



→ Brooke Miller

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Brooke Miller is special counsel in the Real Estate, Energy, Land Use & Environmental Practice Group in the firm's San Diego office.

Areas of Practice

Brooke has over fifteen years of experience practicing in the areas of land use planning, zoning, entitlements, environmental, local government and special districts law. She has successfully defended her clients in litigation under the California Environmental Quality Act (CEQA), Subdivision Map Act and the California Planning and Zoning Law, including in the published decision at *Aptos Council v. County of Santa Cruz* (2017) 10 Cal.App.5th 266 (cert. den.), upholding the County's approval of Zoning Code changes against a CEQA challenge. In addition to her land use and environmental law practice, Brooke has a broad range of experience practicing under such diverse laws as the Cortese-Knox-Herzberg Local Government Reorganization Act, the Coastal Act and the California Global Warming Solutions Act. She also has extensive experience in the area of government contracting and public works.

Prior to joining Sheppard Mullin, Brooke practiced in both the private and public sector. After almost a decade in private practice primarily representing cities and special districts including water, transportation and fire districts, Brooke joined the Santa Cruz County Office of County Counsel as Assistant County Counsel representing the Planning Commission, Planning Department, Department of Public Works, Santa Cruz County Local Agency Formation Commission (LAFCO), County Sanitation Districts and Regional Transportation Commission. While at the County of Santa Cruz, Brooke worked extensively on obtaining federal reauthorization and funding for the Pajaro River Levee Project, an approximately \$400 million flood control project to protect vulnerable agricultural communities in Santa Cruz and Monterey Counties. Brooke also defended the County against litigation challenging the final map approval for the Aptos Village project, a multiuse project including retail space, a village green and residential units including deed-restricted affordable units.

Most recently, Brooke worked in the San Diego County Counsel's office advising on CEQA compliance and land use entitlements and worked closely with County Planning & Development Services and Sustainability staff on the Climate Action Plan update and Countywide CEQA thresholds of significance. Brooke also defended the County against lawsuits under CEQA and related land use laws in collaboration with counsel for real parties in interest.

Brooke has been recognized as a San Diego Daily Transcript Young Attorneys Award Finalist and received a Litigation Award from the County Counsels' Association of California. Brooke is an Expert Contributor and member of the Oversight Committee and for the California Association of Environmental Professionals CEQA Portal and participates in the Urban Land Institute San Diego-Tijuana Womens' Leadership Initiative.

Articles

Real Estate, Land Use & Environmental Law Blog

- "Ninth Circuit Strikes Down Berkeley's Ban on Natural Gas in New Construction, Dealing Blow to California's Electrification Efforts," April 26, 2023
- "Challenge to Housing and Revitalization Challenge to Housing and Revitalization Project Found Not Cognizable under the Fair Housing Act and California Fair Employment and Housing Act," March 10, 2022
- "Petitioners Failed to Show Subdivision Consistent With a Specific Plan EIR Was Outside the Scope of a Statutory Exemption," March 8, 2022

Speaking Engagements

"Home Sweet Home: Housing Options Under SB 9," CEB, May 25, 2022

Practices

Environmental

Real Estate, Energy, Land Use & Environmental

Industries

Energy, Infrastructure and Project Finance

Multifamily Housing

Education

J.D., Notre Dame Law School, 2005; Articles Editor, Journal of Legislation

B.A., Claremont McKenna College, 2002, *cum laude*

Admissions

California