



## Deborah M. Rosenthal

Partner

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### PRACTICE AREAS

- Real Estate
- Land Use and Natural Resources
- Environmental

### OVERVIEW

Deborah M. Rosenthal, AICP, is a partner in the Real Estate, Land Use and Natural Resources and Environmental Practice Group in the firm's Orange County Office.

#### Areas of Practice

Ms. Rosenthal devotes her practice to land use and environmental law and litigation. She works extensively with land use and environmental issues in California, including wetlands, endangered species, takings, historic preservation, mitigation banking and hazardous materials. 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 represents clients in complex land use, civil rights and antitrust litigation in Illinois, New Jersey, Florida, Kentucky, Indiana and 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.

### EDUCATION

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

### ADMISSIONS

- California
- Illinois
- United States 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

## EXPERIENCE

### Representative Matters

- **CEQA litigation** — Acted as special counsel in CEQA litigation involving reuse of Marine Corps Air Station El Toro as a civilian airport
- **City of Costa Mesa and Orange County** — Managed contracts with the City of Costa Mesa to act as special environmental counsel in connection with adoption of General Plan revisions and with Orange County to prepare 19 development agreements covering more than 60,000 dwelling units
- **Cities of Chicago and Claremont** — Drafted land use and planning regulations, Illinois preservation legislation and amendments to both the City of Claremont Historic Preservation Ordinance and the City of Chicago Landmarks Ordinance

## HONORS

- Martindale-Hubbell AV Preeminent Rated Lawyer, 2012
- International Municipal Lawyers Association, Amicus Service Award (2011)
- Jerusalem Leadership Award from the Jewish Federation of Orange County
- President's Individual Community Service Award for Outstanding Service from the Calabasas Chamber of Commerce
- California Preservation Foundation Service Award
- Southern California Super Lawyers (2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012)

## MEMBERSHIPS

- Member, American Institute of Certified Planners (AICP)
- Member, Amicus Curiae Committee, American Planning Association
- Member, Lambda Alpha International, Orange County Chapter
- 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 trustee, California Preservation Foundation
- Founding director, Los Angeles Historic Theatre Foundation
- Past board member, Jamboree Housing Corporation

## ARTICLES

- The Next Zoning Battleground: Trends and Challenges in Local Regulation of Medical Marijuana, *Zoning Practice*, July 2011
- Author, "**Part Two: Non-Conforming Uses**," *The Commissioner*, published by the American Planning Association, Winter 2011
- Author, "**Part One: Non-Conforming Uses**," *The Commissioner*, published by the American Planning Association, Fall 2010

- Co-Author, "**Nonconforming Uses: Amortization, Enlargement, and Rebuilding**," *The Practical Real Estate Lawyer*, published by the American Law Institute / American Bar Association, May 2010
- Author, "**Enough is Enough: Amortization and the End of Uniformity**," *Planning & Environmental Law*, published by the American Planning Association, April 2010
- Author, "**Religion and the Constitution**," *Religious Land Uses, Zoning and the Courts [Chapter One]*, RLUIPA Reader, published by the American Bar Association, April 2009
- Co-Author, "**Regulations for Condominium Hotels**," *Los Angeles Lawyer*, published by the Los Angeles County Bar Association, January 2009
- Co-Author, "**NAFTA: Sleeping Giant or Just Sleeping**," *Urban Land*, published by Urban Land Institute, October 2004

### SPEECHES

- Deborah has spoken on land use law before the UCLA Public Policy Program, American Planning Association, Zoning Institute, California Preservation Foundation, American Bar Association, California Judicial Conference on Land Use Planning and Regulation and many other professional and civic groups across the country.
- November 15, 2011, California Preservation Foundation Conference, *Incentives that Work & the Case Studies that Prove It*.
- September 12, 2011, APA California Chapter Conference, *Working with Religious Land Uses (RLUIPA)*.
- August 18 - 19, 2011, ALI-ABA Land Use Institute, (i) *Update on Planning, Land Use, and Eminent Domain Decisions* (Agricultural Land, American Disabilities Act, Administrative Exhaustion), (ii) *Federal Laws, Regulations, and Programs Affecting Local Land Use Decision-Making* (RLUIPA), (iii) *Quasi-Judicial Hearings and Ex Parte Communications*, and (iv) *Permitting Mixed-Use Development*.
- May 16, 2011, California Preservation Foundation 36th Annual Conference, Santa Monica, California, *Incentives that Work and the Case Studies that Prove It*
- January 20, 2011, Lorman Education Services teleconference, *EPA's Rules on Compensatory Mitigation for Impact on Wetlands, Streams and Other Waters*
- November 15, 2010, Lambda Alpha – Orange County, *California Environmental Quality Act: Who, What, When, Where, How?*
- October 22, 2010, Oklahoma Chapter of the American Planning Association Conference re *Planning Pathways: Connecting People and Places, the Law*
- August 25 – 28, 2010, ALI-ABA Land Use Institute, (i) *Managing the Development Team*, (ii) *Solutions to Land Use Issues Posed by Environmental Constraints*, and (iii) *Update on Federal Laws, Regulations, and Programs Affecting Local Land Use Decision-Making* (RLUIPA; Non-Conforming Uses, Special Uses and Conditional Uses; Historic Preservation; and Katrina Litigation)
- July 27, 2010, Lorman Education Services Teleconference, *Introduction to California Subdivision Law*
- June 30, 2010, APA Webinar, *2010 Planning Law Review*
- June 25, 2010, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, *Non-Conforming Uses, Variances and Conditional Use Permits*
- May 14, 2010, California Preservation Foundation 35th Annual Conference, Nevada City, Nevada, *Beyond Tax Credits: A Full Range of Financial Incentives in Preservation*

- April 13, 2010, APA National Conference, New Orleans, *Planning Law of the Past Year* (Rocky Mountain Christian Church – RLUIPA)
- January 21, 2010, Lorman Education Services Teleconference, *Compensatory Mitigation Under Clean Water Act Section 404*
- November 20, 2009, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, *Federal Regulations: Wetlands, Endangered Species, NEPA, Coastal Zone, and Historic Preservation*
- August 26 – 29, 2009, ALI-ABA Land Use Institute Conference, Panel Presentations, San Diego, CA, (i) *Non-Conforming Uses ("Rethinking Amortization: New Uses for An Old Tool")*, (ii) *Update on Federal Laws, Regulations, and Programs Affecting Local Land Use Decision Making* (ADA Amendments & FEMA Map Modernization and Levee Certification Program Update), (iii) *Update on (State) Planning, Land Use and Eminent Domain Decisions* (ADA & Historic Preservation), (iv) *SB 375 Smart Growth ("Planning for Climate Change: Is it Smart Growth?")*, and (v) *Dealing with Foreclosed Properties ("An Invitation to Replan")*
- July 8, 2009, Lorman Education Services Teleconference, *New Rules for Compensatory Mitigation Under Clean Water Act Section 404*
- May 15, 2009, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, *Development Impact Fees and Exactions*
- May 6, 2009, The American Bar Association Section of State and Local Government Law Teleconference, *Religious Land Use and Institutionalized Persons Act (RLUIPA)*
- April 24, 2009, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, *Land Use Overview: The Basics*.
- *General and Specific Plans in California*
- April 16, 2009, California Preservation Foundation Conference, Palm Springs, CA, *Implementing CEQA for Historic Purposes*
- March 6, 2009, Lorman Education Services, Santa Clara, CA, *The Subdivision Map Act*
- February 27, 2009, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, *Subdivision Law in California*
- October 24, 2008, Lorman Education Services, San Diego, CA, *Subdivision Law in California*
- September 23, 2008, APA CA Conference 2008, Hollywood, CA, *The Ins and Outs of Conflicts and Public Notice*
- May 21, 2008, MCLE presentation at Sheppard, Mullin, Richter & Hampton LLC, *Land Use Overview: The Basics*
- April 28, 2008, APA 2008 National Conference, Las Vegas, NV, *Bargaining for Development: Development and Annexation Agreements*
- April 4, 2008, Lex and the City, The Central California Annual Land Use and Planning Law Conference, Avila Beach, CA, *Updates, Trends, and Analyses*
- March 19, 2008, APA Webinar, *Confronting NIMBY's*
- March 18, 2008, CLE International SuperConference, Los Angeles, CA, *NEPA and Historic Resources*
- January 27, 2008, Lorman Education Services Teleconference, *New Rules for Compensatory Mitigation Under Clean Water Act Section 404*
- January 18, 2008, State Bar of California Section Education Institute, San Diego, CA, *The Law of Global Warming and Climate Change*