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# Land Use Law

A Decade in the Making

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**"One of the best conferences I have attended. Gave me just what I needed. I'll never miss this one again!"**

John McClure, McClure & Lobo, Sebring

**"The topics were great. Very good seminar."**

Michael May, Marion County Board of County Commissioners, Ocala

**"This seminar does an excellent job of delving in-depth into an incredibly obtuse field."**

Anne Pollack, Mechanik Nuccio Hearne & Wester, Tampa

**"Good program, good speakers, good materials, good location."**

Richard Sollner, Trenam Kemker, Tampa

**"In light of the multitude of legislative changes and new state mandates in the area of Land Use Law, this seminar was by far the best course I've attended in a long time. The speakers were great. Interesting, easy to follow, and well prepared."**

Leslie Campione, City of Umatilla

Schedule and Instructor Bios Inside 

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**Monday, September 17****Tuesday, September 18**

8:30 Registration and Continental Breakfast

**9:00 Welcome and Introduction**

Overview of Day One

**Robert C. Apgar, Esq., Program Co-Chair**

Greenberg Traurig, Tallahassee

**Charles L. Siemon, Esq., Program Co-Chair**

Siemon &amp; Larsen, Boca Raton

**9:15 Certiorari Challenges to Land Use Decisions**Did the 2002 Amendments to Section 163.3215 Overrule *Snyder*?**Robert K. Lincoln, Esq.**

Icard, Merrill, Cullis, Timm, Furen &amp; Ginsburg, Sarasota

10:00 Morning Break

**10:15 Legislative Update**

A Review of the 2007 Legislative Session

**Rebecca A. O'Hara, Esq., Deputy General Counsel**

Florida League of Cities, Tallahassee

**11:00 Keynote Address**

SB 360 and Its Aftermath: Land Use, Transportation and Urban Form

**Thomas G. Pelham, Secretary**

Florida Department of Community Affairs, Tallahassee

11:45 Q&amp;A Panel

Members of the Faculty

12:00 Lunch Break

**1:15 Update on Transportation and School Concurrency**

The "Hard Concurrency" Lessons of Proportionate Share and Financial Feasibility

**Linda Loomis Shelley, Esq.**

Fowler White Boggs Banker, Tallahassee

**2:00 Water Concurrency**

Meeting Demands When the Well Runs Dry

**Eric T. Olsen, Esq.**

Hopping, Green &amp; Sams, Tallahassee

2:45 Afternoon Break

**3:00 Changes in the Ethics Rules: It's All the Same—Just Different**

A Practical Discussion on the Application of the Newly Amended Florida Rules of Professional Responsibility

**Pamella A. Seay, Esq., Professor of Law**

Florida Gulf Coast University, Port Charlotte

**4:00 Concurrency**

A Panel Presentation

**Shaw P. Stiller, Esq., General Counsel**

Florida Department of Community Affairs, Tallahassee

**Linda Loomis Shelley, Esq.****Eric T. Olsen, Esq.****Moderator: Robert C. Apgar, Esq., Program Co-Chair**

5:00 Q&amp;A Panel

Members of the Faculty

5:15 Adjourn to Private Reception

8:30 Registration and Continental Breakfast

**9:00 Welcome Back**

Overview of Day Two

**Robert C. Apgar, Esq., Program Co-Chair****Charles L. Siemon, Esq., Program Co-Chair****9:15 Comprehensive Plan and Zoning Update**

What You Need to Know

**Shaw P. Stiller, Esq.**

10:00 Morning Break

**10:15 Florida Hometown Democracy**

Land Use Regulation by Referendum

**Robert C. Apgar, Esq., Program Co-Chair****11:00 An Update on Unconstitutional Takings**

The Bert J. Harris Act and Other Hot Topics

**Ronald L. Weaver, Esq.**

Sterns Weaver Miller Weissler Alhadeff &amp; Sitterson, Tampa

11:45 Q&amp;A Panel

Members of the Faculty

12:00 Lunch Break

**1:15 Workforce/Affordable Housing**

Preserving and Redefining "The American Dream" While Complying with Florida's Growth Management Mandates

**Debbie M. Orshefsky, Esq.**

Greenberg Traurig, Fort Lauderdale

**2:00 The Growth Management Act and "The Other Florida"**

Challenges and Solutions of Managing Urban Sprawl and Making Florida's Cities Livable at the Same Time

**Charles L. Siemon, Esq., Program Co-Chair**

2:45 Afternoon Break

**3:00 Form-Based Codes**

Regulating Traditional Neighborhood Development

**William M. Spikowski, AICP, Principal**

Spikowski Planning Associates, Fort Myers

**4:00 Hometown Democracy**

A Panel Presentation

**Robert C. Apgar, Esq., Program Co-Chair****Robert K. Lincoln, Esq.****Debbie M. Orshefsky, Esq.****Ronald L. Weaver, Esq.****Moderator: Charles L. Siemon, Esq.**

5:00 Evaluations and Adjourn

# meet your **instructors**

**Program Co-Chairs**

**Robert C. Apgar** practices primarily in land development and growth management law. In his 27 years of practice, he has represented landowners and developers seeking a full range of land development approvals, from local zoning and site plan approvals to comprehensive plan amendments and developments of regional impact.

**Charles L. Siemon** is a planning law consulting attorney who has provided professional services to public and private sector clients in more than 25 states and in the Commonwealth of Puerto Rico. He has extensive experience in state and federal courts on takings issues, civil rights, impact fees, condemnation of open space and other matters.

**Keynote Speaker**

**Thomas G. Pelham** is a land use lawyer and certified planner. He has more than 30 years of experience with Florida's land use planning and growth management programs. He was past Chair of the Florida Bar Sections on Environmental and Land Use Law and City, County, and Local Government Law. He is also a past President of the Florida Chapter of the American Planning Association.

**Robert K. Lincoln** focuses his practice on land use permitting and litigation and administrative law. He has a broad background in urban and regional planning, having served as an Assistant Professor of Urban Planning at Michigan State University, a Senior Research Associate at the Cantanese Center for Urban and Environmental Solutions, and an Associate Planner with Sarasota County.

**Rebecca A. O'Hara** represents her organization on a variety of municipal matters, particularly environmental and land use issues. She also lobbies for the League before state executive agencies and the Florida legislature.

**Eric T. Olsen** practices in the areas of water supply, consumptive use permitting, wetlands, and underground injection control across all of Florida. He represents utilities, agriculture, development interests, and manufacturers in obtaining consumptive use permits and on water supply issues. He was formerly in-house counsel with the St. Johns River Water Management District.

**Debbie M. Orshefsky** has been involved in large-scale, multi-jurisdictional development permitting efforts in Broward County, Collier County, Miami-Dade County, and Flagler County. She frequently lectures at state and national seminars regarding the land development process, and she was listed as a leading business lawyer in the 2004-2005 edition of *Chambers & Partners USA Guide*.

**Pamella A. Seay** is a professor of justice studies at Florida Gulf Coast University. She is a past member of the Florida Bar Professional Ethics Committee, and a member of the Punta Gorda Charlotte County Metropolitan Planning Organization. She is a commissioner with the Charlotte County Airport Authority, where she has served since 1997.

**Linda Loomis Shelley** concentrates on environmental and land permitting before state, regional and local entities and provides advice and assistance regarding Florida administrative practice and litigation. From 1992 to 1995, she was the Secretary of the Florida Department of Community Affairs and from 1995 to 1999, she was the Chief of Staff of the Office of the Governor.

**William M. Spikowski** founded his consulting firm in 1992. His firm specializes in comprehensive planning, community plans, redevelopment plans, and preparation of land development regulations, primarily for public agencies and community organizations. He is a founding director of the Form-Based Codes Institute and serves as Chairman of the Fort Myers Planning Board.

**Shaw P. Stiller** focuses on statewide land use litigation. Previously, he was involved in land use litigation in the private sector, representing private interests, local governments, and neighborhood groups in state and federal courts.

**Ronald L. Weaver** is Chairman of his firm's Environmental and Land Use Law Department. His practice includes land use, environmental, real estate acquisition and real estate finance. He has chaired the ABA Commercial Banking, Real Estate Financing, and Property Rights Subcommittees. In 1996, NAIOP inducted him into the Tampa Bay Real Estate Hall of Fame.

**CLE International Program Attorney:**  
**Michelle M. Messner, michelle@cle.com.**

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One Hour of Ethics**

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Lessons in Concurrency and Hometown Democracy

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**Thomas G. Pelham**  
**Secretary**  
Florida Department of  
Community Affairs

## Meet the Secretary!

Thomas G. Pelham was recently appointed Secretary of the Florida Department of Community Affairs by Governor Charlie Crist. He leads the Department's efforts to address and manage growth and development issues affecting Florida's cities, counties, and neighborhoods.

**You cannot afford to miss  
his keynote presentation!**

**Beyond SB 360: Restoring  
Vision, Urban Form and  
Environmental Values to the  
Growth Management Process**

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