



August 10, 2020

Deidra Wager
156 Wave St.
Laguna Beach, CA 92651

RE: View Preservation 156 & 158 Wave Street

Dear Ms. Wager,

Attached are the documents for the View Preservation/Record of Views claim filed with the City. The documents have been included in your property file at City Hall and are posted on the city's website. The documented Record of Views they may be located on the city's website via the link www.lagunabeachcity.net/viewpreservation.

As we discussed, the ordinance allows a property owner to document their view once unless there is a subsequent remodel or physical change to the selected viewing locations in the primary residential structure. The Record of Views does not establish maximum height limits on vegetation in the visual scene but rather serves as a benchmark for determining significant view impairment in the future. A determination of significant view impairment pursuant to Laguna Beach Municipal Code Section 12.16.030, must be confirmed prior to the city interceding with enforcement of the Record of Views.

Please contact me should you have any questions related to the attached documents.

Regards,

A handwritten signature in blue ink that reads "Tony Farr".

Tony Farr, Associate Planner
View Preservation and Restoration
Planning Division, Community Development
Tel. 949.497.0322
tfarr@lagunabeachcity.net

SCANNED

**VIEW PRESERVATION
SITE VISIT CHECKLIST**

City of Laguna Beach
View Claim No: **VGP 20-22**

Visit Date: **July 28, 2020**

Applicant: **Deidra Wager**

View Address: **156 & 158 Wave St.**

Visit Conducted by: **Tony Farr, Associate Planner**

VIEW LOCATION / VISUAL SCENE

Property owner selected viewing locations in principal residential structure where view is significantly unimpaired.

156 Wave St.

Upper level: Master bedroom and office

158 Wave St.

Main level: Living room

Visual scene for each location noted above.

The visual scene is generally consistent from all selected viewing locations noted above. The visual scene consists primarily of hillside terrain, city lights and ocean horizon.

RECORD OF VIEWS DOCUMENTED AND AFFECTED PARCELS NOTICED

Written notice sent to affected property owners within 500 feet and Record of Views documents scanned and attached to property file.

Date: 8/10/2020 By: 

End of Checklist

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Vegetation or View Application

VGP-20-22

Status: Active

Submitted: Jul 21, 2020

Applicant



Deidra Wager

206-660-4975

@ dwager@comcast.net

Location

156 WAVE ST

LAGUNA BEACH, CA 92651

Internal Staff Section

Comments

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Application Type

View Preservation

Application Info

What is the purpose of your Vegetation Permit?

To Preserve a View Not Obstructed by Vegetation

Describe the Proposed Application

Document ocean views from 156 Wave and 158 Wave Street

Property Owner Information

Property Owner

Deidra Wager

Property Owner City

Seattle

Property Owner Zip Code

98109

Property Owner Cell No.

--

Property Owner Email Address

dwager@comcast.net

Property Owner Street Address

361 Highland Drive

Property Owner State

WA

Property Owner Tel. No

206-660-4975

APN

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Will you be using an Agent?

No

Record of Views

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Establishment of a Protected or Preserved View. A property owner may establish a protected or preserved view from a property owner's selected viewing locations (defined in Section 12.16.020) by filing for a record of views with the City. Once a record of views is established by the City pursuant to LBMC 12.16.040(b), the protected or preserved views shall not become subject to significant view impairment. Established record of views may not be changed unilaterally by the property owner; provided, however, that upon application by the property owner to do so, the City may change an established record of views in the event there is a subsequent remodel or physical change to the selected viewing locations or areas. The record of views does not establish maximum height limits on vegetation in the visual scene; rather it shall serve as a benchmark for determining significant view impairment in the future. Pursuant to Section 12.16.010(b), it is a purpose of this chapter to establish a right for property owners to determine and to preserve those selected viewing locations or areas from significant or egregious view impairment by the growth of trees or other vegetation. Refer to Laguna Beach Municipal Code Chapter 12.16 for a full description and definitions of the View Preservation process.

FEE: \$794

Noticing Requirements: Applicants must provide a public noticing list and a set of addressed, stamped envelopes for all affected parcels/property owners in the view corridor within 500 feet of the applicant's property. The list must be compiled from the latest equalized assessment rolls by a professional listing service and submitted by the listing service directly to the City. FEE: Determined by (and paid directly to) noticing list agency.

12.16.040 View preservation.

(a) **Establishment of a Protected or Preserved View.** A property owner may establish a protected or preserved view by filing for a record of views with the city. Once a record of views is established by the city pursuant to subsection (b), the protected or preserved views shall not become subject to significant view impairment. Established record of views may not be changed unilaterally by the property owner; provided, however, that upon application by the property owner to do so, the city may change an established record of views in the event there is a subsequent remodel or physical change to the selected viewing locations or areas.

(b) **Record of Views.** Upon the filing for a record of views, city staff shall conduct a site visit and photographically document the significantly unimpaired view of the property owner from the property owner's selected viewing locations or areas. A record of views shall be prepared, maintained in the applicable property address files, and noted in any real property report required by Chapter 14.76. Staff shall send written notice to affected vegetation property owners within five hundred feet informing them of the record of views and their associated maintenance responsibilities.

(c) **Record of Views Enforcement Procedure.** If a significant view impairment of an established record of views occurs, the property owner shall notify the city. If a significant view impairment is confirmed, city staff shall inform the affected vegetation owner(s) of a potential view restoration order and allow the vegetation owner thirty days to perform the necessary restorative action.

If the vegetation owner(s) does not perform the necessary restorative action, then the city may issue a view restoration order and require the restorative action to be completed within ninety days. If compliance is not obtained within ninety days, then the noncomplying vegetation may be declared to be a public nuisance, and the procedures of Chapter 7.24 shall be followed, including the issuance of a formal notice and order to abate.

Any determination of a significant view impairment decision made by city staff may be appealed to the city council. Appeals shall be addressed to the city council on a form prescribed by the city and shall state all grounds for the appeal. Any appeal must be filed with the city clerk within fourteen calendar days of the notice to the vegetation owner regarding the required restorative action. Appeals shall be accompanied by the filing fee as adopted by resolution of the city council. The city manager shall set the date for an appeal public hearing before the city council and shall not be limited by the time period specified in Section 25.05.070(B)(6). Notice shall be provided to the claimant and the record owners and occupants of all properties on which the vegetation at issue in the significant view impairment decision fourteen calendar days prior to the date of the city council hearing of the appeal. If an appeal to the city council is filed and is heard and decided by the city council, then the nuisance abatement appeal provisions (Sections 7.24.090 through 7.24.110) shall not be applicable. (Ord. 1592 I, 2014).

AFFIDAVIT

Please read through and check off each affidavit statement below.

I acknowledge that City staff must confirm that a significant view impairment of an established Record of Views exists prior to the City informing the affected vegetation owner of any potential remedial actions. Determination of significant view impairment is based on the criteria set forth in L.B.M.C. 12.16.030.

true

The record of views cannot be documented from a vacant lot or a partially developed lot.

true

City enforcement of the record of views shall require a determination of significant view impairment by city staff.

true

I understand that I will contract with a professional noticing list agency to provide to the city a list of the affected properties within 500 ft. in the view corridor. The fee for the noticing list is determined by and paid directly to the noticing list agency.

true

Historical Data

Application Date

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Complete Date

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Application Fee Details

Upon review for completeness of the online application, city staff will contact you for submittal of the application fee.

Application Affidavit

I 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 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.

true

The record of views pertains solely to view obstructions from vegetation, not existing or proposed structures. .

true

The selected viewing locations to document the view corridor are from the primary residential structure or secondary unit. Hallways, closets, mechanical rooms, bathrooms, decks and garages shall not be considered as selected viewing locations.

true

The record of views does not set height limits on vegetation on the date of the photographs but rather sets a benchmark for determining significant view impairment.

true

The documented record of views cannot be changed/amended unless there is a subsequent remodel or physical change to the selected viewing locations in the primary residential structure.

true

Signature

true

Expiration Date

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VPP/View Preservation: \$794 plus the cost of the mailing list from a professional noticing list agency.



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

true

Fees

Timeline

Intake Review

Status: Completed July 22nd 2020, 7:32 am

Assignee: Tony Farr

Deidra Wager July 21st 2020, 2:02:11 pm

Hello Tony- Thank you for the call today. I am writing a check now and will drop it in the mail. Will you contact me when we are ready to schedule photos? Deidra Wager dwager@comcast.net

Fee Check

Status: Completed July 22nd 2020, 7:33 am

Assignee: Tony Farr

Tony Farr July 22nd 2020, 7:33:41 am

Applicant is mailing in check.

Vegetation or View Application Fee

Status: Paid July 27th 2020, 11:17 am

Site Visit and Documentation

Status: In Progress

Assignee: Tony Farr

Notice to Vegetation Owners

Status: Pending

Public Notice

Status: Pending

City Council Hearing

Status: Pending

City Council Resolution

Status: Pending

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RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the office on the upper level of 156 Wave St.

Visual scene description: ocean Horizon

Date of photograph: 07/28/20 Photographed by: *m. jain* Submitted to property file: *8/10/2020*

Document
1 of 7



RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the office on the upper level of 156 Wave St.

Visual scene description: hillside terrain and ocean horizon

Date of photograph: 07/28/20 Photographed by: *[Signature]* Submitted to property file: 8/10/2020

Document
2 of 7



RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the master bedroom on the upper level of 156 Wave St.

Visual scene description: hillside terrain and cean Horizon

Date of photograph: 07/28/20 Photographed by: *M. J. [Signature]* Submitted to property file: *8/10/2020*

Document
3 of 7



RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the living room on the main level of 158 Wave St.

Visual scene description: ocean horizon

Date of photograph: 07/28/20 Photographed by: [signature] Submitted to property file: 8/10/2020

Document
4 of 7

SCANNED



RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the living room on the main level of 158 Wave St.

Visual scene description: hillside terrain and city lights

Date of photograph: 07/28/20 Photographed by: *W. J. [Signature]* Submitted to property file: *8/10/2020*

Document
5 of 7



RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the living room on the main level of 158 Wave St.

Visual scene description: hillside terrain and city lights

Date of photograph: 07/28/20 Photographed by: *[Signature]* Submitted to property file: *8/10/2020*

Document
6 of 7

SCANNED



RECORD OF VIEW

VPP 20-22



156 & 158 Wave St.

The photograph above was taken from the living room on the main level of 158 Wave St.

Visual scene description: hillside terrain and city lights

Date of photograph: 07/28/20 Photographed by: *mfarr* Submitted to property file: *8/10/2020*



August 10, 2020

**SUBJECT: NOTICE - RECORD OF VIEW
VIEW PRESERVATION CLAIM 20-22
156 & 158 WAVE ST., LAGUNA BEACH, CA**

Dear Property Owner:

A View Preservation claim has been filed with the City of Laguna Beach by the property owner(s) at **156 & 158 Wave Street**. Pursuant to Laguna Beach Municipal Code Section 12.16.040, the record of views does not establish a maximum height limit on vegetation in the visual scene but rather shall serve as a benchmark for determining significant view impairment in the future. Once a Record of Views is established with the City the protected or preserved views shall not become subject to significant view impairment as defined in LBMC Section 12.16.030.

As an affected property owner within 500 feet of the subject property you are being notified of the established Record of Views as required by the Municipal Code. There is no action required from you at this time.

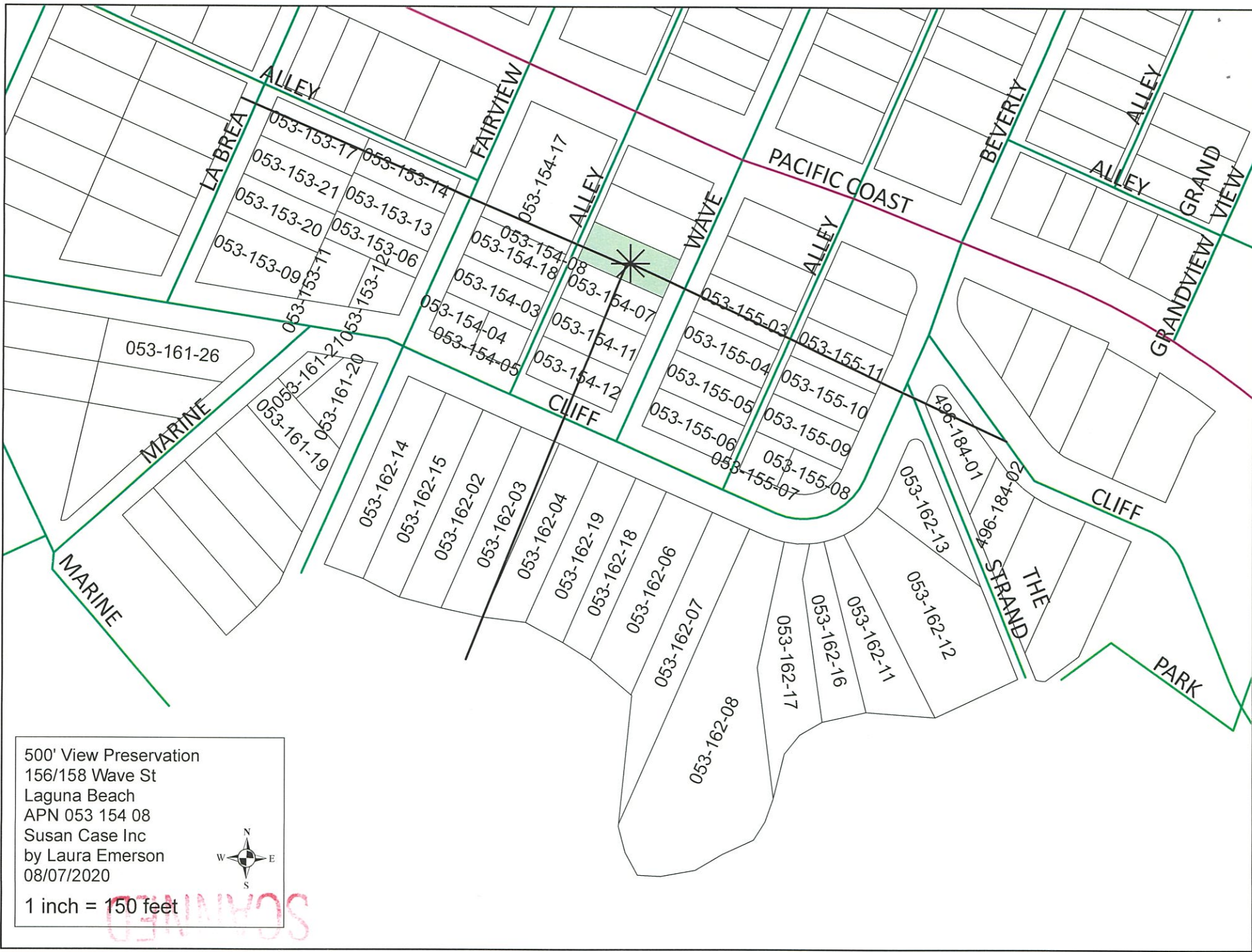
The Record of Views for the subject address can be found on the city's website using the link, www.lagunabeachcity.net/viewpreservation. From the webpage, click on the address to view the recorded view from the subject property. A map of the affected parcels within 500 feet of the subject property is on the back of this notice. If you have any questions regarding the View Preservation/Record of Views process, please contact me directly at (949) 497-0322 or at the email address listed below.

Regards,

A handwritten signature in blue ink that reads "Tony Farr".

Tony Farr, Associate Planner
View Preservation and Restoration
Planning Division, Community Development Dept.
tfarr@lagunabeachcity.net

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500' View Preservation
 156/158 Wave St
 Laguna Beach
 APN 053 154 08
 Susan Case Inc
 by Laura Emerson
 08/07/2020



1 inch = 150 feet

SCANNED

SUSAN W. CASE, INC.
orders@susancaseinc.com

File# 08072020-2
156/158 Wave St
Laguna Beach CA
APN 053 154 08
500' View Preservation
August 7 2020

917 Glenneyre Street, Suite 7 • Laguna Beach, CA 92651
PHONE (949) 494-6105

053 153 06
Alice White
160 Fairview St
Laguna Beach CA 92651

053 153 09
Arnold Henson
115 La Brea St
Laguna Beach CA 92651

053 153 11
Robert Kupper
113 Pearl Ave
Balboa Island CA 92662

053 153 12

053 153 13
Ayal Willner
10 Turtle Bay Dr
Newport Beach CA 92660

053 153 14
Loretta Lewis
Po Box 428
Laguna Beach CA 92652

053 153 17
James Levin
161 La Brea St
Laguna Beach CA 92651

053 153 20
Jeffrey Hendel
726 N Elm Dr
Beverly Hills CA 90210

053 153 21
Jeffrey Randolph
145 La Brea St
Laguna Beach CA 92651

053 154 03
Daniel Williams
3221 Edith Ln
San Diego CA 92106

053 154 04
Leslie Fiedler
809 Lathrop Dr
Stanford CA 94305

053 154 05
Hunter
842 E Villa St #424
Pasadena CA 91101

053 154 07
James Jennison Jr.
Po Box 571
Idyllwild CA 92549

053 154 08
Deidra Wager
900 Glenneyre St
Laguna Beach CA 92651

053 154 11
Helaine Feingold
940 Canyon View Dr
Laguna Beach CA 92651

053 154 12
Inge Goericke Bunn
930 Cliff Dr
Laguna Beach CA 92651

053 154 17
Mplb LLC
Po Box 7080
Newport Beach CA 92658

053 154 18
Janet Diane Zaayer
175 Fairview St
Laguna Beach CA 92651

053 155 03
Nita Griesinger
29591 Vista Plaza Dr
Laguna Niguel CA 92677

053 155 04
Henry Culley
141 Wave St
Laguna Beach CA 92651

053 155 05
Bradley Jay Fisher
121 Wave St
Laguna Beach CA 92651

053 155 06
Cliff Drive Property LLC
108 Pacifica #300
Irvine CA 92618

053 155 07
Donald Ray Thomas II
1100 NE Loop 410 #400
San Antonio TX 78209

053 155 08
Christopher Desmond
856 Cliff Dr
Laguna Beach CA 92651

SEARCHED

053 155 09
Carol Ann Johnston
836 Cliff Dr
Laguna Beach CA 92651

053 155 10
Joyce Altman
51 Windswept Way
Mission Viejo CA 92692

053 155 11
Todd Tr Weaver
826 Cliff Dr #UPPR
Laguna Beach CA 92651

053 161 19
Brian Bearie
36125 Cherrywood Dr
Yucaipa CA 92399

053 161 20
Lee Berg
5630 Bankers Ave
Baton Rouge LA 70808

053 161 21
Tracy Cartledge
3104 E Camelback Rd #579
Phoenix AZ 85016

053 161 26
Cynthia Harriss
1018 Marine Dr
Laguna Beach CA 92651

053 162 02
Robert Mitchell Perkins
10235 Main St
Bellevue WA 98004

053 162 03
Wells Fargo N A Bank
Po Box 8265
Wichita Falls TX 76307

053 162 04
John Caldwell
1829 Warwick Rd
San Marino CA 91108

053 162 06
Donald Milder
879 Cliff Dr
Laguna Beach CA 92651

053 162 07
Rufus Cliff Rhoades
100 Corson St #200
Pasadena CA 91103

053 162 08
Mary Lou Mettler
859 Cliff Dr
Laguna Beach CA 92651

053 162 11
Paul Ballard Milhous
2150 SW 10th St #B
Deerfield Beach FL 33442

053 162 12
Howell Tyson Jr.
245 W Naomi Ave
Arcadia CA 91007

053 162 13
Kfy Legacy Holdings LLC
137 N Larchmont Blvd #122
Los Angeles CA 90004

053 162 14
Janet Miscione
989 Cliff Dr
Laguna Beach CA 92651

053 162 15
Shaws Cove LLC
975 Cliff Dr
Laguna Beach CA 92651

053 162 16
Wendy Lynn Tenebaum
845 Cliff Dr
Laguna Beach CA 92651

053 162 17
Allan Simon
847 Cliff Dr
Laguna Beach CA 92651

053 162 18
Leslie Joyce Moore
668 N Coast Hwy #1354
Laguna Beach CA 92651

053 162 19
Theodore Hamilton
2439 Eucalyptus Ave
Escondido CA 92029

496 184 01
Michael Myers
775 Cliff Dr
Laguna Beach CA 92651

496 184 02
James Pyda
36954 Lancaster St
Livonia MI 48154

SEARCHED
SERIALIZED
INDEXED
FILED



**AGREEMENT FOR SITE VISIT
CITY OF LAGUNA BEACH**

1. I am the owner of the real property subject to an application submitted to the City that requires a site visit by city staff and/or committee, board or commission members or city contracted vendors to process the application pursuant to the Municipal Code.
2. I understand that during processing the application city staff, and/or committee, board or commission members or city contracted vendors may be required to conduct site visits at the property subject of the application, both inside the structure and outside the structure.
3. I consent to the inspection of my parcel, including both inside and outside the structure, by city staff, and/or committee, board or commission members or city contracted vendors. As such, the aforementioned individuals may enter my residence and/or property to conduct a site visit and take photographs for the purpose of determining the nature and extent of the conditions stated on the application.
4. I understand that a public health emergency has been declared in the State of California, the County of Orange and the City of Laguna Beach with respect to the Coronavirus (COVID-19) pandemic, that COVID-19 is highly contagious and can spread easily and exponentially, and that all persons are at risk of catching COVID-19.
5. I understand that notwithstanding current Federal, State, County and local guidelines and orders, certain government operations are considered to be essential activities that may continue, although all persons must still practice social distancing, abide by local guidelines and take steps necessary to protect themselves and others.
6. I understand that while city staff and/or committee, board or commission members or city contracted vendors will take reasonable steps and precautions to protect against the possible spread of COVID-19, including but not limited to following the procedures outlined in the Site Visit Guidelines, a site visit to my property may expose me and others to COVID-19.
7. I agree to follow all procedures identified in the **Site Visit Guidelines**, including but not limited to maintaining a minimum six-foot distance, wearing personal protective equipment, conducting the visit outside of the residence when possible, limiting the number of persons at the property during the visit, and washing hands after the site visit has concluded.
8. I agree to take all recommended and reasonable actions to protect myself, other occupants of my property and others from exposure to COVID-19, and I agree to assume the risks associated with allowing city staff and/or committee, board or commission members or city contracted vendors to access to my property for the purpose of processing the submittal of an application to the Department of Community Development. I understand and agree that no one, including City officials, employees or appointed committee, board or commission members or city contracted vendors, can guarantee that I will not be exposed to or contract COVID-19.

SCA...

Deidra Wager

Deidra Wager

7/28/2020

Print Name(s)

Signature(s)

Date

Property Address: 156 Wave Street

Applicant / Vegetation Owner