

Neighborhood Compatibility

Introduction

If you live in Palos Verdes Estates (PVE) or the Miraleste area of Rancho Palos Verdes (RPV) you are probably familiar with the Palos Verdes Homes Association (PVHA) art jury. Miraleste is unique in that the property owners are subject to the codes, covenants and restrictions of the PVHA but also to all the RPV codes. Before RPV was formed the County of Los Angeles handled building plan approvals and checks but required the PVHA sign-off in the process. Since RPV was formed the PVHA still has this legal authority but less and less interaction with the city. Some may argue that this is a good thing while others say that the city has created a different problem by trying to dictate aesthetics. The following discussion is an attempt to present some recent events in order to at least familiarize people with how the process works or doesn't work not only for the residents of Miraleste but the entire city of RPV. It does not attempt to deal with the issues that will arise when the Natural Communities Conservation Plan (NCCP) rules and regulations become law.

You may not be aware of the RPV Neighborhood Compatibility Handbook unless you have recently built or remodeled your home. Presumably Rolling Hills (RH) and Rolling Hills Estates (RHE) have similar rules/ordinances but the focus of this story is on RPV and what appears to be another bureaucratic land mine adopted in May 2003.

The initial intent in May 2000 was to provide suggestions and guidelines as stated in the Handbook introduction “suggestions and guidelines contained herein are not intended to take precedence over the City of Rancho Palos Verdes Municipal Code (RPVMC), but rather to assist in the preparation and design of residential, architecture, materials, setbacks, height, texture and COLOR of the immediate neighborhood.

But, then the lawyers, bureaucrats and self-defined protectors of their city took charge. A compatibility analysis “shall be required” for six (6) cases ranging from remodels/renovations (greater than 50% of existing square footage) to additions (750 square feet or 25% expansion) to any new residence. Then a 17-step flow chart was introduced with an extensive schedule and cost implication.

The Handbook contains some very good material regarding architectural styles, materials, etc. and the noted intent of “suggestions and guidelines” seems valid from that standpoint. But, what if there is a major variance from the closest 20 homes? One can argue private property rights vs. neighbor/city rights but the problem lies in the degree of quantitative assessment. The PVHA has specific written rules and regulations. Having built a home in Miraleste 30+ years ago I know the frustration of debating architectural features but understand the desire for compatibility features such as red tile roofs. The problem arises when laymen, politicians and civil servants

are given the authority to judge based on nebulous criteria. In defense of the PVHA art jury they at least use professional architects, etc.

Reality

I have heard numerous complaints about the RPV planning Department ranging from incompetence to arrogance. The City Manager has verified that Neighborhood Compatibility assessments can add 6 months to the planning process. If you have driven PV Dr. E near Miraleste Intermediate School you have undoubtedly noticed "The Great Gold House". There was/is controversy over size and architecture but almost unanimous agreement on the disagreeable color. Investigating the issue at the request of neighbors I was told among other things by the city that (a) plans were approved prior to the Handbook approval-turned out be a false statement and (b) color is not a factor- "Use earth-tone colors on hillside structures to blend in with the natural terrain" is the specific Handbook statement. The question, of course, is whether it is better to have a bureaucratic process that does not work or rely strictly on quantitative codes?

Recently, we received notices from RPV regarding two (2) residences requesting approval of a remodel/addition and a new separate structure. This prompted me to contact the PVHA regarding three (3) other residence issues and the coordination between RPV and the PVHA. Without going into detail the response was rather disturbing in the sense that (a) the PVHA exerts little or no corrective leverage in the Miraleste area and (b) there is no cooperation from the RPV Planning Director's office in sharing plans, etc. Specific statements from the PVHA included "This office has made repeated requests to RPV for notification and also approved plans but as of this date we have had very little cooperation". "We have requested that the PVHA be included in any and all information that is sent and available to Miraleste homeowners but to no avail". Regarding "The Great Gold House", it is not in Miraleste due to an anomaly but the PVHA says "----if the art jury had reviewed the plans there would have been changes made that would have assimilated the residence into the neighborhood". To be fair, it is not known how aggressive the PVHA has been in going to city hall to look at plans but then again if they are not aware of these plans it is hard to do that unless a periodic visit is made.

Conclusion

This information has been shared in greater detail with the RPV City Manager. Requests to respond have gone unanswered since I pointed out some of these problems. If you look at the Handbook participants you will see some excellent prior Planning Commissioners who basically came up with the "suggestions and guidelines". You will also see many more representatives of special interest groups who do not qualify as architectural judges. My conclusion is that this is an example of a good idea gone bad due to bureaucratic bungling. If the process reverts to quantitative codes and qualitative guidelines we would be better off. Like other things, beauty is in the eye of the beholder and private property rights generally trump things that are not

dangerous, a nuisance, etc. As government descends the slippery slope of eminent domain these issues seem to be more important than ever.

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