



Date Filed:	
Application No.	VRP _____ - _____

## FORMAL VIEW RESTORATION APPLICATION

### Claimant #1

Name: \_\_\_\_\_

View Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home/cell) \_\_\_\_\_ (work)

Email address: \_\_\_\_\_

Date of acquisition of property subject of View Restoration Claim: \_\_\_\_\_

### Claimant #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.)*

### Vegetation Owner # 1

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home/cell) Email: \_\_\_\_\_

### Vegetation Owner # 2 (if applicable)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home/cell) Email: \_\_\_\_\_

*(Please attach additional sheets for more vegetation owners.)*

<b>VEGETATION OWNER NO. 1</b>		
Name: _____		
Address: _____		
Vegetation	Selected Viewing Location*	View Obstructed

<b>VEGETATION OWNER NO. 2 (if applicable)</b>		
Name: _____		
Address: _____		
Vegetation	Selected Viewing Location*	View Obstructed

\* "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]

*Pursuant to the View Preservation and Restoration Ordinance, claimant(s) 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

**ITEMS REQUIRED:**

- ✓ Complete this application.
- ✓ Submit the application fee of \$1,048 plus \$455 for each 2<sup>nd</sup>, 3<sup>rd</sup>, etc. claimant and/or vegetation owner.
- ✓ Attach: 1) photos of evidence of pre-existing view, 2) photos of current view, 3) plot plan with the vegetation labeled and 4) evidence of prior communication related to resolution of the view dispute issue.
- ✓ Phase 1, Mediation meeting completed on:

\_\_\_\_\_ Date

- All photographic documents submitted with the application must be dated. Photographic documents must also include the site address and location in the primary residential structure where the photographs were taken.
- All documents must be submitted on 8 ½ X 11 paper.

**PROCESS:** Please refer to the View Restoration flow chart for a brief description of Phase 2 "View Restoration Claim" and Phase 3 "View Restoration Order." Please refer to Chapter 12.16 of the Laguna Beach Municipal Code for a full description and definitions of the View Preservation and Restoration process,

**MANDATORY FINDINGS.** The view restoration committee shall issue a view restoration order to require restorative action regarding vegetation that obstructs pre-existing views and significantly impairs a view, if the committee makes all of the following findings:

1. The claimant has provided evidence of a cooperative attempt at initial communication and mediation.
2. The vegetation at issue is not exempt from the provisions of this chapter pursuant to LBMC Section 12.16.080.
3. There is substantial evidence to support the decision that there is a pre-existing view\* with significant view impairment according to the criteria specified in LBMC Section 12.16.030.
4. Alteration or removal of the vegetation will not cause an unreasonable infringement of the privacy or other vegetation benefits of the occupants of the property upon which the vegetation is located, including without limitation privacy, shade, erosion control, enhancement of outdoor spaces and community aesthetics.
5. Alteration or removal of the vegetation will not have a substantial adverse impact on a hillside, drainage or erosion control.
6. If the recommended restorative action includes removal, all other restorative actions are ineffective in restoring the pre-existing view while preserving the health and aesthetic value of the vegetation, provided that the vegetation owner consents to the removal.
7. The recommended restorative action is the minimum action required to restore the claimant's pre-existing views.

\* "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.

**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 have read and understand the mandated findings stated in the Municipal Code for adjudication of the 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.*

*That licensee and permittee does hereby, understand that a standard condition of approval will be imposed requiring me to defend, hold harmless and indemnify, at my expense, the City, the City Council and other City bodies and members thereof, officials, officers, employees, agents and representatives from and against any and all third-party claims, actions or proceedings to attack, set aside, void or annul the approval, or any associated determination made pursuant to the California Environmental Quality Act, including the City's defense costs and expenses as well as costs, expenses or damages a court may require the City to pay as a result of such claim, action or proceeding.*

CLAIMANT/PROPERTY OWNER #1 SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CLAIMANT/PROPERTY OWNER #2 SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AUTHORIZED AGENT

\_\_\_\_\_  
DATE

Laguna Beach  
**View Restoration Process**  
View Restoration Claim  
2<sup>nd</sup> Phase

