NOTICE OF INTENT TO FILE

VIEW RESTORATION
PHASE 1

View Restoration - A property owner may make an application to re-establish pre-existing views. Once pre-existing views are re-established, the applicable vegetation owners shall maintain the vegetation to preserve the pre-existing views. [LBMC 12.16.050(a)] "Pre-existing views" means one or more visual scenes from selected viewing locations or areas that are not significantly impaired by vegetation and that existed on or after either the date of acquisition of the claimant's property or November 4, 2003 (the effective date of Ordinance No. 1430 relating to view preservation), whichever is earlier. It shall be the claimant's responsibility to sustain the burden of proof for establishing and substantiating pre-existing views. [LBMC 12.16.020]

Process: Prior to filing this form, the prospective applicant shall first contact the vegetation owner(s) to attempt to resolve the view impairment issue. Proof of this attempt must be attached to this application. If no resolution is reached, then the prospective applicant may complete and submit this form to the City.

Upon receipt of this completed form and mediation fee, a staff member will contact the parties to schedule a pre-application mediation meeting with the City's contract View Restoration Mediator. The purpose of the pre-application mediation meeting is to discuss the City's view restoration process with the applicant and the vegetation owner(s) to attempt to resolve the view impairment issues and avoid the filing of a Formal View Restoration application.

NOTICE OF INTENT - Filing Instructions:

Submit three (3) copies of items 1 – 3.

1) Completed Notice of Intent to file application.
2) Photographs of the current obstructing vegetation and photographs of the pre-existing view(s). All photographic prints or color copies of photographs must be submitted on 8 1/2 X 11 paper. Multiple photos may be submitted on one 8 ½ X 11 sheet of paper. Photographs must be date stamped and labeled on the FRONT of the photograph with the viewing location from the primary residential structure.
3) Evidence that demonstrates prior communication with the vegetation owner(s) has failed to resolve the view concerns.
4) View Mediation fee of $650 (minimum) plus $300 for each 2nd, 3rd, etc. claimant plus actual costs over minimum.

Date Filed:	
Application No.	VRP_____-_____

NOTICE OF INTENT TO FILE
VIEW RESTORATION – PHASE 1

Applicant/Property Owner #1

Name: _____

View Address: _____

Telephone: _____ (home/cell) _____ (work)

Email address: _____

Date of acquisition of property subject of View Restoration Claim: _____

Applicant/Property Owner #2 (if applicable)

Name: _____

View Address: _____

Telephone: _____ (home/cell) _____ (work)

Email address: _____

Date of acquisition of property subject of View Restoration Claim: _____

Please attach additional sheets for more applicants/property owners.

View Restoration Permit Pre-Application Mediation Meeting Dates and Times: Pre-application mediation meetings are held during City Hall business hours, Monday thru Friday. The meetings may occur between the hours of 10:00 AM and 3:00 PM. Please select three separate dates and times when the applicant(s) will be available and allow at least 1 hour for the meeting. **The first date selected must be at least 45 days after this form is submitted to the City.**

Date	Time

The vegetation owner(s) will be given 14 calendar days to choose from one of the meeting dates and times indicated above. Upon selection of a date by the vegetation owner(s), a seven-day notice of the pre-application mediation meeting date and time will be provided to all parties involved.

Vegetation Owner # 1

Name: _____

Address: _____

Telephone: _____ (home/cell) _____ (work)

Vegetation Owner # 2 (if applicable)

Name: _____

Address: _____

Telephone: _____ (home/cell) _____ (work)

Please attach additional sheets for more vegetation owners.

In the table below, please describe the applicant's pre-existing view, viewing area, and indicate the location, type and approximate height of the vegetation that creates significant view impairment. Attach photos and additional descriptions as needed.

SELECTED VIEWING LOCATIONS OR AREAS*	PRE-EXISTING VIEW**

* "Selected viewing locations or areas" means one or more locations or areas chosen by the property owner from an owner's principal residential structure which are used to observe one or more views. Hallways, closets, mechanical rooms, bathrooms and garages shall not be considered or used as selected viewing locations or areas. [LBMC 12.16.020]

** "Pre-existing views" means one or more "visual scenes" from selected viewing locations or areas that are not significantly impaired by vegetation and that existed on or after either the date of acquisition of the claimant's property or November 4, 2003 (the effective date of Ordinance No. 1430 relating to view

preservation), whichever is earlier. It shall be the claimant's responsibility to sustain the burden of proof for establishing and substantiating pre-existing views. "Visual scene" means the arrangement of features that form the scenic environment and may include, but is not limited to, bodies of water, beaches, white water, coastlines, skylines, islands, ridges, hillside terrains, canyons, geologic features or landmarks. "View" means a sight of a visual scene from a fixed vantage point or location from a property owner's principal residential structure. The term "view" does not mean an unobstructed panorama of the features in a visual scene. [LBMC 12.16.020]

VEGETATION OWNER NO. 1

Name: _____

Address: _____

VEGETATION TYPE	HEIGHT*

VEGETATION OWNER NO. 2 (if applicable)

Name: _____

Address: _____

VEGETATION TYPE	HEIGHT*

**Approximate height as measured from the base of the tree*

Pursuant to the View Preservation and Restoration Ordinance, applicant must show proof of contact with the vegetation owner(s) prior to submittal of this application. I/We have made an attempt to contact the vegetation owner(s) prior to the submittal of this application and have attached proof of such (mark one below).

☐ **YES** ☐ **NO**

STATEMENT: I/We (applicant/claimant) intend to pursue a View Restoration Claim with regard to the affected vegetation owner(s) in accordance with Laguna Beach Municipal Code Chapter 12.16. Further, I/we agree to meet with the mediator, City staff and each vegetation owner that is to be named in the pending View Restoration Claim to attempt to resolve the view dispute issue between the parties.

AFFIDAVIT

I/We hereby certify that all of the above information contained in this application is, to the best of my knowledge and belief, true and correctly represented. I/We understand that there are no assurances at any time, implicitly or otherwise, regarding the ultimate disposition of this view claim. I/We am/are the record owner(s) of the property described in this view claim, and hereby consent to its filing with the City of Laguna Beach.

_____ _____

APPLICANT/PROPERTY OWNER'S SIGNATURE **DATE**

_____ _____

APPLICANT/PROPERTY OWNER'S SIGNATURE **DATE**

Authorization of Agent

I/We am/are the record owners(s) of the property described in this view claim and hereby designate and authorize the agent as listed on this application to act on our behalf in all matters pertaining to processing this claim with the City of Laguna Beach.

Authorized Agent: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Telephone: _____ **Email:** _____

_____ _____

APPLICANT/PROPERTY OWNER'S SIGNATURE **DATE**

_____ _____

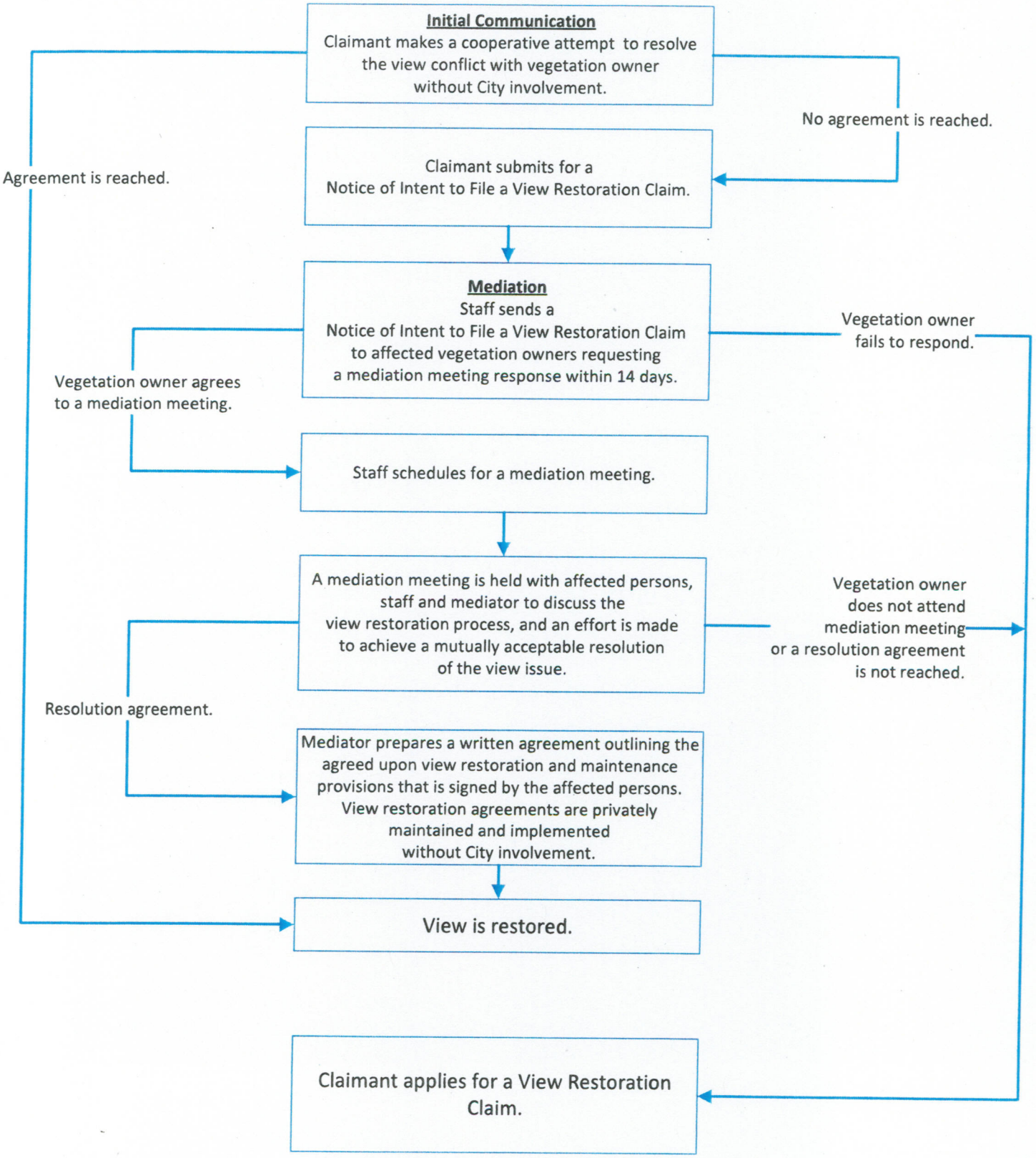
APPLICANT/PROPERTY OWNER'S SIGNATURE **DATE**

_____ _____

AUTHORIZED AGENT'S SIGNATURE **DATE**

Laguna Beach

View Restoration Process

Initial Communication and Mediation

1st Phase