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FitzGerald Yap Kreditor LLP

Deborah M. Rosenthal

Deborah M. Rosenthal, FAICP, is a partner with over 25 years of experience representing clients throughout California in Real Estate, Land Use, Natural Resources and Environmental matters. As set forth below, she has earned numerous awards and distinctions that provide a glimpse of the knowledge and experience she brings to every project.



Areas of Practice:

Deborah works extensively with land use and environmental issues throughout California, including wetlands, water and groundwater rights, endangered species, takings, historic preservation, mitigation banking and coastal issues. Deborah has also been involved in a variety of complex federal and state coordinated environmental permitting programs for large private developments, including the negotiation of development agreements and preparation of development plans.

A major portion of her practice is devoted to CEQA, inverse condemnation and general plan litigation in connection with land use entitlements for large residential real estate developers. She has handled complex land use litigation throughout California.

Immediately before admission to the California bar, Deborah served as Executive Director of the Landmarks Preservation Council of Illinois. In this capacity, she was responsible for supervising statewide preservation-advocacy programs. Prior to attending Yale Law School, Deborah acted as a special consultant to the National Trust for Historic Preservation on selected planning issues in Oklahoma and provided special media services to the Oklahoma Humanities Council and the Oklahoma Council for the Social Studies.

Bar Admissions:

- California
- Illinois
- US Supreme Court
- USDC, Central District of California
- California Supreme Court
- U.S. Court of Federal Claims
- Supreme Court of Illinois
- USDC, Northern District of Illinois

Education:

- J.D., Yale Law School, 1981
- M.A., Master of Regional and City Planning, University of Oklahoma, 1978
- B.A., University of Michigan, 1972

Representative Matters:

- **Coastal Act**
 - Defended private landowner in complex litigation challenging land use approvals under CEQA, Coastal Act and Planning and Zoning Laws.
 - Challenged Coastal Commission rejection of locally approved development project.
 - Challenged Coastal Commission approval of Local Coastal Plan Amendment.
 - Represented condominium association in connection with coastal access easement.
- **CEQA**
 - Represented private landowner in processing 2300-acre project in San Diego County, including EIR preparation.
 - Defended project approvals for 3200-acre project in Santa Barbara County.
 - Represented developer in EIR for 3 million square foot warehouse development in Rialto, California.
 - Represented golf course in amending approvals to use groundwater for irrigation.

- **Historic Preservation**

- Represented coalition of private property owners in protecting their interests during redrafting of the Los Angeles Cultural Heritage Ordinance.
- Represented redeveloper of historic naval shipyard in Vallejo, California.
- Represented community group challenging proposed amendment to preservation ordinance in Tustin, California.
- Represented homeowner in a 5-day evidentiary hearing on use of non-conforming historic duplex.
- Represented Los Angeles Conservancy in connection with proposed changes to Century Plaza Hotel

- **Endangered Species**

- Represented landowner in Section 7 consultation for gnatcatcher in North San Diego County.
- Represented landowner in obtaining permits for development of project with 3 endangered and 1 threatened species in Ventura County.
- Represented landowner in local and resource agency approvals for property with gnatcatcher habitat in North San Diego County.
- Represented landowner in negotiating fee payment under approved Multi-Species Habitat Plan in Anaheim, California.

- **General Plan/Specific Plan**

- Represented private landowner in litigation defending General Plan and Zoning Code amendments.
- Represented landowner obtaining general plan amendments, specific plan and rezoning in Santa Barbara, California.

- **RLUIPA**

- Represented religious fellowship in application for conditional use permits in Santa Barbara County.
- Represented American Planning Association as amicus in RMC v. Boulder County in Tenth Circuit.
- Represented International Municipal Lawyers Association (IMLA) as amicus in RM v. Boulder County on petition for certiorari in United States Supreme Court.

- **Easements**

- Represented landowner in litigation establishing abandonment of access easement in Los Angeles County.
- Represented landowner in negotiations with title company to establish scope of easements over conservation easement property in San Diego County.
- Negotiated and drafted conservation easements over habitat on behalf of property owners in Ventura and San Diego Counties.
- Represented lender in claim against title company over condemnation of easement.

- **Climate Change**

- Defended EIR section addressing Greenhouse Gas Impacts of large industrial project in Riverside County.
- Defended EIR section addressing Greenhouse Gas Impacts of residential project in Santa Barbara County.
- Supervising preparation of first EIR section addressing Greenhouse Gas Impacts of large residential project in San Diego County.

Professional Honors and Memberships:

- University of Oklahoma, College of Architecture, Regional and City Planning, Outstanding Alumni (2013)
- Top Rated Lawyer for Energy, Environmental and Natural Resources by American Lawyer Media (2013)
- Top Rated Lawyer in Land Use and Zoning by American Lawyer Media (2013)
- Martindale-Hubbell AV Preeminent Rated Lawyer (current)
- International Municipal Lawyers Association, Amicus Service Award (2011)
- Southern California Super Lawyer for Land Use and Zoning (2005 through 2016)
- California Preservation Foundation Service Award (2002)
- Jewish Federation of Orange County, Jerusalem Leadership Award (1995)
- Chamber of Commerce, Calabasas, President's Individual Community Service Award for Outstanding Volunteer (1991)
- Fellow, American Institute of Certified Planners (AICP)

- Member, Amicus Curiae Committee, American Planning Association
- Trustee, California Preservation Foundation
- Member, Lambda Alpha International, Orange County Chapter
- Associate Member, Urban Land Institute
- Member, CPF Advocacy Committee
- Advisory Board Member, JFFS Real Estate Council
- Board of Visitors, Division of Regional & City Planning, University of Oklahoma
- Former board member, Constitutional Rights Foundation of Orange County
- Former board member, Hillel Foundation
- Former chair, Planning and Law Division, American Planning Association
- Former board member, Jewish Federation of Orange County
- Past president, Jewish Family Service of Orange County
- Past board member, Jamboree Housing Corporation
- Founding director, Los Angeles Historic Theatre Foundation
- Site Visitor, Planning Advisory Board