



View Equity Claim Application

In accordance with Article 41, Chapter 2, Division 9 of the Torrance Municipal Code, a view seeker that resides within the Hillside Overlay may file a View Equity Claim to request an advisory opinion when it can be demonstrated that neighbor to neighbor contact and initial reconciliation have not produced a mutually agreeable solution, subject to the following limitations:

- A claim may only be filed if there has not been a prior View Equity Request or View Equity Claim filed against the vegetation owner in the previous two years, except that a view seeker may file a View Equity Claim to join an active claim within the 45-day notice period.
- The vegetation of concern must be located within 500 feet from the view seeker's property line and located on a residential property within the Hillside Overlay. Vegetation includes trees, hedges, shrubs, and grasses, whether planted in ground or within pots, planters, or containers. Vegetation does not include any plants or trees owned and maintained by the City of Torrance.
- A view is limited to one common interior space or one developed exterior space, such as a living room, family room, dining room, bedroom, a room with a picture window, sliding glass doors, and developed exterior areas such as patios, balconies, decks, pool areas, and gazebos designed to take advantage of views. The term "view" does not mean an unobstructed panorama. Generally, a view means a vista of natural features or landmarks such as oceans, beaches, coastlines, hillsides, mountains, and city lights.

ADVISORY OPINION PROCESS

The advisory opinion is the third step in the view equity resolution process outlined in Section 92.41.070 of the Torrance Municipal Code. The advisory opinion process begins with the Planning Division mailing an official notice to residential properties located within 500 feet of the vegetation owner's property and that are located within the Hillside Overlay. The notice informs neighbors that a view seeker has filed a View Equity Claim against a vegetation owner and that neighbors receiving the notice have 45 days from the notice date to file a joint claim. Neighbors that are interested in filing a joint claim must also complete the application and must submit a multiple application filing fee, half amount of the arborist consultant deposit, and documentation that demonstrates completion of items (a) through (c) of Section 92.41.100 of the Torrance Municipal Code. Failure to file a joint claim within the 45-day notice period will result in a two-year waiting period to file a new claim against the vegetation owner.

After the 45-day notice period has ended, staff will schedule field assessments at all property locations involved in the claim. The vegetation owner and view seeker(s) are required to provide an additional 45 days for staff to access all property locations involved in the claim. If a view seeker does not provide staff access to their property within that time frame, their claim will be automatically withdrawn and closed. If a vegetation owner does not provide staff access to their property within that time frame, the advisory opinion will be written without benefit of the perspective from the vegetation owner's property. Staff may acquire the assistance of a certified arborist. After all field assessments have been conducted, staff will mail an advisory opinion letter to all parties involved. The letter identifies which properties were visited, if a view obstruction appears to exist, and any recommended corrective measures that can resolve the view impact. The advisory opinion letter will be prepared based on the criteria listed in Section 92.41.100 of the Torrance Municipal Code.

If the view seeker(s) and vegetation owner agree with the advisory opinion, they must prepare a written agreement. The written agreement must be filed with the Planning Division within 45 days of the advisory opinion letter date. As described in Section 92.41.140 of the Torrance Municipal Code, the cost of any restorative action and/or maintenance shall be determined by mutual agreement. Failure to file an agreement within that time frame will end the view equity resolution process and the View Equity Claim will be closed.

If either or both parties disagree with the advisory opinion, the disagreeing party may file a written request to proceed with mediation as described in Section 92.41.110 of the Torrance Municipal Code. The request must be filed with the Planning Division within 45 days of the advisory opinion letter date. Failure to file a request within that time frame will end the view equity resolution process and the View Equity Claim will be closed.

APPLICATION REQUIREMENTS

A view seeker may file a claim if there has not been a prior View Equity Request or View Equity Claim filed against the vegetation owner in the previous 2 years, except that a view seeker may file a View Equity Claim to join an active claim within the 45-day notice period. The view seeker must have previously filed a View Equity Request and completed the initial reconciliation process or was the recipient of an official notice and is now seeking to join an active claim.

Applications are accepted in-person at the Permit Center (Planning Counter) located at 3031 Torrance Boulevard, Torrance, CA 90503, open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Applications must be filed with a USB drive that contains an electronic copy of all requirements listed below:

- Application and Questionnaire:** The application and questionnaire must be completed by the view seeker. Incomplete applications are not accepted. Sufficient information must be provided in the questionnaire that describes the nature and extent of the alleged view obstruction, the location of all vegetation alleged to cause an obstruction, the address of the property upon which the vegetation is located, and the name of the vegetation owner.
- Neighbor to Neighbor Contact:** Provide copies of letters and emails that demonstrate neighbor to neighbor contact was attempted with the vegetation owner. The correspondence must clearly identify the names of all parties involved, property addresses, dates, and describe the view obstruction. Correspondence sent via certified mail with return receipt is strongly recommended.
- Photographs of View:** Provide photographs of the view that demonstrate absence of the obstruction at any time since the property was acquired by the view seeker or dating as far back as March 7, 2002, whichever date is more recent. Dated prints, negatives, and slides are accepted.
- Proof of Property Ownership:** Provide documentation that identifies the name of the property owner (view seeker) and the date of property acquisition.
- Filing Fee and Deposit:** Payment may be written to "City of Torrance" in the amount listed on the fee schedule. Credit/debit card payments are accepted with an additional service fee. The application filing fee is nonrefundable. Any deposit amounts remaining at the end of the advisory opinion process will be refunded. Additional funds may be required to proceed with the advisory opinion process depending on the number of claims involved and field assessments conducted.

SUPPLEMENTAL REQUIREMENTS

If the view seeker(s) and vegetation owner agree with the advisory opinion, they must file a written agreement within 45 days of the advisory opinion letter date. Failure to file a request within that time frame will end the view equity resolution process and the View Equity Claim will be closed.

- Mutual Agreement:** Provide a copy of the written agreement to the Planning Division within 45 days of the advisory opinion letter date. The agreement must identify the view seeker(s) and vegetation owner and clearly state agreement with the advisory opinion. NOTE: The City of Torrance is not responsible for enforcement of any agreement made through the advisory opinion and under no circumstance does the City have any responsibility or liability to enforce or seek any legal redress, civil or criminal, for any decision that any other person or entity makes concerning a claim

If either or both parties disagree with the advisory opinion, the disagreeing party may file a written request to proceed with mediation as described in Section 92.41.110 of the Torrance Municipal Code. The written request must be filed with the Planning Division within 45 days of the advisory opinion letter date. Failure to file a request within that time frame will end the view equity resolution process and the View Equity Claim will be closed.

- Request for Mediation:** Provide a written request within 45 days of the advisory opinion letter date.

REQUIREMENTS FOR JOINT APPLICANTS

Neighbors that are interested in filing a joint claim must also complete the View Equity Claim application and must submit a multiple application filing fee, half amount of the arborist consultant deposit, and documentation that demonstrates completion of items (a) through (c) of Section 92.41.100 of the Torrance Municipal Code. Failure to file a joint claim within the 45-day notice period will result in a two-year waiting period to file a new claim against the vegetation owner.



City of Torrance, Community Development Department, Planning Division
 3031 Torrance Boulevard, Torrance, CA 90503, Telephone (310) 618-5990

View Equity Claim Application

VEGETATION OWNER INFORMATION

NAME OF PROPERTY OWNER (VEGETATION OWNER)			
PROPERTY STREET ADDRESS	CITY	STATE	ZIP CODE
TELEPHONE NUMBER (IF AVAILABLE)	EMAIL ADDRESS (IF AVAILABLE)		

VIEW SEEKER INFORMATION

NAME OF PROPERTY OWNER (VIEW SEEKER)		CHECK IF JOINT CLAIM <input type="checkbox"/> JOINT CLAIMANT	
PROPERTY STREET ADDRESS	CITY	STATE	ZIP CODE
TELEPHONE NUMBER	EMAIL ADDRESS		

CERTIFICATION AND SIGNATURE OF PROPERTY OWNER (VIEW SEEKER)

I, the undersigned, hereby certify that I am owner of the property described above and that I am the view seeker requesting an advisory opinion as described in Section 92.41.100 of the Torrance Municipal Code.

I understand that I must provide to the City of Torrance documentation and evidence that demonstrates completion of items (a) through (c) of Section 92.41.100 of the Torrance Municipal Code and that I must grant access to my property for staff to conduct a field assessment. If I do not provide access to my property, the claim will be automatically withdrawn and closed.

I understand that if I, the view seeker, and the vegetation owner agree with the advisory opinion, together we must file an agreement with the City of Torrance within 45 days of the advisory opinion letter date. If either or both parties disagree with the advisory opinion, the disagreeing party may file within 45 days of the advisory opinion letter date a request to the City of Torrance to proceed with mediation.

I acknowledge the City of Torrance is not responsible for enforcement of any agreement made through the view equity process, and under no circumstances shall the City of Torrance have any responsibility or liability to enforce or seek any legal redress, civil or criminal, for any decision that any other person or entity makes concerning a view equity claim.

SIGNATURE OF PROPERTY OWNER (VIEW SEEKER)

DATE OF SIGNATURE

FOR STAFF USE ONLY – DO NOT WRITE BELOW THIS LINE

APPLICATION REVIEWED BY	NEW CLAIM / JOINT CLAIM	DATE STAMP RECEIVED
APPLICATION DEEMED COMPLETE DATE	FILING FEE / ARBORIST DEPOSIT	
VIEW EQUITY REQUEST (VER) RECORD NUMBER	VIEW EQUITY CLAIM (VEC) RECORD NUMBER	

QUESTIONNAIRE

The view seeker is required to answer the following questions pertaining to the view:

- 1. Please describe the view by identifying the natural feature or landmark observed, the view direction, and the view angle.** NOTE: the term "view" does not mean an unobstructed panorama. Generally, natural features or landmarks are oceans, beaches, coastlines, hillsides, mountains, and city lights.

- 2. Please specify the location from where the view is observed on the property.** NOTE: a view is limited to one common interior space or one developed exterior space, such as a living room, family room, dining room, bedroom, a room with a picture window, sliding glass doors, and developed exterior areas such as patios, balconies, decks, pool areas, and gazebos designed to take advantage of views.

- 3. Please describe the vegetation causing the alleged view obstruction by identifying the location and property address, quantity, type or species if known, and the approximate height, width, or length.** NOTE: the vegetation of concern must be located within 500 feet from the view seeker's property lines and must be located on a residential property within the Hillside Overlay. Vegetation includes trees, shrubs, grasses, hedges and bushes, whether planted in ground or within pots, planters or containers. Vegetation does not include any plants or trees owned and maintained by the City of Torrance.

- 4. Please describe the neighbor to neighbor contact made with the vegetation owner.** NOTE: attach copies of letters and emails that demonstrate neighbor to neighbor contact was attempted with the vegetation owner. The correspondence must clearly identify the names of all parties involved, property addresses, dates, and describe the view obstruction. Correspondence sent via certified mail with return receipt is strongly recommended.

STAFF CHECKLIST

- STEP 1:** Verify the application and questionnaire are complete and accompanied with an electronic copy of the application and all attachments.
- STEP 2:** Verify the vegetation owner and the view seeker are the property owners, and that the properties are located within the Hillside Overlay and within 500 feet of each other.
- STEP 3:** Verify that a prior View Equity Request (VER) or View Equity Claim (VEC) has not been filed against the vegetation owner in the previous 2 years, except that a view seeker may join an active claim.
- STEP 4:** Prepare a 45-day advisory opinion notice and mail to all residential properties located within 500 feet of the vegetation owner’s property and that are within the Hillside Overlay.

45-DAY NOTICE PERIOD BEGINS: _____

45-DAY NOTICE PERIOD ENDS: _____

NUMBER OF NOTICES MAILED: _____

- STEP 5:** List the property owners that have filed an application to join the active claim:

PROPERTY OWNER NAME	PROPERTY STREET ADDRESS	DATE FILED
_____	_____	_____
_____	_____	_____

- STEP 6:** After the 45-day notice period has ended, conduct field assessments at all property locations involved in the claim. The vegetation owner and view seeker(s) are required to provide 45 days for staff to access all properties involved in the claim. **If a view seeker does not provide staff access to their property within that time frame, their claim will be automatically withdrawn.**

45-DAY ASSESSMENT PERIOD BEGINS: _____

45-DAY ASSESSMENT PERIOD ENDS: _____

FIELD ASSESSMENT DATE(S): _____

- STEP 7:** Prepare an advisory opinion letter and mail the letter to all parties involved in the claim.

ADVISORY OPINION LETTER DATE: _____

- STEP 8:** If the view seeker(s) and vegetation owner agree with the advisory opinion, they must file a written agreement within 45 days of the advisory opinion letter date.

WRITTEN AGREEMENT DATE FILED: _____

If either or both parties disagree with the advisory opinion, the disagreeing party must file a written request to proceed with mediation within 45 days of the advisory opinion letter date.

MEDIATION REQUEST DATE FILED: _____

If neither a written agreement nor a written request for mediation are received within 45 days of the advisory opinion letter date, the claim will be automatically withdrawn.

STAFF CHECKLIST (CONTINUED)

- STEP 9:** Prepare a 45-day mediation notice and mail to all parties involved in the claim. All interested parties must respond in writing of their intent to participate in mediation. **If a view seeker does not respond within 45 days of the mediation notice date, their claim will be automatically withdrawn.**

45-DAY NOTICE PERIOD BEGINS: _____

45-DAY NOTICE PERIOD ENDS: _____

List the property owners that have responded in writing of their intent to participate in mediation:

PROPERTY OWNER NAME	PROPERTY STREET ADDRESS	DATE FILED
_____	_____	_____
_____	_____	_____

- STEP 10:** Prepare a 45-day notice to select a mediator and mail to all interested participants.

45-DAY NOTICE PERIOD BEGINS: _____

45-DAY NOTICE PERIOD ENDS: _____

MEDIATOR SELECTED: _____

If a mediator is not selected or neither party can agree on a mediator, they may jointly request that staff randomly select a mediator. Staff will only select a mediator if both parties submit a written request for random selection of a mediator within 15 days of notice period expiration. **If a view seeker does not submit a written request for random selection of a mediator within that time frame, their claim will be automatically withdrawn.**

15-DAY REQUEST PERIOD ENDS: _____

WRITTEN REQUEST DATE FILED: _____

RANDOM MEDIATOR SELECTED: _____

Once staff has selected a mediator at random, staff will inform all interested participants of the mediator selection in writing within 3 business days. Prepare a letter and mail to all interested participants.

MEDIATOR SELECTION LETTER DATE: _____

- STEP 11:** The participants involved have 60 days to complete mediation. If, at the end of 60 days, the participants require more time to resolve the dispute, the mediator may request an additional 30 days. If an agreement is reached, a copy of the agreement must be filed.

60-DAY MEDIATION PERIODS ENDS: _____

MEDIATION AGREEMENT DATE FILED: _____

- STEP 12:** If mediation fails to achieve agreement, the disagreeing party may submit a written request for binding arbitration within 45 days of the close of mediation.

ARBITRATION REQUEST DATE FILED: _____

STAFF CHECKLIST (CONTINUED)

- STEP 13:** Prepare a 45-day notice to participate in arbitration and mail to all parties involved in the claim.

45-DAY NOTICE PERIOD BEGINS: _____

45-DAY NOTICE PERIOD ENDS: _____

List the property owners that have responded in writing of their intent to participate in arbitration:

PROPERTY OWNER NAME	PROPERTY STREET ADDRESS	DATE FILED
_____	_____	_____
_____	_____	_____

- STEP 15:** Prepare a 45-day notice to select an arbitrator and mail to all interested participants.

45-DAY NOTICE PERIOD BEGINS: _____

45-DAY NOTICE PERIOD ENDS: _____

ARBITRATOR SELECTED: _____

If an arbitrator is not selected or neither party can agree on an arbitrator, they may jointly request that staff select an arbitrator at random. Staff will only select an arbitrator if all parties submit a written request for random selection of an arbitrator within 15 days of notice period expiration. **If all parties do not submit a written request for random arbitrator selection within that time frame, the claim will be automatically withdrawn.**

15-DAY REQUEST PERIOD ENDS: _____

WRITTEN REQUEST DATE FILED: _____

RANDOM ARBITRATOR SELECTED: _____

Once staff has selected an arbitrator at random, staff will inform all interested parties of the arbitrator selection in writing within 3 business days. Prepare a letter and mail to all interested participants.

ARBITRATOR SELECTION LETTER DATE: _____

- STEP 16:** The view seeker(s) and vegetation owner have 60 days to complete arbitration. If, at the end of 60 days, the parties require more time to resolve the dispute, the arbitrator may request an additional 30 days. If a decision is reached, a copy of the arbitrator's decision must be filed.

60-DAY ARBITRATION PERIODS ENDS: _____

ARBITRATOR'S DECISION DATE FILED: _____

- STEP 17:** If the view seeker(s) and vegetation owner have attempted to obtain but have been unsuccessful in attaining agreement or resolution, either party may initiate civil action in court. In the event of civil litigation, the view seeker(s) must file a copy of the complaint.

COMPLAINT DATE FILED: _____

END OF STAFF CHECKLIST