

Rolling Hills petition puts barns on ballot

By Jeremiah Dobruck, Peninsula News

Monday, March 28, 2011 11:28 AM PDT

For the first time ever, a Rolling Hills resident has gathered enough signatures to put a city issue to a vote.

RH — Rolling Hills embraces its identity as the most rustic town in Palos Verdes. The gated city has just over 1,800 residents in its three square miles, and they all live in one-story homes situated on at least an acre of land.

It's a city that takes great pains through zoning to remain rural.

Now, for the first time since it incorporated in 1957, RH's residents have petitioned city hall, forcing a ballot measure about zoning into an election.

The petition that garnered 217 signatures — more than 10 percent of the city's population — regards barns and if they are allowed to be anything other than barns on the inside.

RH is entirely residential or undeveloped and is equestrian-friendly, with 26 miles of horse trails within its borders.

Horsekeeping and equestrian activities are encouraged by zoning. Property owners are required to set aside 1,000 square feet of their land to use as a barn or corral whether they build one or not.

Houses and all accompanying paving may take up only 35 percent of a lot. But a barn has none of those limits on square footage.

In 2007, the planning commission began looking into residents possibly taking advantage of that minimal control on barns. Some were converting barns, leaving them with a rural façade, but no equestrian purposes inside.

To build a barn, residents needed only to have the project administratively approved. Normally, a guesthouse or other structure would require a conditional use permit. But to convert a barn into another structure, it was just a matter of getting building permits, Tony Dahlerbruch, the city manager, said.

“People could avoid conditional use permit by applying for a barn and illegally converting it,” he said.

After that discovery, RH's Planning Commission and City Council spent three years investigating, framing and tweaking an ordinance intended to stop the conversions while still encouraging barns.

In July 2010, the city did away with over-the-counter approval for barns more than 200 square feet, and barns were explicitly required to be used for keeping animals or storage. The ordinance did stipulate that a tack room of up to 40 percent of the structure could be used for other passive activities but not used as a guesthouse.

“I think what we’re trying very hard to do ... is to preserve the real, no-kidding, absolutely rural environment that everybody loves and everybody treasures about the city while, at the same time, allowing people to use their property in as unfettered a way as possible,” said Councilman Tom Heinsheimer, who has been on council since 1972. “That’s a very difficult balancing act.”

Since the first ordinance, discussion has gone back and forth about square footage and what to do about stables that were already converted — whether they should be grandfathered in or forced to comply with the new ordinance.

Discussion is still ongoing, with the first public hearing on an amended ordinance scheduled for April 21.

But before any revisions could be finalized, a resident came forward with revisions of his own to put on the ballot.

Two weeks ago, the city certified an initiative circulated by a Spencer Karpf.

It states part of its purpose as, “...the interiors of stable structures are entirely compatible with the City’s rural character so long as the exterior of the stable continues to maintain the appearance of a stable.”

It would essentially allow any uses inside a stable built before July 12, 2010 as long as it’s not disruptive, the building still looks like a stable and the structure is brought up to building codes.

“I didn’t try to create a statute that was going to govern what happened with barns in the future but only addressed, on a fairness basis really, what had happened to barns in the past,” Karpf said at the March 8 council meeting when he asked the council to adopt his ordinance instead of sending it to be voted on in 2013.

Karpf said the issue originally came up in 2007 as a safety concern and his ordinance would eliminate that and solve the grandfathering issue by allowing already converted barns to stay.

“And it leaves the council and the city free, going forward, to do whatever it wants to do to regulate this issue of people building barns just so they can convert them,” Karpf said.

Because Karpf missed the submission deadline for the 2011 ballot, the council had the options of adopting the ordinance outright or scheduling it for the next regularly scheduled

election: March 5, 2013.

Dealing with petitions and initiatives is new for RH. And that's part of why council members are uncomfortable with this one.

Heinsheimer said Karpf had an easy time getting signatures because it's a novelty in RH and residents don't understand that an ordinance adopted through the petition process would limit flexibility. It could only be changed by another public vote.

"Every comma becomes the immutable permanent irrevocable law of the city," he said.

Heinsheimer said the city is better served through the normal planning process than by putting zoning ordinances on the ballot.

"It isn't just jumping the gun. It's writing in stone something that ought to be flexible and responsive to the needs of the community," he said.

But Karpf found support within the community.

"If I told you how easy it was to collect 216 signatures, you'd be shocked, as I was," he told the council. "Virtually everybody said 'Thank you so much for what you're doing, we really appreciate it.'"

Before the 2013 election, those supportive residents can also voice their opinions at the Planning Commission's public hearing on another proposed amendment being crafted by the city.

On April 21, the commission and public will discuss stables being grandfathered in and how big a barn must be before requiring a conditional use permit.

As they debate, though, always on the horizon will be the possibility that any decisions made will be rendered moot by Karpf's initiative already scheduled for a vote.

"I think it's really going to create a big mess if you don't pass it and you pass the thing that the planning commission is considering," Karpf told the council before they voted unanimously to put his amendment up for a vote in 2013.

See the full article at the below web-site

http://www.pvnews.com/articles/2011/03/28/local_news/news1.txt

Meetings Every 4th Thursday

The PHR meets every 4th Thursday of the year (except November and December) hosting outstanding conservative leaders to speak on a variety of current topics. We also provide

an opportunity for residents to hear from and meet local elected officials and candidates for office. The PHR also provides a forum for resident to get involved on the grass roots level. Don't miss these great opportunities to network with your Friends & neighbors.

Contact PHR President, Larry Jasmin if you have any questions or suggestions at larryjasmin@gmail.com