



# City of Malibu

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## **History of Ordinance 378 – Citywide View Preservation and Restoration**

- On April 9, 2008, City voters passed Measure E, which asked, “Should the Malibu City Council adopt an ordinance that would require the removal or trimming of landscaping in order to restore and maintain primary views from private homes?” Upon electing to move forward with this initiative, the City Council directed staff to prepare a Citywide view protection ordinance.
- On March 12, 2012, the City Council adopted Ordinance No. 361, that added Chapter 17.45 to the Malibu Municipal Code (MMC) to establish a process for preserving views established as of February 13, 2012 or later. The Council also sought additional information before moving forward with an Ordinance for retroactively establishing older primary views and restoring them to their original condition.
- Between March 26, 2012, and September 26, 2012, City staff conducted a 6-month long “View Restoration Program.” This program collected factual data from property owners who were interested in a retroactive view restoration ordinance.
- On June 12, 2013, based upon the information collected, the City Council directed staff to process an amendment to update MMC Chapter 17.45 to add a private right of action for property owners to retroactively restore views. The process for restoration of older views was designed to be enforced and negotiated between the parties, with violations resolved by private actions in the courts.
- On January 14, 2014, the City Council adopted [Ordinance No. 378](#), which amended MMC Chapter 17.45, to establish the chapter as “Citywide View Preservation and Restoration.” Chapter 17.45 provides procedures for the residents of Malibu to work with their neighbors to “preserve” or “restore” a primary view.