or leasing of these locations.
- We represented an international manufacturer of renewable batteries and associated technologies regarding **(i)** the negotiation of a development agreement and intergovernmental agreement; **(ii)** negotiation of an incentive agreement with the Arizona Commerce Authority; **(iii)** the acquisition of hundreds of acres of Arizona State Land through a public auction process; **(iv)** forming and converting the client entity to be used in the acquisition of land and management of the project; **(v)** land use and site plan approvals; and **(vi)** strategy and risk mitigation related to petitions and protests from citizens.
- Our zoning lawyers represented a major beverage and food manufacturer in connection with the acquisition, zoning and entitlement, municipal government relations work, construction and development of approximately 150 acres of land for a 630,000 square foot beverage manufacturing facility.
- Our zoning team obtained all zoning and permitting approvals for a mixed-use development, consisting of 320 multifamily units, 307,000 square feet of 4-story multifamily buildings, 11,400 square feet of retail and 20,000 square feet of medical office.
- As one of the leading representatives of solar and renewable energy developers, our team has rezoned over 35,000 acres for concentrated solar, photovoltaic and battery energy storage system developments.
- Our firm obtained approvals for a complete renovation of an existing office tower, while also rezoning three adjacent residential buildings to be used for future office, retail and a new restaurant with outdoor patio use.
- We have helped clients obtain expedited building inspections, permits and certificates of occupancy. In one case, Quarles secured expedited temporary certificates of occupancy to meet a lender's deadline. In another, a client proposed an adaptive reuse of a downtown warehousing building. We helped the owner avoid over \$750,000 in costs associated with updating the building to meet current fire and ADA requirements.

