



Steven A. Amerikaner

Shareholder

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Santa Barbara, California

Steve Amerikaner's career in real estate law spans three decades and numerous changes in environmental and land use regulations. Focusing on California's Central Coast, Steve represents property owners and businesses seeking development permits and other governmental approvals. As land use rules have become more complex and unpredictable, he has also increasingly provided pre-acquisition due diligence counsel.

Steve regularly counsels developers, public agencies, businesses and homeowners, including coastal property owners, on land development issues such as securing land use permits (including coastal permits and major general plan and zoning amendments). He also serves as general counsel to a regional water agency and a local sanitary district.

In addition, Steve has significant experience in counseling established businesses and associations, including a prestigious private school, a movie theater corporation and a ranch owners association. He also represents a number of public agencies, including providing counsel on major infrastructure projects, and advises businesses and individuals facing problems with public agencies.

Previous Experience

City Attorney, Santa Barbara, California

Assistant City Attorney/Deputy City Attorney, Land Use & Environmental Section, Los Angeles, California

Practices

Infrastructure Development, Real Estate, Senior Living, Land Use

Coastal Development

Much of Steve's work concerns matters that involve California's Central Coast, from Los Angeles to San Francisco. He is among the best attorneys in California when it comes to coastal land use regulations for residential and commercial developments.

In recent years, Steve has counseled the owner of a 25,000-acre cattle ranch, one of the largest remaining undeveloped properties along the California coast, on land use, Coastal Act and environmental issues. He has also advised a major national utility in securing land use permits for a system upgrade on the Central Coast and represented a major California residential builder in securing permits for a beach-area condominium project, including successful environmental litigation defending those permits.

Infrastructure

Steve's practice includes in-depth advising on infrastructure challenges facing California clients, including work for a major California water agency in the permitting, financing, planning and construction of a \$600 million water distribution system and treatment plant. Recently, he has represented a California special district in securing permits for construction of a new trunk line extending through multiple jurisdictions and abandonment of a portion of an existing trunk line partially located in a state and federally designated wetland.

Representative Matters

- Represent The Nature Conservancy regarding coastal land use, water, and property tax issues related to

The Dangermond Preserve, an approximately 25,000 acre property on the Gaviota Coast of Santa Barbara County, California, including complying with Coastal Commission orders related to Coastal Act violations by a previous owner of the property.

- Since 1991, has served as General Counsel to the Central Coast Water Authority, including coordinating legal services for all phases of planning, permitting, environmental compliance, right-of-way acquisition, construction and operation related to a \$600 million drinking water delivery system. The project included 144 miles of buried pipeline, multiple pumping stations and a water treatment plant. Resolved construction disputes by negotiation and successfully defended the Authority in related litigation.
- Represented a Southern California private country club in negotiations with a nearby city for the purchase of reclaimed water for use on the golf course.
- Has represented the Hollister Ranch Owners Association on issues relating to the Coastal Act. In recent years, Brownstein has represented the Association in litigation against the California Coastal Commission and State Coastal Conservancy related to public access.
- Advises various property owners at Hollister Ranch, a private coastal community that includes 135 parcels of 100 acres each, with respect to public access issues.
- Serves as land use counsel to Cate School, a prestigious private high school on California's Central Coast. The campus includes 178 acres, 320,000 sf of existing structures (dorms, classrooms, administrative buildings, faculty housing and the like), 640,000 sf of impervious surfaces (including parking for 187 cars), and 585,000 sf of recreational open space (playing fields and the like). The school has existed on the site since 1913. It has secured approval for an update to its Master Plan under which it would construct 180,000 sf of new buildings, 101,000 sf of additional impervious surfaces, and six new faculty homes. An EIR was prepared for the project, and the Master Plan has been approved by the Santa Barbara County Planning Commission. Brownstein has been closely involved in the permitting and environmental review process, including reviewing EIR comment letters and responses to comments, and represented the school before the Planning Commission.
- Serves as land use counsel for Casa Dorinda, a Southern California 360-resident retirement community, which secured approval for an update of its campus master plan. The update includes new cottages and other independent living units, an enlarged personal care facility, and a new memory care unit. Brownstein assisted the client in successfully negotiating settlements with a number of neighbors who had concerns about the intensification of use on the campus.
- Serves as General Counsel to the Goleta West Sanitary District, a public agency that provides wastewater collection and treatment services to 6000 customers in the Goleta Valley. Brownstein provides the District with advice on public agency operations, including meeting procedures, Brown Act compliance, conflict of interest issues, personnel, and public facility contracting. Brownstein attorneys also draft ordinances and resolutions and negotiate on behalf of the District with other local public agencies, including the University of California, Santa Barbara and the County of Santa Barbara.
- Represented a beachfront property owner in Santa Barbara who was facing a condemnation lawsuit from the City of Santa Barbara for reconstruction of a bridge adjacent to the property. Successfully negotiated a settlement of the matter.
- Represented a housing developer in securing a Local Coastal Plan amendment and Coastal Development Permit for a 25-unit single family housing project, and then handled the subsequent litigation and appeal.
- Represented a Santa Barbara County beachfront property owner in litigation challenging acceptance of an offer to dedicate a public access way to the beach.
- Represented a Malibu beachfront property owner in litigation challenging acceptance of an offer to dedicate a public access way.
- Represented a Santa Barbara County beachfront property owner in securing a Coastal Development Permit

for a new residence on 4.2 acres.

- Represented a group of coastal property owners who successfully objected to proposed amendments to Santa Barbara County's coastal zoning ordinance (a portion of the Local Coastal Program) which threatened to significantly and adversely affect private property rights.
- Represented a Southern California neighborhood association objecting to a Local Coastal Program Amendment and a Public Works Plan proposed by a regional open space agency, including extensive proceedings before the Coastal Commission and subsequent litigation and appeal.
- Represented Valle Verde, a 250-unit continuing care retirement community in Santa Barbara, CA, owned by American Baptist Homes of the West, with respect to a proposed updating of its facilities, including expanding the number of independent living units and scope of resident services.
- Provided land use due diligence analysis for acquisition of a 350-acre ranch in Ojai, California.
- Assist with land use due diligence for the acquisition of a 25,000-acre ranch property on the California coast. Ongoing advice regarding natural resource and Coastal Act compliance issues.
- Provided land use due diligence for acquisition of a 780-acre ranch in the Santa Barbara foothills, and subsequent advice on land use and natural resource issues. Brownstein worked with expert consultants to analyze water resources located on the ranch, and to develop a plan for the use of those resources.
- Represented Capital Pacific Holdings in the land use permitting proceedings and subsequent environmental litigation for a 40-unit condominium project in Santa Barbara.
- Assisted Terroir Hotel & Resort Fund, LP in the acquisition of a Santa Barbara historical inn and adjacent parcels of land for the preservation of the property and development of a complementary luxury resort. Following the acquisition, Brownstein advised on land development issues.
- Represented a California health club organization in the preparation of a property report assessing land use opportunities and constraints relative to long-term planning for a community recreation facility.
- Conducted due diligence and land use research related to the acquisition of a historic 16-acre estate in California.
- Provided land use and CEQA compliance advice to a major utility regarding a large transmission line project traversing two counties.

Community

President of the Board of Trustees, Congregation B'nai B'rith

Board of Directors, Direct Relief

Chair, Santa Barbara Business Leaders Council

Board Member Emeritus, Coastal Housing Coalition

Past Co-Chair, South Coast Business and Technology Awards Dinner Steering Committee

Publications & Presentations

- California Planning Law for Planning Commissioners: Historical Perspectives, Coastal Regulation to Address Climate Change and Water Supply Planning During Times of Shortage, Speaker, American Planning Association California Conference, Santa Barbara, September 15, 2019
- Reminder: New Brown Act Online Agenda Requirements in Effect Jan. 1, *Brownstein Client Alert*, December 11, 2018
- Local Preferences in Housing Projects, Moderator, Coastal Housing Commission 2018 Housing Conference, Santa Barbara, CA, May 18, 2018
- Coming Soon - The City of Santa Barbara's New Zoning Ordinance, *Brownstein Client Alert*, July 6, 2017
- CEQA News You Can Use - Vol. 1, Issue 2, *Brownstein Client Alert*, February 2, 2017
- CEQA News You Can Use - Vol. 1, Issue 1, *Brownstein Client Alert*, October 6, 2016

- CA Land Use Law 101: Police Power, Property Rights and Takings, Speaker, Fundamental Land Use Law Course, Santa Barbara Planner's Academy, Santa Barbara, CA, February 17, 2016
- Brownstein Trial Victory Emphasizes Limits on Indemnifying Party's Right to Control Litigation in M&A Indemnification Context, *Brownstein Client Alert*, April 22, 2014
- Upcoming Changes to California's Open Meeting Laws, *Brownstein Client Alert*, December 17, 2013
- Does CEQA Ever Require Analysis of the Environment's Impact on the Project?, Presenter, California Environmental Quality Act: New Developments and Practical Guidance for Compliance, Law Seminars International, Santa Monica, CA, September 14, 2012

Education

- J.D., 1973, Harvard Law School
- A.B., 1969, *magna cum laude*, Harvard College

Admissions

- California, 1973
- U.S. Supreme Court
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Central District of California

Recognition

Best Lawyers in America, 2020

Chambers USA, 2018

Southern California Super Lawyers, Land Use/Zoning, 2018-2019

Who's Who in Professional Services, *Pacific Coast Business Times*, 2017

AV Preeminent Highest Level of Professional Excellence, Martindale-Hubbell Peer Review Ratings, 1997-2017

Businessman of the Year, Santa Barbara Chamber of Commerce, 2015

Best Lawyers in America, 2012-2020

California Super Lawyers, 2014-2016

Hillel Hall of Fame Award, 2010