

Brian C. Fish

San Diego, California
Shareholder

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Areas of Practice & Industry Specialties

Real Estate; Land Use; Government, Regulatory & Administrative Law



Brian Fish is a Shareholder in the San Diego office of Buchalter, and is a member of the Firm's Real Estate Group. His expertise covers all aspects of real estate development including land use, permitting/entitlements, public/private partnerships, public contracting, and environmental matters. Prior to his legal career, Mr. Fish was a planner with the City of San Diego, Development Services Department, and a planner and community development specialist with the City of San Diego Redevelopment Agency.

Mr. Fish has extensive experience assisting public and private clients with California Environmental Quality Act (CEQA) compliance, coastal permitting, planning and zoning issues, Subdivision Map Act processing, Williamson Act issues, condominium conversions and prevailing wage analysis. Mr. Fish negotiates and drafts all manner of real estate development documentation required to acquire, develop, finance, invest in, lease, entitle, redevelop, occupy and sell property. Mr. Fish represents clients before administrative agencies, and handles litigation at the trial court and appellate court levels, with respect to public contracting issues, entitlements, CEQA, Subdivision Map Act and other land use and real estate related matters.

Recognition

- *The Best Lawyers in America* – First Year Listed: 2008 – Most Recent Listing: 2024 (Litigation Real Estate, Real Estate Law)
- *San Diego Business Journal* – “Leader in Law” Finalist, 2019
- *San Diego Magazine* – Top Lawyers (Real Estate) 2019
- 2011 Chairman's Award – Building Industry Association of San Diego – Recognizing “Outstanding Service and Contributions to the Industry”

Representative Matters

- Conducted land use and real estate due diligence for equity investors, lenders, joint venture partners, national apartment and mixed-use developers, biotech REITs, office and industrial developers, residential homebuilders and others
- Advised on development strategies and secured required approvals for in-fill and higher density, mixed-use projects in the City of San Diego, City of San Marcos, City of Oceanside, City of Los Angeles City of La Mesa, City of San Jose, City of West Hollywood, City of Placentia, City/County of San Francisco, County of San Diego and other jurisdictions throughout California
- Helped lenders and investors evaluate entitlement and real estate development risks with respect to renewable energy, school, residential, hospitality, office and industrial developments.
- Represented a County in negotiating and drafting public/private partnership agreements with private developers for the entitlement, disposition (ground lease and purchase agreement) and development of two different County owned properties – 140 acres of a former military base for a transit oriented, mixed-

use project and more than 1,400 acres as a master planned community and provided land use and California Environmental Quality Act advice regarding the entitlements for the properties

- Prepared a development agreement and related documents for a large, mixed-use, in-fill development located in close proximity to an existing train station
- Represented a major public energy company, the California State University system, the County of Orange, the City of Oceanside and numerous private companies and parties in California Environmental Quality Act, the Subdivision Map Act and land use litigation matters
- Represented a national commercial developer on a public/private partnership involving the acquisition, entitlement and development of an infill, master planned project with a 130,000-square-foot Civic Center, 350 residential units, a 47-acre Community Park and a 330,000-square-foot Lifestyle Shopping Center including drafting of a land swap agreement with the City, CEQA compliance, specific plan and zoning issues, advice regarding prevailing wage laws, Development Agreement negotiations, and other related real estate and land use documentation
- Led a team that secured land use entitlements from approximately 50 different jurisdictions in Southern California for a national retailer
- Advised public agencies and private clients regarding prevailing wage implications associated with real estate development projects.

Publications

- Buchalter Client Alert: Impact of COVID-19 on Real Estate Transactions, *Buchalter Client Alert*, March 16, 2020

Education

Mr. Fish received his J.D. from Emory University School of Law (1996) and his B.A. from the University of California San Diego in Urban Studies & Planning (1991).

Bar Admissions

- California

Community

- Executive Committee Member and Board of Directors, Downtown San Diego Partnership
- Advisory Board Member, La Jolla YMCA
- Executive Committee Member and Past Board Chair, HomeAid San Diego
- Chair of the Advisory Board, Beach and Bay YMCA
- Member, Lambda Alpha International
- Urban Land Institute