

City Council  
Mayor Sarah Glade Gurney  
Vice Mayor Una Glass  
John Eder  
Robert Jacob  
Patrick Slayter



City Manager-City Attorney  
Larry McLaughlin

City Clerk  
Mary Gourley

## City of Sebastopol City Council Staff Report

Reviewed by City Manager

Meeting Date: May 31, 2016  
To: Mayor and City Council  
From: Kenyon Webster, Planning Director  
Jonathan Atkinson, Assistant Planner  
Subject: Appeal of Planning Commission Decision  
Use Permit: Radio Tower in the Community Facilities District  
Recommendation: Deny Appeal  
Applicant/Owner: KOWS Community Radio/City of Sebastopol  
File Number: 2016-13  
Address: 1281 Pleasant Hill Road  
CEQA Status: Categorical Exemption: Section 15301: Class 1  
Categorical Exemption: Section 15303: Class 3  
General Plan: Community Facilities  
Zoning: CF: Community Facilities  
Funding: Currently Budgeted:  Yes  No  N/A  
Net General Fund Cost:  
If Cost to Other Fund(s):  
 Yes  No  N/A

### Introduction:

This is an Appeal application, requesting that the City Council overturn a Planning Commission Use Permit approval, which would allow KOWS Community Radio to construct and operate a radio tower at 1281 Pleasant Hill Road. A Use Permit was required because the radio tower is classified as a Major Telecommunication Facility, which is a conditionally-permitted use in the CF District.

1281 Pleasant Hill Road is a City-owned 3.39 acre parcel surrounded by unincorporated Sonoma County. The site is currently home to the Pleasant Hill Road Reservoir, which contains two 3 million gallon water tanks and an ancillary structure and equipment.

### Background:

The Council received a staff report (attached, without attachments) as well as extensive written public comments and submittals by the appellant and the applicant, received detailed presentations by the appellant and the applicant, and conducted a lengthy Public Hearing at the May 3, 2016 Council meeting. The Council continued the matter to a special meeting on May 31, 2016.

KOWS has submitted a packet of additional information (attached) addressing a variety of issues.

**Procedure:**

Both the appellant and the applicant made detailed presentations at the last hearing. Extensive public testimony was also received. The Mayor has directed that at the May 31 hearing:

1. The appellant and applicant may make presentations of up to 10 minutes each;
2. Public testimony will be limited to persons who did not speak at the prior hearing.

**Recommendation:**

Staff recommends that the Council hear any brief presentations by the appellant and the applicant, re-open the public hearing for persons who did not speak at the last meeting, and deny the Appeal application and uphold the Commission approval based on the findings and conditions set forth in this staff report. The Council could otherwise consider the following alternatives:

1. Uphold Use Permit Approval with Required Modifications: The Council could find that the Commission approval was appropriate in that the radio tower use is compatible with the site but determine that additional conditions, such as requiring use of the updated tower design (Trylon design described in the April 25, 2016 email from David Dillman) would be appropriate. Or the Council could impose other conditions reducing the height, or requiring a different color, or other changes. Staff suggests that the Council consider requiring use of the Tryon design described in the April 25 Dillman email, which will reduce the visual profile of the project. If the Council so directs, the findings and conditions will be revised accordingly.
2. Continuance for Additional Information: The Council may determine that more information is needed, prior to acting on the Appeal application. However, there is a limit on continuance of a decision on appeals. The Municipal Code requires that a decision on appeals be made within 30 days of the May 3 appeal hearing. This deadline can be extended by mutual agreement.
3. Continuance for Consideration of an Alternate Onsite Location: The Council may advise the applicant to investigate alternate locations on the site.
4. Determine that a different level of environmental review, such as an Initial Study/Negative Declaration or focused Environmental Impact Report is appropriate. This would involve approving the appeal on these limited grounds. Staff would prepare appropriate findings that would return for Council approval. The proposed scope of such environmental review would return for Council review at a future date.
5. Approve the Appeal and Deny the Use Permit: The Council could find that it is appropriate to overturn the Commission decision and approve the appeal. The Council should articulate its rationale for supporting the appeal and denying the application, and staff will subsequently prepare findings based on Council comments, public testimony, and the appellant's submittals for review and approval at a future Council meeting.

**USE PERMIT: 2015-126**

**KOWS Community Radio: Radio Tower with Low Power FM Antenna  
1281 Pleasant Hill Road**

**Findings for Denying the Appeal and Upholding the Planning Commission Use Permit Approval:**

1. That the project is categorically exempt from the requirements of CEQA, pursuant to Section 15301, Class 1, as well as Section 15303, Class 3. The project site has not been identified as unique or as environmentally sensitive. Based on the project application and analysis and as articulated in these findings, there are no site environmental resources of hazardous or critical concern that have been designated, precisely mapped, or officially adopted by local, state, or federal agencies. While this site may provide habitat for various animal or bird species, no information has been documented that the construction and operation of the tower would create adverse impacts to such species; the very small tower footprint, the fact that no trees will be removed; and the nature of the fixed tower, which does not have moving parts, supports this finding. Further, the project is a small radio tower for a local non-profit radio station, and is not one of multiple such applications or developments which might have significant cumulative impacts, in that the City is unaware of any other such applications or such recent developments in the City or its environs. As analyzed in the staff report, there are no identified unusual circumstances relative to the project or the site which might reasonably raise the possibility of a significant effect on the environment. The project would not damage trees, rock outcroppings, or similar resources, and based on information provided by the applicant and reviewed by the City Council, would not impact scenic resources along the County-designated scenic corridor, Highway 116 in that the analysis indicates it would not be visible or substantially visible from Highway 116. Further, the site is not located on a hazardous waste site, and would not affect or cause a substantial adverse change in the significance of a cultural or historical resource in that no such resources have been identified at or adjoining the site.
2. The project qualifies for an exemption under Class 1 in that the site is a 3.39 acre City-owned existing facility that was purchased for utility purposes, which includes two very large water tanks, and the addition of a radio tower with a very small footprint, an open structure, and with the minimal activity associated with operation of a Low Power FM Radio antenna, constitutes a minor improvement with a negligible scope of use, and constitutes a physical alteration which is accessory in nature, and scale to the primary water storage use. Placement of such minor improvements is a common feature of larger public utility sites. Further, the examples provided for modification of existing facilities under a Section 15301 exemption include substantially larger structures, such as a building addition of 2,500 square feet, which would have different, and potentially greater impacts.
3. The project is also categorically exempt from the requirements of CEQA, pursuant to Section 15303, Class 3, in that while the height of the radio tower would be 70 feet; its actual footprint and the improvements to construct it are minor, as it has a diameter of 24 inches, making it comparable to utility pole installations common in the area and in California generally. Further, its location at considerable distance from a public road and from most area residences, the presence of large trees of 40-50 feet in height on the site, and variations in grade in the area will lessen the visibility of the project from public areas. While not required to qualify for these CEQA exemptions, the conditions of approval, a number of which are required by existing City ordinance provisions for any antenna of this type, will further reduce the visibility of the project. This exemption category provides for exemption of projects of considerably greater scale and impact than the subject project,

such as development of a 4-unit multi-family structure (which would have considerably greater bulk, potentially greater visual impact, and more traffic and noise impacts; or a store or restaurant of up to 2,500 square feet; or substantial utility and street extensions. Construction of the project would involve minimal changes to the environment, and the completed project would not generate noise, would not generate waste products or air pollution, would generate negligible vehicle traffic, and would only modestly change the visual character of the project area. Further, the fact that under the City's telecommunications ordinance the application is classified as a 'major antenna' is a regulatory classification, not a CEQA determination. The City has found other 'major antenna' projects exempt under CEQA.

4. These CEQA determinations have been made after carefully reviewing detailed project information, including the project description, plans, photographs, and visual simulations, and considering extensive public testimony and written submittals.
5. That the project is consistent with the General Plan and Zoning Ordinance in that it involves the operation of a limited utility use at a site that, as detailed in the staff report and application materials currently contains substantial public utility improvements. The project is consistent with General Plan policies and Zoning Ordinance provisions in that the construction and operation of a radio tower is a minor addition to a large non-residential parcel that has already been developed as a City reservoir with substantial utility improvements. The radio tower is an accessory use and does not expand the footprint of the site nor does it encroach onto residential uses. The project would modestly change the visual character of the project area but may be interpreted as consistent with General Plan goals and policies in that the radio tower has a diameter of 24 inches and an open structure with diagonal bracing, which makes it less visually intrusive than other telecommunications improvements, and comparable in visibility to telephone and other utility poles of varying heights and dimensions, which are common in the area and in California generally. The radio tower would also be located on a site that currently contains two large water tanks, numerous mature trees, and under conditions mandated by an existing City ordinance provision and a condition of approval, would be required to be painted a combination of flat green (lower elements) and blue-gray (upper elements).
6. That the project is consistent with goals and policies relating to EMF in that the radio tower contains Low Power FM Radio antennas, and is consistent with FCC standards for Nonionizing Radiation (NIER) emissions. Furthermore, exposure is minimal in that the radio tower is secured by a fence and the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above the natural grade and at substantial distances from residences.
7. That the project is consistent with zoning district requirements in that the site is located in the CF: Community Facilities District. The Zoning Ordinance states the following: "The purpose of the CF District is to implement the 'Community Facilities' and 'Parks' and 'Open Space' land use categories of the General Plan. This District is applicable to lands accommodating governmental, public utility, and educational facilities, as well as parks and open space land in public ownership." The project is consistent with the CF District in that it involves the construction and operation of a radio tower, which is a conditionally-permitted use in the CF Zoning District, as a 'Major Telecommunications Facility.' The CF District also allows Communications Equipment, Electrical Substations, Water and Sewer Pumping and Treatment Facilities, Gas Substations, Police and Fire Stations, Public Works Yards, Post Offices, Public Parking Lots, Libraries, and Government Offices. Further, as detailed in the

staff report, the project is consistent with the provisions of the telecommunications facilities provisions of the Zoning Ordinance.

8. That the actual visibility of the project is acceptable in that the radio tower has a diameter of 24 inches and an open structure with diagonal bracing, which makes it less visible than some other telecommunications improvements which may have more massive or solid tower structures, or may have extensive attachments, or may have extensive horizontal elements.
9. That the visibility of the radio tower is minimal in that as detailed in the staff report and application materials, including the supplemental visual simulation analysis included in the submittal by KOWS dated April 25, 2016, it would be located on a site that currently contains two very large water tanks, a number of large, tall mature trees, and would be required to be painted a flat green while elements which rise above the horizon would be painted a blue gray color that matches the typical sky color at that location. The site is not on an exposed ridge line, the specific location takes advantage of natural landforms (a location at a lower elevation than Pleasant Hill Road) and existing vegetation (tall trees) to minimize visual effects. The project does not involve cut and fill grading, or construction of a new road or driveway. While the Sonoma County General Plan designates Highway 116 as a 'scenic corridor,' the site area is not within a County-designated 'scenic landscape unit,' and the actual antenna site does not appear to be visible from Highway 116, as documented by multiple photographs and analysis submitted by KOWS and attached to the staff report. Further, the site is thousands of feet beyond Highway 116. Even if the structure was subject to County regulation, which it is not, the scenic corridor policies state that telecommunications facilities may be permitted, provided they meet applicable County Development Code criteria. Further, the County itself has approved other structures, including antennas, in substantially closer visual proximity to Highway 116 than the subject site; and the City of Sebastopol has conducted an open public hearing process to consider such impacts, among other issues. The visibility of the tower can also be compared to that of telephone and other utility poles, which are common in the area, and while many such poles are lower in height than the proposed project, they are often in closer proximity to roadways and residences than the proposed tower will be; and from that perspective, the visual impact of the proposed project, while present, is not substantial. This is demonstrated by the updated visual simulation analysis submitted as part of the April 25, 2016 KOWS submittal, which shows the tower from different perspectives and distances, as well as showing the visual impact of near objects (like telephone poles and wires along Pleasant Hill Road) versus distant objects. The submittal also shows the effect of the varying topography in the area, which reduces or eliminates visual impact of the project from some locations, as well as the limited visibility of the tower due to its minimal physical profile.
10. That the applicant provided detailed information regarding their site search and alternative locations which demonstrates that the proposed site is reasonably appropriate, given consideration of the multiple parameters set forth in such analysis.
11. That the radio tower does not threaten public health in that it is compliant with FCC standards in terms of NIER exposure, and that it is a Low Power FM Antenna.
12. That the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above natural grade and the radio tower is enclosed by fencing, which creates a vertical, as well as horizontal, distance between the telecommunication improvements and members of the public.

13. That the radio tower will not threaten public safety in that it will be subject to standard conditions and code requirements to meet several structural and safety requirements to the satisfaction of the Building Official, Fire Chief, Public Works Superintendent, and City Engineer.
14. That the project is a compatible with the site in that it is a utility use proposed for a parcel that is zoned for and contains utility uses, and the radio tower would not impede or cause any demonstrated effects on the City's primary water use of the property.
15. That the project is subject to several conditions of approval that are intended to further reduce impacts on the site and surrounding uses, and includes a condition which allows only KOWS to install antennas on the radio tower, and prohibits other telecommunications providers from making improvements on the site.
16. That contentions that if the project were approved, the City could be forced to allow other telecommunication antennas on the structure are inaccurate. There are Federal requirements that place restrictions on State and local government's ability to regulate co-location of wireless facilities, however these are not applicable to the KOWS antenna situation. FCC Report and Order FCC 14-153 clearly states that co-location mandates do not apply to State and local governments when they are acting as property owners. This is comparable to the rights of other property owners to control uses on their property. This interpretation is supported by a May 2015 legal analysis of FCC wireless rules prepared for the League of California Cities. This issue is also analyzed in the April 25, 2016 KOWS submittal.
17. That the Planning Commission appropriately exercised its discretion under the General Plan and Zoning Ordinance, complying with due process and equal protection requirements in that the property in question is within the legal boundaries of the City of Sebastopol and therefore, the City has legal jurisdiction over land use as well as permitting authority. Further, all City of Sebastopol meetings are open to the public, regardless of where persons reside, and all City public hearings, including the subject Commission hearing, as well as the appeal hearing, provide an opportunity for public comment. The Commission approved the Use Permit application at a legally-noticed public hearing after receiving extensive written and oral comments from numerous community members, a number of whom stated they resided in proximity to the project site, and by virtue of submitting written comments, or by their attendance at the hearing, had actual or constructive notice of the hearing. This hearing was subsequent to a standard public notice process in which the City provided written notice to property owners within 600 feet of the of the subject property; provided a written notice that was published in the Sonoma West Times; posted three written notices publicly on and within vicinity of the subject property; posted the meeting agenda and staff report on the City web site; and placed a copy of the agenda packet including the agenda and staff report at the Sebastopol Branch Library. The Commissioners heard the staff report, received the applicant's presentation, asked questions, heard extensive public testimony, and carefully deliberated. The fact that different perspectives were expressed in Commissioners' votes illustrates the deliberative process in which the Commission engaged as well as the serious nature of the Commission's action on this matter. Due process and equal protection rights of Sonoma County residents were not violated in that the Planning Commission had legal authority to act on this matter, public notice was given, a public hearing was conducted, and consistent with the open nature of the Sebastopol public hearing process, the Commission received a considerable amount of written and verbal

comments. The Commission understood that there were concerns regarding the project, but ultimately determined that on balance, a Use Permit approval was appropriate.

18. The Commission heard and received numerous written comments, highlighting health concerns over EMF emissions. The Commission found that the radio tower would not threaten public health in that it is compliant with FCC standards in terms of NIER exposure, and is a Low Power FM Antenna, which does not emit the same NIER as a cellular tower. Furthermore, the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above natural grade and the radio tower is enclosed by fencing, which creates a substantial distance between the telecommunication improvements and members of the public. Finally, the Commission also found that the radio tower will not threaten public safety in that it will be conditioned to meet several structural and safety requirements to the satisfaction of the Building Official, Fire Chief, Public Works Superintendent, and City Engineer.
19. Some comments also expressed the opinion that in considering this site for an antenna, the City would not allow such as tower in the principal City area due to community opposition. In fact, the City has approved several telecommunications facilities, such as the considerably taller and more massive cell tower at Sebastopol's City Hall, a major antenna structure next to Sonoma West Hospital, a substantial tower at the Police Station, and other antenna installations installed on buildings. KOWS initiated this proposal after a site search determined that it was a suitable location; as demonstrated by a number of approved antenna projects in the City limits, the City is open to consideration of such applications.
20. That the City Council carefully reviewed the appeal over an extended period, considered the staff reports as well as extensive appellant, applicant, and public comments; at the first hearing, allowed an extraordinary length of presentation by the appellant to the Council, as well as considering a presentation by the applicant; and at the second hearing, allowed presentations by both the appellant and the applicant, as well as a second public hearing to provide an opportunity for persons who had not spoken at the first hearing to express their views on the application.
21. Based on the above findings, and following careful consideration of the Commission's action, the staff report, and extensive comments at two public hearings, the City Council hereby determines that the Planning Commission's approval was appropriate, and denies the appeal.

**Conditions of Approval:**

1. Approval is granted for the Use Permit described in the application date-stamped December 30, 2015, except as modified by the conditions of approval, and is valid for a period of two (2) years during which time the rights granted must be exercised. However, the applicant may request one (1) one-year extension of this Use Permit from the Planning Director, pursuant to Section 17.250.050 of the Zoning Ordinance.
2. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.

3. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
4. No signs shall be installed that identify the KOWS use of this property, unless specifically authorized by the City.
5. No sound may emanate from the telecommunications facility, which violates the Noise Ordinance or causes an undue disturbance to site neighbors.
6. An Encroachment Permit shall be obtained for work on this public property prior to any construction. No Building Permit will be issued unless an Encroachment Permit has been obtained. Please call the Engineering Department for information at (707) 823-5331.
7. All applicable permits shall be obtained from other approving agencies prior to commencement of this use, including, but not limited to Building and Safety Department, Fire Department, and the Federal Communications Commission (FCC).
8. KOWS shall be responsible for all improvements and maintenance. KOWS shall ensure that the needed bandwidth is available and that the operation of the tower does not interfere with Public Works Department requirements.
9. The radio tower shall be selected for the appropriate wind load at the site per the Building Official.
10. The facility shall require a Building Permit and an Electrical Permit. The plans shall be prepared, stamped, and signed by a licensed design professional. If a solar-powered back-up system is proposed, it shall only be permitted if approved by the Planning Director and Public Works Superintendent and shall also be to the satisfaction of the Building Official.
11. All construction work shall be done by California-licensed contractors, who have a current Business License with the City of Sebastopol.
12. All California State mandated SMIF and Green Building fees shall be paid.
13. The applicant shall execute a lease agreement with the City of Sebastopol that authorizes the use and improvements, and establishes terms of use including any lease payments, access and security restrictions, and other appropriate provisions prior to any construction, and establishing KOWS responsibility to remove its improvements upon expiration or revocation of the Use Permit, or expiration of the lease. The project may not proceed unless and until the City Council approves such lease, and as property owner, the City reserves the right to set conditions or requirements, or to decline to approve such lease if its terms are not satisfactory.
14. Specific access and security arrangements shall be made with the Public Works Department.
15. Consistent with the adopted requirements of the telecommunications ordinance, the radio tower shall be painted flat green while elements which rise above the horizon shall be painted a blue gray color that matches the typical sky color at that location, unless otherwise approved by the Planning Commission.

- 16.** Renewal of the Use Permit for the facility shall be required every ten (10) years from the date of the original Use Permit approval, or from the date of subsequent modifications, pursuant to Section 17.100.010.I of the Zoning Ordinance. KOWS shall submit an application for Use Permit renewal ten (10) years from this approval or in 2026.
- 17.** The facility shall be designed and maintained to withstand without failure the maximum forces expected from wind, earthquakes, and ice when the facility is fully loaded with antennas, transmitters and other equipment, and camouflaging, pursuant to Section 17.100.010.J of the Zoning Ordinance. Initial demonstration of compliance with this requirement shall be provided via submission of a report to the Building Official prepared by a structural engineer licensed by the State of California describing the tower structure, specifying the number and type of antennas it is designed to accommodate, providing the basis for the calculations done, and documenting the actual calculations performed. Proof of ongoing compliance shall be provided via submission to the Planning Director at least every 5 (self-supporting and guyed towers)/10 (monopoles) years of an inspection report prepared by a California-licensed structural engineer indicating the number and types of antennas and related equipment actually present and indicating the structural integrity of the tower. Based on this report, the Building Official may require repair of, if a serious safety problem exists, removal of the tower.
- 18.** This approval is only for the KOWS antenna and related facilities. KOWS is not authorized to install or allow the installation of any other antennas or facilities on the radio tower or at the site, and this requirement shall be memorialized in the lease with the City.
- 19.** The facility shall remain unlit, unless otherwise approved by the Planning Commission, pursuant to Section 17.100.010.P of the Zoning Ordinance.
- 20.** The facility shall be designed and operated in such a manner so as to minimize the risk of igniting a fire or intensifying one that otherwise occurs to the satisfaction of the Fire Chief, pursuant to Section 17.100.010.S of the Zoning Ordinance. All tree trimmings and trash generated by construction of the facility shall be removed from the property and properly disposed of prior to Building Permit finalization or commencement of operation, whichever comes first.
- 21.** The applicant shall submit a site plan, drawn to scale, showing all above and underground features on the site. The site plan shall also include detailed specifications for trenching and address erosion control, pursuant to Section 17.100.010.T of the Zoning Ordinance.
- 22.** The facility shall be constructed and operated in such a manner as to minimize the amount of disruption caused the residents of nearby homes and the users of any nearby recreational areas such as public parks and trails, pursuant to Section 17.100.010.U of the Zoning Ordinance. To that end all the following measures shall be implemented: (1) Outdoor noise producing construction activities shall only take place on weekdays (Monday through Friday) between the hours of 7:30 a.m. and 5:30 p.m. unless allowed at other times by the Planning Commission; (2) Backup generators shall only be operated during power outages and for testing and maintenance purposes. Noise attenuation measures shall be included to reduce noise levels to an exterior noise level of at least an LDN of 60 DB at the property line and an interior noise level of an LDN of 45 DB; and (3) Traffic at all times be kept to an absolute minimum, but in no case more than two round trips per day on an average annualized basis once construction is complete.

23. The telecommunications facility shall continue to maintain compliance with FCC emission standards for human exposure, related to Nonionizing Electromagnetic Radiation (NIER), pursuant to Section 17.100.010.W of the Zoning Ordinance. Every 5 years a report listing each transmitter and antenna present at the facility and the effective radiated power radiated shall be submitted to the Planning Director. If either the equipment or effective radiated power has changed, calculations specifying NIER levels in the inhabited areas where said levels are projected to be highest shall be prepared. NIER calculations shall also be prepared every time the adopted NIER standard changes. If calculated levels in either of these cases exceed 80% of the standard established by this section, the operator of the facility shall hire a qualified electrical engineer licensed by the State of California to measure the actual NIER levels produced. A report of these calculations, required measurements, if any, and the author's/engineer's findings with respect to compliance with the current NIER standard shall be submitted to the Planning Director within 5 years of facility approval and every 5 years thereafter. In the case of a change in the standard, the required report shall be submitted within 90 days of the date said change becomes effective.
24. KOWS shall be responsible for the payment of all approvals and expenses related to PG&E services for its facility.
25. The tower structure shall include anti-climb panels.
26. The site shall be secure with appropriate fencing as determined appropriate by the City Manager.

**Attachments:**

1. May 3, 2016 City Council Staff Report (Without Attachments)
2. Additional SHARP Submittal
3. Additional KOWS Submittal
4. Public Comments: Received by 3:00 P.M. on May 25, 2016

# **ATTACHMENT #1**

## **MAY 3, 2016 CITY COUNCIL STAFF REPORT**

***(WITHOUT ATTACHMENTS)***

City Council  
Mayor Sarah Glade Gurney  
Vice Mayor Una Glass  
John Eder  
Robert Jacob  
Patrick Slayter



City Manager-City Attorney  
Larry McLaughlin

City Clerk  
Mary Gourley

## City of Sebastopol City Council Staff Report

Reviewed by City Manager 

Meeting Date: May 3, 2016  
To: Mayor and City Council  
From: Kenyon Webster, Planning Director  
Jonathan Atkinson, Assistant Planner  
Subject: Appeal of Planning Commission Decision  
Use Permit: Radio Tower in the Community Facilities District  
Recommendation: Deny Appeal  
Applicant/Owner: KOWS Community Radio/City of Sebastopol  
File Number: 2016-13  
Address: 1281 Pleasant Hill Road  
CEQA Status: Categorical Exemption: Section 15301: Class 1  
Categorical Exemption: Section 15303: Class 3  
General Plan: Community Facilities  
Zoning: CF: Community Facilities  
Funding: Currently Budgeted:  Yes  No  N/A  
Net General Fund Cost:  
If Cost to Other Fund(s):  Yes  No  N/A

### Introduction:

This is an Appeal application, requesting that the City Council overturn a Planning Commission Use Permit approval, which would allow KOWS Community Radio to construct and operate a radio tower at 1281 Pleasant Hill Road. A Use Permit was required because the radio tower is classified as a Major Telecommunication Facility, which is a conditionally-permitted use in the CF District.

1281 Pleasant Hill Road is a City-owned 3.39 acre parcel surrounded by unincorporated Sonoma County. The site is currently home to the Pleasant Hill Road Reservoir, which contains two 3 million gallon water tanks and an ancillary structure and equipment.

Background: KOWS contacted the City, and expressed interest in constructing and operating a radio tower at the site in an effort to have an antenna with greater broadcast reach. On November 3, 2015 at an agendized public meeting, the City Council gave KOWS permission to apply for a Use Permit for a radio antenna tower and authorized the City Manager to consent to filing of the Use Permit application as the property owner. KOWS and the City would sign a lease agreement with an anticipated payment of \$1 a year, if the Use Permit approval is upheld.

Planning Commission Action: On February 23, 2016, the Commission reviewed a Use Permit application for KOWS at a public hearing, which was publicly noticed and heavily attended. The

Commission received extensive written communications, a staff report, heard from KOWS representatives, and conducted a public hearing where numerous interested community members spoke regarding the project. The Commission ultimately approved the application in a 4-3 decision.

Appeal: On February 29, 2016, Sebastopol Hills Alliance for Rural Preservation (SHARP) submitted an Appeal application, requesting that the City Council overturn the Commission approval and deny the Use Permit. SHARP cited a number of concerns as the basis for their Appeal application. Some of the major concerns include the following:

- The California Environmental Quality Act (CEQA) determination was inappropriate.
- Federal collocation laws could result in future telecommunications improvements at the site.
- The radio tower is inappropriate for the site and inconsistent with the General Plan in that it will have a negative visual impact.
- The radio tower will result in the reduction of neighboring property values.
- Action on the matter occurred without sufficient due process and raised equal protection concerns.

On April 26, 2016, as the staff report was being finalized, an appellant representative submitted an extensive packet of information (attached as an exhibit) regarding the appeal.

Staff has provided responses to SHARP's concerns in the Analysis section of this staff report.

KOWS has also provided written responses to some of the concerns (attached). KOWS has also provided further information about their site search criteria.

On April 25, KOWS provided information regarding an alternative tower design that would reduce visual impact by having a stepped design that narrows with increasing height, with the tower being 60' tall (instead of 70'), and having a 5' tall, 2" wide center pole rising an additional 5' for a total height of 65'. KOWS indicates that this updated proposal is their preferred design. Information about the prior design as well as the proposed update are attached. As this proposal would reduce visual impacts, the Council may wish to consider it as an alternative to the original proposal.

KOWS informed City staff that subsequent to filing of the appeal, they met with a group representing the appellants, and that there was a discussion regarding the appeal, but that this did not result in a change to the situation.

The following sections of this staff report include an analysis of the project to review its consistency with CEQA, General Plan, and Zoning Ordinance requirements, as well as an analysis of the major concerns that SHARP and several community members have identified.

### **Project Description:**

KOWS is a nonprofit community radio station and Federal Communications Commission (FCC) Emergency Alert Station, which began broadcasting in 2007. KOWS relocated its studio to the Sebastopol United Methodist Church at 500 North Main Street in 2015, after years of operation in Occidental, California. KOWS proposes to construct and operate a Low Power FM Radio antenna, which would be installed on a 70 foot tall radio tower at the southeast corner of the Pleasant Hill Road Reservoir site. Under the Commission's conditions of approval, the lower

portion of the radio tower would be painted flat green and the upper portion would be painted blue-gray. The structure would have an approximate diameter of 24 inches with diagonal bracing and an open structure. The radio tower will contain four (4) antennas that will be eight (8) feet apart at the following heights: 46 feet, 54 feet, 62 feet, and 70 feet.

**Environmental Review:**

As recommended by staff and approved by the Commission, the project was found to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to the following:

*15301: Existing Facilities:* Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The Commission found that the project was consistent with this categorical exemption in that the site is a 3.39 acre City-owned existing facility with two very large water tanks, and the addition of a radio tower with a small footprint, an open structure, and with minimal activity with a Low Power FM Radio antenna, constitutes a minor physical alteration to this existing substantial facility.

*15303: New Construction or Conversion of Small Structures:* Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The Commission also found that the project was consistent with this categorical exemption in that while the height of the radio tower would be 70 feet; its actual footprint and the improvements to construct it are minor, as it has a diameter of 24 inches.

A majority of the Commission determined that the project met the criteria for a categorical exemption and that further environmental review was not required. The City Attorney reviewed this determination and found it appropriate. He also consulted with outside counsel regarding this determination, who concurred.

**General Plan Consistency:**

The General Plan Land Use Designation for this site is Community Facilities. The General Plan describes Community Facilities as the following: *"This designation includes public buildings and facilities, utility facilities and related easements, public libraries, city offices, fire and police stations, and school sites. Maximum FAR shall not exceed 1.0."* The project is consistent with this land use designation in that it involves a utility use located on a community facility, which currently contains major public utility uses.

The following General Plan goals and policies are applicable to the project:

Chapter I: Land Use

Section V: Residential Land Use

*Goal 4: Preserve the unique character and ambiance of residential areas.*

*P.15: Prevent encroachment of non-residential use.*

*P.16: Protect Residential Neighborhoods: Protect residential neighborhoods from the effects of adjacent non-residential uses.*

The project is consistent with this goal and policies in that the construction and operation of a radio tower is a minor addition to a large non-residential parcel that has already been developed as a City reservoir with substantial utility improvements. The radio tower is a supplemental use and does not expand the footprint of the site nor does it encroach onto residential uses.

Chapter V: Community Identity

Section B: Preservation of Scenic Views

*Goal 13: Preserve and enhance scenic views of the Laguna de Santa Rosa, Atascadero Creek, the hills to the west of Sebastopol and other natural resources within the Sebastopol Planning and Referral Area.*

*P.40: Preserve scenic views of the natural landscape.*

The project would have a visual impact but may be interpreted as consistent with this goal and policy in that the radio tower has a diameter of 24 inches and an open structure with diagonal bracing, which makes it less impactful than other telecommunications improvements, and comparable in visual impact to telephone and other utility poles of varying heights and dimensions, which are common in the area and in California generally. The radio tower would also be located on a site that currently contains two large water tanks, numerous mature trees, and would be required to be painted a combination of flat green (lower elements) and blue-gray (upper elements).

Chapter VII: Safety

Section X: Minimizing Magnetic Field Hazards

*Goal 9: Minimize community exposure to EMF.*

*P.37: Consider EMF in Land Use Decisions: Consider information regarding EMF radiation from new electrical transmission lines and substations in making land use decisions.*

*P.38: Siting and Construction of Electrical Transmission Facilities: Minimize and reduce EMF radiation levels near sensitive areas such as schools, hospitals, and playgrounds when planning for electrical transmission facilities repair and new construction.*

The project is consistent with this goal and policies in that the radio tower contains Low Power FM Radio antennas, and is consistent with FCC standards for Nonionizing Radiation (NIER)

emissions. Furthermore, exposure is minimal in that the radio tower is secured by a fence and the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above the natural grade and at substantial distances from residences.

**Zoning Ordinance Consistency:**

The site is located in the CF: Community Facilities District. The Zoning Ordinance states the following: "The purpose of the CF District is to implement the 'Community Facilities' and 'Parks' and 'Open Space' land use categories of the General Plan. This District is applicable to lands accommodating governmental, public utility, and educational facilities, as well as parks and open space land in public ownership." The project is consistent with the CF District in that it involves the construction and operation of a radio tower, which is a conditionally-permitted use as a 'Major Telecommunications Facility.'

The radio tower is considered a 'Major Telecommunications Facility' because its height exceeds 35 feet and the application is subject to the following provisions of Chapter 17.100: General Provisions Relating to Telecommunications Facility and Minor Antenna:

*Telecommunications Ordinance*

This section highlights the purpose of this Zoning Ordinance Chapter and states the following objectives:

1. Protect the visual character of the city from the potential adverse effects of telecommunication facility development and minor antenna installation;
2. Protect the inhabitants of the city from the possible adverse health effects associated with exposure to high levels of NIER (non-ionizing electromagnetic radiation);
3. Protect the environmental resources of the city;
4. Create telecommunication facilities that will serve as an important and effective part of the city's emergency response network;
5. Any antenna and its associated support structure installed for the sole use of federally licensed Amateur Radio operators in the Amateur Radio Service shall not, by definition, be considered telecommunication facilities and shall be exempt from any other antenna or telecommunication facility ordinances enacted by the City, and shall be regulated solely by the following; and
6. Simplify and shorten the process for obtaining necessary permits for telecommunication facilities while at the same time protecting the legitimate interests of the city's citizens.

KOWS submitted an application and supplemental application materials as required by the Antenna Use Permit Checklist. The application is consistent with these requirements.

The ordinance is very detailed. A number of provisions are reviewed below.

KOWS Radio also submitted a 'Telecommunications Facility Acknowledgement of Maintenance Requirements' agreement to the Planning Director and the specific terms of a lease agreement with the City would address facility maintenance and removal.

A section of the ordinance requires Use Permits to be renewed every ten (10) years and identifies scenarios in which a Use Permit would not be renewed. The Planning Department

has added a condition of approval, which requires Use Permit renewal every ten (10) years and outlines scenarios where renewal would not be granted.

The ordinance also establishes structural requirements that are intended to mitigate a telecommunications facility's potential hazard to surrounding properties in terms of its design. Such engineering and code requirements will be addressed in the Building Permit and Encroachment Permit processes.

There are requirements for all telecommunication facilities, which serve as a Critical Disaster Response Facility and provide service to the government and general public, to be designed in a manner to survive a natural disaster without interruption in operation. The section also includes several measures that must be implemented. KOWS is an FCC-designated Emergency Alert Station. The Planning Department has added a condition of approval, which requires KOWS to demonstrate that the radio tower can structurally withstand a natural disaster, to the satisfaction of the Fire Chief and Building Official.

The ordinance requires all telecommunication towers to be set back at least 20 percent of the tower height from all property lines. The radio tower would be located at the southeast corner near the rear (east) and side (south) boundaries of the parcel and is required to have a minimum setback of 14 feet from all property lines based on the following calculation:  $20 \text{ percent} \times 70 \text{ feet} = 14 \text{ feet}$ . The radio tower has a rear yard setback of 25 feet and a side yard setback of 38 feet. The application is consistent with this provision.

The ordinance requires that all telecommunication facilities be unlit but does provide scenarios, where an exception is appropriate. The radio tower is proposed to be unlit and located at the City-owned Pleasant Hill Reservoir, which contains minimal lighting. The application is consistent with this provision.

The ordinance also requires that all telecommunication facilities be served by the minimum roads and parking areas necessary. The radio tower is proposed to be located at the City-owned Pleasant Hill Reservoir, which currently contains a driveway and small area that is suitable for parking. The construction and operation of the radio tower would not require additional roadway and/or parking improvements. The application is consistent with this provision.

The ordinance requires all telecommunication facilities to be designed and operated in a manner that minimizes the risk of igniting and/or intensifying a fire. The Planning Department has added a condition of approval, which requires Fire Chief and Building Official of a Building Permit application. This provision has been satisfied.

The ordinance requires telecommunications facilities to be constructed and operated in a manner that minimizes the disruption of nearby residences and recreational areas, such as public parks and trails. This section includes several provisions that address noise and traffic issues. The Planning Department has added conditions of approval, which require compliance with noise and traffic provisions both during construction and operation of the radio tower. The provisions of this section have been satisfied.

The ordinance also addresses screening and visual compatibility issues. The nature of the project does not lend itself to landscape screening. However, the large existing trees and water tanks provide some of that function. These aspects, together with the narrow footprint, open structure, and location help mitigate, but not eliminate visual impacts.

Furthermore, the ordinance requires telecommunications facilities be sited in a manner to minimize any potential threat to public health, and are consistent with FCC standards for NEIR exposure. The project is consistent with the ordinance in that the radio tower contains Low Power FM Radio antennas, and is consistent with FCC standards for NIER emissions. Exposure is minimal in that the radio tower is secured by a fence and the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above the natural grade and at substantial distances from residences.

### **Public Comment:**

City staff did the following to comply with Section 17.260.030.B (5) of the Zoning Ordinance for the Appeal application: (1) Provided written notice to all property owners within 600 feet of the external boundaries of the subject property; (2) provided a written notice that was published in the Sonoma West Times; and (3) posted three written notices publicly on and within vicinity of the subject property. The Planning Department also provided the same level of notice for the Use Permit application. These are the same noticing procedures conducted for all other types of Use Permits.

There is substantial public interest in this project, with considerable concerns expressed by residents in the area; and other comments in support. The Planning Department received numerous comments from the public that are attached to this staff report.

Comments included the following major points in opposition of the application:

- The radio tower will have a detrimental visual impact on the rural residential and agricultural character of the area.
- Public health will be jeopardized due to EMF emissions.
- The radio tower is inconsistent with City policies, particularly the General Plan and Zoning Ordinance.
- Approval of this Use Permit could lead to future telecommunications improvements.
- The radio tower should be located at a different site within the City.

Comments included the following major points in support of the application:

- The radio tower will have a limited visual impact because of its small footprint and open structure.
- The site would provide a sufficient radio signal and allow KOWS to extend its broadcast coverage.
- The radio tower will include Low Power (FM) Radio antennas and does not exceed FCC standards for NIER emissions.
- KOWs will provide Emergency Alert System notifications.
- A local radio station is a valuable community asset.

### **City Departmental Comment:**

The Planning Department circulated the Use Permit application to the following City departments: Building and Safety, Engineering, Fire, and Public Works. The Building Official commented that the Building Permit submittal will need to show details for any solar-powered back-up system.

### **Required Findings:**

Section 17.260.030.C of the Zoning Ordinance establishes the following General Use Permit Criteria:

“A Use Permit may be granted only if the establishment, maintenance or operation of the proposed use or development applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or development, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.”

### **Analysis:**

In their original appeal documents, SHARP raised a number of concerns with the Use Permit approval. This section addresses what appear to be SHARP’s main concerns, which are listed in ***bold italics*** with staff responses:

***The commission abused its discretion by failing to adequately consider the environmental regulations governing the application for the construction permit, including but not limited to the California Environmental Quality Act (CEQA).***

The Commission discussed the CEQA determination and whether additional environmental review was appropriate or not. The Commission found that project was categorically exempt from CEQA, pursuant to Section 15301, Class 1, in that the site is a 3.39 acre City-owned existing facility with two very large water tanks, and the addition of a radio tower with a small footprint, an open structure, and with minimal activity with a Low Power FM Radio antenna, constitutes minor physical alteration.

Furthermore, the Commission also found that the project also categorically exempt from the requirements of CEQA, pursuant to Section 15303, Class 3, in that while the height of the radio tower would be 70 feet; its actual footprint and the improvements to construct it are minor, as it has a diameter of 24 inches.

***The commission acted arbitrarily and capriciously by approving the station’s application without understanding the likelihood that federal preemption could enforce collocation of other telecommunication devices at that site.***

There are Federal requirements that place restrictions on State and local government’s ability to regulate co-location of wireless facilities. However these are not applicable to the KOWS antenna situation. FCC Report and Order FCC 14-153 clearly states that co-location mandates do not apply to State and local governments when they are acting as property owners. This is comparable to the rights of other property owners to control uses on their property. This interpretation is supported by a May 2015 legal analysis of FCC wireless rules prepared for the League of California Cities.

The FCC Order states: “...we conclude that Section 6409(a) applies only to State and local governments acting in their role as land use regulators and does not apply to such entities acting in their proprietary capacities. As discussed in the record, courts have consistently recognized that in “determining whether government contracts are subject to preemption, the

case law distinguishes between actions a State entity takes in a proprietary capacity— actions similar to those a private entity might take—and its attempts to regulate.” As the Supreme Court has explained, “[i]n the absence of any express or implied implication by Congress that a State may not manage its own property when it pursues its purely proprietary interests, and when analogous private conduct would be permitted, this Court will not infer such a restriction.” Like private property owners, local governments enter into lease and license agreements to allow parties to place antennas and other wireless service facilities on local-government property, and we find no basis for applying Section 6409(a) in those circumstances. We find that this conclusion is consistent with judicial decisions holding that Sections 253 and 332(c) (7) of the Communications Act do not preempt “non regulatory decisions of a state or locality acting in its proprietary capacity.”

Thus, if the project moves forward, there would be no requirement that would force the City to allow other telecommunication operators to install antennas on the property. However, the California League of Cities analysis notes that cities should protect their proprietary rights. Thus, in allowing a telecommunications installation on a public property, jurisdictions should consider whether to restrict a lessee’s ability to sub-lease space at the facility. One of the Planning Commission’s conditions of approval specifically restricts use of the tower to KOWS, and it is staff’s understanding that any lease with KOWS will impose a similar restriction.

***The commission abused its discretion by relying on the station’s unproven and undocumented assertions of its importance to the community.***

While several community members in favor the application commented that KOWS is a community asset, the Commission based its determination on CEQA, the General Plan and Zoning Ordinance, and consistency with the Use Permit findings.

***The commission abused its discretion by both underestimating the actual harm to the city’s immediate neighbors from its approval of the permit application and by failing to comply with the city’s general plan’s stated policy of minimizing the city’s impact on the surrounding natural landscape.***

The construction of the radio tower would have a visual impact on the area, as it would consist of a metal tower having a height of 70 feet. The radio tower would be visible from adjacent properties and Pleasant Hill Road. The Commission found that the actual visual impact is acceptable in that the radio tower has a diameter of 24 inches and an open structure with diagonal bracing, which makes it less impactful. The Commission also found that the visual impact is minimal in that it would be located on a site that currently contains two large water tanks, many mature trees, and lower elements would be required to be painted a flat green and elements which rise above the horizon would be painted a blue gray color that matches the typical sky color at the location. The visual impact of the tower can also be compared to that of telephone and other utility poles, which are common in the area, and while many such poles are lower in height, are often in closer proximity to roadways and residences than the proposed tower will be; and from that perspective, the visual impact, while present, is not unacceptably substantial.

***The commission abused its discretion by relying on undocumented and unverified assertions by the station that it could not find an alternate location for its radio antenna tower, as well as relying on other similar unverified assertions.***

KOWS provided written information as part of its Use Permit application regarding its efforts to find an alternate site. The Commission also asked several questions of KOWS at the public hearing regarding its efforts to find an alternate site, and received detailed responses from a KOWS representative prior to acting on the Use Permit application.

***The commission capriciously approved the station's use permit without adequately taking into consideration the potential reduction in neighboring property values as a result of its actions.***

The Commission engaged in a thorough deliberative process, including a detailed staff report, consideration of detailed information provided by the applicant, extensive public testimony, and discussion and debate by Commissioners. In the context of the very large existing water tanks and related improvements, the project is small in scale, which will limit its impacts. Considering and balancing all of this input, the Commission found that the project as conditioned would not have an unacceptable detrimental impact on the site and surrounding uses.

***The commission abused its discretion by approving the use permit application without adequately taking into consideration the city's potential financial liability resulting from its actions.***

Under Use Permit procedures, such a finding is not required for any project and therefore is not relevant to the appeal. The City Council authorized application for the project by KOWS after receiving specific information on the nature of the proposed project.

***The commission abused its discretion by failing to properly recognize and take into account the due process and potential equal protection violations resulting from the approval of the radio's use permit.***

The property in question is within the legal boundaries of the City of Sebastopol and therefore, the City has legal jurisdiction over land use as well as permitting authority. The Sebastopol Planning Commission, unlike most Commissions in California, is open to persons having a business in Sebastopol but who do not reside in the City limits; in addition, the seven-member Commission appointment criteria allows appointment of one person who is not a City resident and does not own a business in the City limits. The Commission currently has one member who is a resident of unincorporated Sebastopol. All City of Sebastopol meetings are open to the public, regardless of where they reside, and all public hearings provide an opportunity for public comment by any person. The Commission approved the Use Permit application at a legally-noticed public hearing after receiving extensive written and oral comments from numerous community members, a number of whom stated they resided in unincorporated areas in proximity to the project site, and by virtue of submitting written comments, or by their attendance at the hearing, had actual or constructive notice of the hearing. This hearing was subsequent to a standard public notice process in which the City provided written notice to property owners within 600 feet of the of the subject property; provided a written notice that was published in the Sonoma West Times; posted three written notices publicly on and within vicinity of the subject property; posted the meeting agenda and staff report on the City web site; and placed a copy of the agenda packet including the agenda and staff report at the Sebastopol Branch Library. Due process and equal protection rights of Sonoma County residents were not violated in that the

Planning Commission had legal authority to act on this matter, public notice was given, a public hearing was conducted, and consistent with the open nature of the Sebastopol public hearing process, that the Commission received a considerable amount of written and verbal comments. The Commission understood that there were concerns regarding the project, but ultimately determined that a Use Permit approval was appropriate.

**Public Health and Safety Concerns:** The City and Commission heard and received numerous written comments, highlighting health concerns over EMF emissions. A majority of the Commission found that the radio tower would not threaten public health in that it is compliant with FCC standards in terms of NIER exposure, and is a Low Power FM Antenna, which does not emit the same NIER as a cellular tower. Furthermore, the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above natural grade and the radio tower is enclosed by a secure fence, which creates a substantial distance between the telecommunication improvements and members of the public. Finally, the Commission also found that the radio tower will not threaten public safety in that it will be conditioned to meet several structural and safety requirements to the satisfaction of the Building Official, Fire Chief, Public Works Superintendent, and City Engineer.

Some comments also expressed the opinion that while considering this location surrounded by unincorporated territory, the City would not allow such as tower in the principal City area due to 'in-town' community opposition. In fact, the City has approved several telecommunications facilities, such as the considerably taller and more massive cell tower at Sebastopol's City Hall, a major antenna structure next to Sonoma West Hospital, a substantial tower at the Police Station, and other substantial antenna installations on buildings, including the Rialto Cinemas and the Redwood Credit Union building.

**Recommendation:**

Staff recommends that the Council deny the Appeal application and uphold the Commission approval based on the findings and conditions set forth in this staff report. The Council could otherwise consider the following alternatives:

1. **Uphold Use Permit Approval with Required Modifications:** The Council could find that the Commission approval was appropriate in that the radio tower use is compatible with the site but determine that additional conditions, such as requiring use of the updated tower design (Trylon design described in the April 25, 2016 email from David Dillman) would be appropriate. Or the Council could impose other conditions reducing the height, or requiring a different color, or other changes. Staff suggests that the Council consider requiring use of the Tryon design described in the April 25 Dillman email, which will reduce visual impacts.
2. **Continuance for Additional Information:** The Council may determine that more information is needed, prior to acting on the Appeal application. However, there is a limit on continuance of a decision on appeals. The Municipal Code requires that a decision on appeals be made within 30 days of the appeal hearing. This deadline can be extended by mutual agreement of the City and the applicant.
3. **Continuance for Consideration of an Alternate Onsite Location:** The Council may advise the applicant to investigate alternate locations on the site.

4. Approve the Appeal and Deny the Use Permit: The Council could find that it is appropriate to overturn the Commission decision and approve the appeal. The Council should articulate its rationale for supporting the appeal and denying the application, and staff will subsequently prepare findings based on Council comments, public testimony, and the appellant's submittals for review and approval at a future Council meeting.

**USE PERMIT: 2015-126  
KOWS Community Radio: Radio Tower with Low Power FM Antenna  
1281 Pleasant Hill Road**

**Findings for Denying the Appeal and Upholding the Planning Commission Use Permit Approval:**

1. That the project is categorically exempt from the requirements of CEQA, pursuant to Section 15301, Class 1, in that the site is a 3.39 acre City-owned existing facility with two very large water tanks, and the addition of a radio tower with a small footprint, an open structure, and with minimal activity associated with a Low Power FM Radio antenna, constitutes a minor physical alteration; and that the project is also categorically exempt from the requirements of CEQA, pursuant to Section 15303, Class 3, in that while the height of the radio tower would be 70 feet; its actual footprint and the improvements to construct it are minor, as it has a diameter of 24 inches, making it comparable to utility pole installations common in the area and in California generally. Further, its location at considerable distance from a public road and from most area residences, the presence of large trees on the site, and variations in grade in the area will lessen visual impacts. While not required to qualify for these CEQA exemptions, the conditions of approval will further reduce project effects. These CEQA determinations have been made after carefully reviewing detailed project information, including the project description, plans, photographs, and visual simulations, and considering extensive public testimony and written submittals.
2. That the project is consistent with the General Plan and Zoning Ordinance in that it involves the operation of a limited utility use at a site that, as detailed in the staff report and application materials currently contains substantial public utility improvements. The project is consistent with General Plan policies and Zoning Ordinance provisions in that the construction and operation of a radio tower is a minor addition to a large non-residential parcel that has already been developed as a City reservoir with substantial utility improvements. The radio tower is a supplemental use and does not expand the footprint of the site nor does it encroach onto residential uses. The project would have a visual impact but may be interpreted as consistent with General Plan goals and policies in that the radio tower has a diameter of 24 inches and an open structure with diagonal bracing, which makes it less impactful than other telecommunications improvements, and comparable in visual impact to telephone and other utility poles of varying heights and dimensions, which are common in the area and in California generally. The radio tower would also be located on a site that currently contains two large water tanks, numerous mature trees, and would be required to be painted a combination of flat green (lower elements) and blue-gray (upper elements).
3. That the project is consistent with goals and policies relating to EMF in that the radio tower contains Low Power FM Radio antennas, and is consistent with FCC standards for Nonionizing Radiation (NIER) emissions. Furthermore, exposure is minimal in that the radio tower is secured by a fence and the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above the natural grade and at substantial distances from residences.

4. That the project is consistent with zoning district requirements in that the site is located in the CF: Community Facilities District. The Zoning Ordinance states the following: "The purpose of the CF District is to implement the 'Community Facilities' and 'Parks' and 'Open Space' land use categories of the General Plan. This District is applicable to lands accommodating governmental, public utility, and educational facilities, as well as parks and open space land in public ownership." The project is consistent with the CF District in that it involves the construction and operation of a radio tower, which is a conditionally-permitted use as a 'Major Telecommunications Facility.' Further, as detailed in the staff report, the project is consistent with the provisions of the telecommunications facilities provisions of the Zoning Ordinance.
5. That the actual visual impact is acceptable in that the radio tower has a diameter of 24 inches and an open structure with diagonal bracing, which makes it less impactful than some other telecommunications improvements which may have more massive or solid tower structures, or may have extensive attachments, or may have extensive horizontal elements.
6. That the visual impact of the radio tower is minimal in that as detailed in the staff report and application materials, including the supplemental visual simulation analysis included in the submittal by KOWS dated April 25, 2016, it would be located on a site that currently contains two very large water tanks, a number of large, tall mature trees, and would be required to be painted a flat green while elements which rise above the horizon would be painted a blue gray color that matches the typical sky color at that location. The site is not on an exposed ridge line, the specific location takes advantage of natural landforms (a location at a lower elevation than Pleasant Hill Road) and existing vegetation (tall trees) to minimize visual effects. The project does not involve cut and fill grading, or construction of a new road or driveway. While the Sonoma County General Plan designates Highway 116 as a 'scenic corridor,' the site area is not within a County-designated 'scenic landscape unit,' and the actual antenna site does not appear to be visible from Highway 116, as documented by multiple photographs and analysis submitted by KOWS and attached to the staff report. Further, the site is thousands of feet beyond Highway 116. Even if the structure was subject to County regulation, which it is not, the scenic corridor policies state that telecommunications facilities may be permitted, provided they meet applicable County Development Code criteria. Further, the County itself has approved other structures, including antennas, in substantially closer visual proximity to Highway 116 than the subject site; and the City of Sebastopol has conducted an open public hearing process to consider such impacts, among other issues. The visual impact of the tower can also be compared to that of telephone and other utility poles, which are common in the area, and while many such poles are lower in height than the proposed project, they are often in closer proximity to roadways and residences than the proposed tower will be; and from that perspective, the visual impact of the proposed project, while present, is not substantial. This is demonstrated by the updated visual simulation analysis submitted as part of the April 25, 2016 KOWS submittal, which shows the tower from different perspectives and distances, as well as showing the visual impact of near objects (like telephone poles and wires along Pleasant Hill Road) versus distant objects. The submittal also shows the effect of the varying topography in the area, which reduces or eliminates visual impact of the project from some locations, as well as the limited impact of the tower due to its minimal physical profile.
7. That the radio tower does not threaten public health in that it is compliant with FCC standards in terms of NIER exposure, and that it is a Low Power FM Antenna.

8. That the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above natural grade and the radio tower is enclosed by a secure fence, which creates a distance between the telecommunication improvements and members of the public.
9. That the radio tower will not threaten public safety in that it will be subject to standard conditions and code requirements to meet several structural and safety requirements to the satisfaction of the Building Official, Fire Chief, Public Works Superintendent, and City Engineer.
10. That the project is a compatible with the site in that it is a utility use proposed for a parcel that contains public utility uses, and the radio tower would not impede the City's primary water use of the property.
11. That the project is subject to several conditions of approval that are intended to further reduce impacts on the site and surrounding uses, and includes a condition, which only allows KOWS to install antennas on the radio tower, and prohibits other telecommunications providers from making improvements on the site.
12. That contentions that if the project were approved, the City could be forced to allow other telecommunication antennas on the structure are inaccurate. There are Federal requirements that place restrictions on State and local government's ability to regulate co-location of wireless facilities, however these are not applicable to the KOWS antenna situation. FCC Report and Order FCC 14-153 clearly states that co-location mandates do not apply to State and local governments when they are acting as property owners. This is comparable to the rights of other property owners to control uses on their property. This interpretation is supported by a May 2015 legal analysis of FCC wireless rules prepared for the League of California Cities. This issue is also analyzed in the April 25, 2016 KOWS submittal.
13. That the Planning Commission appropriately exercised its discretion under the General Plan and Zoning Ordinance, complying with due process and equal protection requirements in that the property in question is within the legal boundaries of the City of Sebastopol and therefore, the City has legal jurisdiction over land use as well as permitting authority. Further, all City of Sebastopol meetings are open to the public, regardless of where persons reside, and all City public hearings, including the subject Commission hearing, as well as the appeal hearing, provide an opportunity for public comment. The Commission approved the Use Permit application at a legally-noticed public hearing after receiving extensive written and oral comments from numerous community members, a number of whom stated they resided in proximity to the project site, and by virtue of submitting written comments, or by their attendance at the hearing, had actual or constructive notice of the hearing. This hearing was subsequent to a standard public notice process in which the City provided written notice to property owners within 600 feet of the of the subject property; provided a written notice that was published in the Sonoma West Times; posted three written notices publicly on and within vicinity of the subject property; posted the meeting agenda and staff report on the City web site; and placed a copy of the agenda packet including the agenda and staff report at the Sebastopol Branch Library. The Commissioners heard the staff report, received the applicant's presentation, asked questions, heard extensive public testimony, and carefully deliberated. The fact that different perspectives were expressed in Commissioners' votes illustrates the deliberative process in which the Commission engaged as well as the serious nature of the Commission's action on this matter. Due process and equal protection rights of Sonoma County residents were not violated in that the Planning

Commission had legal authority to act on this matter, public notice was given, a public hearing was conducted, and consistent with the open nature of the Sebastopol public hearing process, the Commission received a considerable amount of written and verbal comments. The Commission understood that there were concerns regarding the project, but ultimately determined that on balance, a Use Permit approval was appropriate.

14. The Commission heard and received numerous written comments, highlighting health concerns over EMF emissions. The Commission found that the radio tower would not threaten public health in that it is compliant with FCC standards in terms of NIER exposure, and is a Low Power FM Antenna, which does not emit the same NIER as a cellular tower. Furthermore, the actual antennas are located at 46 feet, 54 feet, 62 feet, and 70 feet above natural grade and the radio tower is enclosed by a secure fence, which creates a substantial distance between the telecommunication improvements and members of the public. Finally, the Commission also found that the radio tower will not threaten public safety in that it will be conditioned to meet several structural and safety requirements to the satisfaction of the Building Official, Fire Chief, Public Works Superintendent, and City Engineer.
15. Some comments also expressed the opinion that in considering this site for an antenna, the City would not allow such as tower in the principal City area due to community opposition. In fact, the City has approved several telecommunications facilities, such as the considerably taller and more massive cell tower at Sebastopol's City Hall, a major antenna structure next to Sonoma West Hospital, a substantial tower at the Police Station, and other antenna installations installed on buildings. KOWS initiated this proposal after a site search determined that it was a suitable location; as demonstrated by a number of approved antenna projects in the City limits, the City is open to consideration of such applications.
16. Based on the above findings, and following careful consideration of the Commission's action, the staff report, and comments at a public hearing, the City Council hereby determines that the Planning Commission's approval was appropriate, and denies the appeal.

**Conditions of Approval:**

1. Approval is granted for the Use Permit described in the application date-stamped December 30, 2015, except as modified by the conditions of approval, and is valid for a period of two (2) years during which time the rights granted must be exercised. However, the applicant may request one (1) one-year extension of this Use Permit from the Planning Director, pursuant to Section 17.250.050 of the Zoning Ordinance.
2. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
3. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
4. No signs shall be installed that identify the KOWS use of this property, unless specifically authorized by the City.

5. No sound may emanate from the telecommunications facility, which violates the Noise Ordinance or causes an undue disturbance to site neighbors.
6. An Encroachment Permit shall be obtained for work on this public property prior to any construction. No Building Permit will be issued unless an Encroachment Permit has been obtained. Please call the Engineering Department for information at (707) 823-5331.
7. All applicable permits shall be obtained from other approving agencies prior to commencement of this use, including, but not limited to Building and Safety Department, Fire Department, and the Federal Communications Commission (FCC).
8. KOWS shall be responsible for all improvements and maintenance. KOWS shall ensure that the needed bandwidth is available and that the operation of the tower does not interfere with Public Works Department requirements.
9. The radio tower shall be selected for the appropriate wind load at the site per the Building Official.
10. The facility shall require a Building Permit and an Electrical Permit. The plans shall be prepared, stamped, and signed by a licensed design professional. If a solar-powered back-up system is proposed, it shall only be permitted if approved by the Planning Director and Public Works Superintendent and shall also be to the satisfaction of the Building Official.
11. All construction work shall be done by California-licensed contractors, who have a current Business License with the City of Sebastopol.
12. All California State mandated SMIF and Green Building fees shall be paid.
13. The applicant shall execute a lease agreement with the City of Sebastopol that authorizes the use and improvements, and establishes terms of use, prior to any construction.
14. Specific access and security arrangements shall be made with the Public Works Department.
15. The radio tower shall be painted flat green while elements which rise above the horizon shall be painted a blue gray color that matches the typical sky color at that location, unless otherwise approved by the Planning Commission.
16. Renewal of the Use Permit for the facility shall be required every ten (10) years from the date of the original Use Permit approval, or from the date of subsequent modifications, pursuant to Section 17.100.010.I of the Zoning Ordinance. KOWS shall submit an application for Use Permit renewal ten (10) years from this approval or in 2026.
17. The facility shall be designed and maintained to withstand without failure the maximum forces expected from wind, earthquakes, and ice when the facility is fully loaded with antennas, transmitters and other equipment, and camouflaging, pursuant to Section 17.100.010.J of the Zoning Ordinance. Initial demonstration of compliance with this requirement shall be provided via submission of a report to the Building Official prepared by a structural engineer licensed by the State of California describing the tower structure, specifying the number and type of antennas it is designed to accommodate, providing the

basis for the calculations done, and documenting the actual calculations performed. Proof of ongoing compliance shall be provided via submission to the Planning Director at least every 5 (self-supporting and guyed towers)/10 (monopoles) years of an inspection report prepared by a California-licensed structural engineer indicating the number and types of antennas and related equipment actually present and indicating the structural integrity of the tower. Based on this report, the Building Official may require repair of, if a serious safety problem exists, removal of the tower.

- 18.** This approval is only for the KOWS antenna and related facilities. KOWS is not authorized to install or allow the installation of any other antennas or facilities on the radio tower or at the site.
- 19.** The facility shall remain unlit, unless otherwise approved by the Planning Commission, pursuant to Section 17.100.010.P of the Zoning Ordinance.
- 20.** The facility shall be designed and operated in such a manner so as to minimize the risk of igniting a fire or intensifying one that otherwise occurs to the satisfaction of the Fire Chief, pursuant to Section 17.100.010.S of the Zoning Ordinance. All tree trimmings and trash generated by construction of the facility shall be removed from the property and properly disposed of prior to Building Permit finalization or commencement of operation, whichever comes first.
- 21.** The applicant shall submit a site plan, drawn to scale, showing all above and underground features on the site. The site plan shall also include detailed specifications for trenching and address erosion control, pursuant to Section 17.100.010.T of the Zoning Ordinance.
- 22.** The facility shall be constructed and operated in such a manner as to minimize the amount of disruption caused the residents of nearby homes and the users of any nearby recreational areas such as public parks and trails, pursuant to Section 17.100.010.U of the Zoning Ordinance. To that end all the following measures shall be implemented: (1) Outdoor noise producing construction activities shall only take place on weekdays (Monday through Friday) between the hours of 7:30 a.m. and 5:30 p.m. unless allowed at other times by the Planning Commission; (2) Backup generators shall only be operated during power outages and for testing and maintenance purposes. Noise attenuation measures shall be included to reduce noise levels to an exterior noise level of at least an LDN of 60 DB at the property line and an interior noise level of an LDN of 45 DB; and (3) Traffic at all times be kept to an absolute minimum, but in no case more than two round trips per day on an average annualized basis once construction is complete.
- 23.** The telecommunications facility shall continue to maintain compliance with FCC emission standards for human exposure, related to Nonionizing Electromagnetic Radiation (NIER), pursuant to Section 17.100.010.W of the Zoning Ordinance. Every 5 years a report listing each transmitter and antenna present at the facility and the effective radiated power radiated shall be submitted to the Planning Director. If either the equipment or effective radiated power has changed, calculations specifying NIER levels in the inhabited areas where said levels are projected to be highest shall be prepared. NIER calculations shall also be prepared every time the adopted NIER standard changes. If calculated levels in either of these cases exceed 80% of the standard established by this section, the operator of the facility shall hire a qualified electrical engineer licensed by the State of California to measure the actual NIER levels produced. A report of these calculations, required measurements, if

any, and the author's/engineer's findings with respect to compliance with the current NIER standard shall be submitted to the Planning Director within 5 years of facility approval and every 5 years thereafter. In the case of a change in the standard, the required report shall be submitted within 90 days of the date said change becomes effective.

24. KOWS shall be responsible for the payment of all approvals and expenses related to PG&E services for its facility.
25. The tower structure shall include anti-climb panels.
26. The site shall be secure with appropriate fencing.

**Attachments:**

- 1) Appeal Application Form
- 2) Appeal Written Statement
- 3) Supplemental Appeal Information
- 4) Location Map
- 5) Site Photographs
- 6) Site Plan
- 7) KOWS Response to SHARP Appeal
- 8) Master Planning Application Form and Written Statement (Use Permit Application)
- 9) ROHN Self-Supporting Antenna Tower Specifications (Model 65G)
- 10) Antenna Model OMB MP-4 Specifications (Four MP-I Bays)
- 11) Alternative Design for Antenna
- 12) Nonionizing Electromagnetic Radiation (NIER) Report
- 13) Low Power FM (LPFM) Radio
- 14) Planning Commission Minutes: February 23, 2016
- 15) Public Comments: Received by April 26, 2016
- 16) Public Comments: Received by February 23, 2016

# **ATTACHMENT #2**

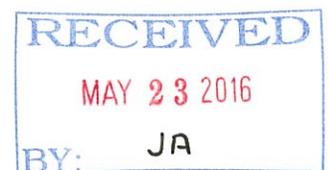
## **ADDITIONAL SHARP SUBMITTAL**

**SHARP APPEAL SUPPLEMENT 3**

**SHARP RESPONSE TO THE KOWS APPEAL REBUTTAL  
AND  
THE PLANNING DEPARTMENT STAFF REPORT  
FOR  
AGENDA ITEM 3: A USE PERMIT APPLICATION  
BY KOWS RADIO STATION  
TO ERECT A 70 FOOT ANTENNA TOWER  
AT 1281 PLEASANT HILL ROAD  
  
(MAY 3, 2016 CITY COUNCIL MEETING)**

**PREPARED BY:**

**SEBASTOPOL HILLS ALLIANCE FOR RURAL PRESERVATION  
P.O. BOX 2274  
SEBASTOPOL, CA 95473**



**Sebastopol Hills Alliance for Rural Preservation  
P.O. Box 2274  
Sebastopol, CA 95473**

**Date: May 23, 2016**

**To: Sebastopol City Council  
(c/o Mary Gourley, City Clerk)**

**From: SHARP**

**RE: SHARP Response to the KOWS Appeal Rebuttal & the MAY 3 Staff Report  
Appeal Supplement 3**

## **1. Visual Information Provided by KOWS**

KOWS has again manipulated its latest 'simulation photos' provided to the City of Sebastopol by photographing with a wide angle while seeking out utility poles and wires and directing viewer attention to a slight highlighted marker line that is meant to represent its tower. **The obvious solution to this type of on-going misrepresentation would be an accurate, publically observed, on-site, physical simulation of the proposed tower by using a helium balloon, lift, or crane that would reach 70 foot above grade, so all parties could view in real time an accurate tower simulation from all locations.**

SHARP also reviewed the photographs and drawings that KOWS handed out to City Council members at the May 3 Public Hearing. These photographs and drawings compare the KOWS newly proposed 65 foot Trylon antenna tower to unrelated and irrelevant features in the community. KOWS compares its 65-70 foot steel cage tower to a wood telephone pole, a ham radio antenna, and the Goldridge Fire Dept. antenna, which is a simple mast with no tower and very small antennas, rising out of a fire department building. **Should KOWS wish to install a telephone pole at 30-50 feet and place antennas on it, or erect a ham radio antenna, or wish to install the Goldridge Fire Dept. antenna mast at that particular height, then they should submit those options for Use Permit review along with accurate visual impacts.** Otherwise, KOWS should physically show exactly how the tower it is proposing would look on the Pleasant Hill Reservoir site for the entire community to accurately assess, without further misrepresentation.

Descriptions of the newly proposed 65 foot Trylon tower, as shown in the Staff Report, use only portions of towers and shorter towers. One photograph shows a tower with what appears to be a permanent attached ladder or climbing system. **None of the photos submitted by KOWS show a Trylon Super Titan S100 at its full 65 foot height, nor has there been an accurate Trylon tower simulation provided on the proposed tower site.** None of the KOWS photos show the number, type and location of the antennas KOWS intends to mount on the newly substituted Trylon structure.

In the event the Trylon tower includes four antennas at the top, (as previously proposed by KOWS), and if each antenna is 3 foot tall and 3 foot wide in a boxed "C" shape as shown in the KOWS Trylon photos, this will cause the upper width of the tower to be 4 to 8 feet wide, depending on the configuration and mounting point, and it will certainly create a prominent eyesore in addition to the tower itself.

An added permanent ladder/climbing system would increase the width and further degrade the tower appearance, if it is to be included as shown in one of the photos provided by KOWS. No information, drawings, or site maps have yet to be provided by KOWS regarding the ground level structures KOWS intends to construct to support the proposed tower.

KOWS has created confusion, rather than clarification, by its sudden substitution of an alternate tower design right before a public hearing, without proper information being provided to accurately represent the tower's final appearance on the tower site. **A fair review process would dictate that the City of Sebastopol use the KOWS 70 foot tower submitted on December 30, 2015 with the Use Permit application as the basis for City Council review, as that is the tower that all parties have fully reviewed.** Should KOWS wish to submit a telephone pole or ham radio antenna as its next choice for a tower, or the Trylon tower, or the Goldridge antenna mast, then another Use Permit review process for that submittal, with proper analysis by all parties involved, would allow a fair process for further review.

## **2. Planning Commission Alternative Site Misrepresentation by KOWS**

### **A. RESPINI RANCH ANTENNA SITE OPTION**

Alternative sites is a critical issue in the KOWS antenna tower proceedings. It certainly deserved a far more thorough investigation at the Feb 23rd Planning Commission hearing.

**KOWS' omission of Respini Ranch from the Planning Commission discussion deceived Commissioners and led them to believe there were no other appropriate sites under consideration.**

KOWS finally shed a weak light on their antenna site search in their Appeal Rebuttal document, well after the Planning Commission meeting, and after SHARP's Appeal put pressure on them to do so. But station representatives are again trying to bury the fact that the Respini Ranch site has been a major contender for relocation and that **it was still being discussed as an option AFTER the Planning Commission meeting.** The Respini Ranch site is described multiple times in KOWS Steering Committee meeting notes as only somewhat less broad in range as the Pleasant Hill site, a third less expensive and easier to expedite.

This information is available for anyone to read online. **These are actual records of the station's relocation deliberations, with statements that are clear and impossible to deny.** These records reveal the dishonesty and lack of integrity that KOWS leadership exhibited at the Planning Commission meeting, when representatives were repeatedly asked by 6 of 7 Commissioners to discuss any other acceptable alternate sites that KOWS had researched.

KOWS representative Arnold Levine answered those questions with, "Nothing else quite worked", without elaborating. This is a completely false statement. Several sites worked quite well according to the KOWS Steering Committee notes. **KOWS had signed a lease with homeowners on Cherry Ridge Road in 2014, and had cleared the move with the county. Requests for donations to support that move declared that the Cherry Ridge site would increase potential listenership from 25,000 to 250,000—the same 10 fold increase touted for the Pleasant Hill site.** But now representatives persist in talking about an insurmountable "shadow on the ridgeline".

Arnold Levine was himself the champion of the Respini Ranch site just last summer, as reported in the July 7, 2015 Steering Committee notes.

Arnold Levine's false statement regarding alternative sites, followed soon after by John Parry's false statement, "They [OAEC] have asked us to leave that site," led Commissioner Jacob to say, immediately before the vote, "I don't want us to feel like we are being asked to save the station, but I'm also hearing that if we deny it...we could be shutting KOWS down." KOWS made no attempt to correct Commissioner Jacob's statement before the vote was taken.

That led to the 4-3 vote in favor of the KOWS Use Permit, a vote based on false information.

Dave Henson, OAEC executive Director, made it clear in an email 2 days after the Planning Commission meeting that KOWS initiated their potential move from the OAEC due to KOWS wanting a larger audience. In the KOWS Steering Committee notes, he directly addressed the Steering Committee, saying that the OAEC was allowing KOWS "all the time they needed" to find an alternative antenna location.

KOWS spokesperson Robert Feuer confirmed, in his Public Comments statement at the May 3 City Council hearing, that KOWS could keep its antenna in the tree at the OAEC until an alternative location is found. He also confirmed that the primary reason KOWS wished to move the antenna was to reach a larger audience, which we now know can be accomplished from many different locations that KOWS tested.

Stuart Goodnick, in his May 3 City Council KOWS presentation, confirmed that Respini Ranch remains an option for the KOWS antenna relocation. He stated that the primary drawback would be that the antenna would be mounted in a tree, although KOWS has successfully operated with its antenna in a tree at the OAEC for 8 years. SHARP proposes that climbing a tree on rare occasions to maintain an antenna, whether by using a lift, ladder or tree climbing equipment, would be a small inconvenience and a superb alternative to a tower placement at the Pleasant Hill Reservoir, which creates numerous, permanent and negative impacts to the surrounding area.

## **B. CHERRY RIDGE ANTENNA SITE OPTION**

KOWS provided monthly reports to the Occidental Community Council about its antenna relocation to 10900 Cherry Ridge Road in 2013-2014. This year-plus process nearly landed KOWS on Cherry Ridge Road. Last minute difficulties arose over 24 hour access to the property.

The Cherry Ridge site was considered a tremendous improvement in range and a highly desirable location. According to KOWS, the **projected audience would have increased 10 fold at Cherry Ridge, from 20,000 to 250,000 people.**

This directly contradicts KOWS representatives' repeated claims to Planning Commissioners, and in their Appeal Rebuttal, that signals from Cherry Ridge and other sites in that vicinity, including Respini Ranch, could not get a signal "over the ridge line into Sebastopol" and were therefore unacceptable relocation sites.

The City of Sebastopol should question all KOWS' statements regarding alternative sites, and look carefully at the station's relocation history in all of these direct source documents. The Planning Commissioners were seeking this exact information in order to make the best decision on February 23rd, but the information was withheld by KOWS leaders.

*Excerpts from the KOWS Steering Committee notes and Occidental Community Council minutes (limited only to related relocation references) are detailed at the end of this document. See also <https://kowscom.wordpress.com/> and <http://www.occidental-ca.org/> for complete entries.*

### 3. Collocation: A Major Issue to Surrounding Neighborhoods

The only way to guarantee that collocation does not happen is to never have a tower in the first place. The facts regarding possible collocation on the proposed KOWS antenna tower are as follows:

- Any City Council can convene a Closed Session at any time to modify the terms of the land lease with KOWS in order to facilitate collocation by cell companies.
- KOWS and the City of Sebastopol have motivation to begin collocation on the Reservoir site, once a tower is erected, in order to earn additional income and to keep NIER emitting eyesores out of the primary City Limits, where residents have frequently and vocally made their anti-EMF positions known.
- FCC rules and regulations greatly assist any collocation effort, as any existing tower may be strengthened, raised 10 feet and widened 6 feet without meeting Sebastopol zoning rules.
- **The Planning Director's statement, and KOWS' reiterations, that Sebastopol could not be forced to allow collocation are irrelevant to the surrounding neighborhoods. Surrounding neighborhoods are particularly concerned that Sebastopol will want collocation for all the reasons mentioned above.**

It has been proven throughout California that once an antenna tower is erected, collocation eventually takes place. It has also been proven that once an antenna tower is collocated to its maximum capacity, another antenna tower is usually erected nearby

### 4. Pleasant Hill Reservoir Security

**The KOWS Steering Committee notes state that 24 hour access to its antenna and tower is mandatory, regardless of location.** The Pleasant Hill Reservoir site provides storage for 6 million gallons of water that is a critical resource for Sebastopol drinking water and for use in fighting fires in Sebastopol. Homeland Security classifies "Water Storage and Distribution Facilities" as critical infrastructure that requires an expanded level of security to safeguard its availability in times of crisis, (see <https://www.dhs.gov/sites/default/files/publications/nipp-ssp-water-2010-508.pdf>).

**Allowing a non-governmental, private business like KOWS to permanently locate a tower and antennas near a critical resource, where KOWS require 24 hour access, does not appear to meet the goal of providing an expanded level of security to this critical resource.** It, in fact, seems to considerably degrade the security at the Pleasant Hill Reservoir site by allowing un-monitored private access by KOWS representatives at any time.

## 5. KOWS NIER Reports and EMF Exposure

KOWS has twice used an NIER report from the original 2006 OAEC antenna location to describe its proposed project at the Pleasant Hill Reservoir. This is like using a Prius to describe an SUV, given the vastly different power densities and distances to adjacent property lines and homes. Yet KOWS representatives have quoted those significantly lower power densities from the OAEC as if the two sites were identical.

KOWS seems to want to avoid scrutiny of EMF exposure levels at the proposed Reservoir site, where, in a 'worst case scenario', power densities would be 16uW/cm<sup>2</sup> at the nearest property line, an area where agricultural workers tend vines and trees, and a future home will be built. **In Russia and China, and certainly in Switzerland, with exposure limits of 4-10 uW/cm<sup>2</sup>, the KOWS tower would exceed those limits by 160-400%.** This compares to a 'worst case scenario' of 0.33uW/cm<sup>2</sup> at the nearest property line at the OAEC. **At the OAEC site, exposure at the nearest property line is nearly 50 times less, and a football field farther away from the transmitter than at the Reservoir site.**

Worst case scenarios are included in NIER reports **because it might be necessary, under certain circumstances, to boost power to as much as 100 uW/cm<sup>2</sup> (the maximum for a low power FM station).** KOWS has already theoretically boosted power on its *alternative* tower structure, from 15 watts in the initial application, to 35 watts for the recently submitted Trylon tower, without any discussion or request for approval. Decisions about increasing power to its antenna and transmitters in the future would be controlled by KOWS, with no notice to nearby residents or the City of Sebastopol.

**The maximum power densities on nearby water tanks in the 'worst case scenario' at Pleasant Hill Road were high enough to have compelled the KOWS engineer who did the NIER study to recommend a reduction in power when workers were present on the water tank 70 feet to the west. It is doubtful that KOWS would provide the same courtesy to field workers and residents 25-55 feet to the east.**

No one will be monitoring the actual power being used by KOWS, nor the resulting power densities nearby. The FCC does not monitor radio station power densities. It is unlikely that the City of Sebastopol will be checking them either. Residents and field workers would have no control over the EMF radiation they would be awash in, nor would they have any way to avoid the exposure.

The City of Sebastopol must take into consideration the health and safety of its county neighbors. The Pleasant Hill Reservoir site would have been a County Rural Residential property and home site had Sebastopol not purchased it for water storage in 1978. The site is surrounded by Rural Residential property and homes. Surely that should dictate a more cautious and measured approach to the uses allowed on the Reservoir site.

## 6. KOWS Rebuttal: 'Attachment C'

When KOWS representatives visited neighborhood homes last November to describe their proposed ANTENNA TOWER project, they should have described what they actually planned to do, not a deliberately misrepresented version of what they planned to do. The KOWS November 3, 2015 letter to neighbors, referred to and attached as 'Attachment C' in the KOWS Appeal Rebuttal, was presented to the City Council for the May 3, 2016 hearing.

The Nov. 3, 2015 letter from KOWS to neighborhood residents shows that KOWS leaders intentionally misrepresented their tower project with neighbors, including Linda Wulfekamp, formerly Linda Stone, the property owner at 1301 Pleasant Hill Road. KOWS has since further misrepresented its interaction with Ms. Wulfekamp in order to create the impression that the closest home owner to the proposed KOWS antenna tower site was in favor of the KOWS antenna tower application.

Ms. Wulfekamp has subsequently set the record straight with a letter to the City Council regarding her interaction with KOWS representatives, and she also voiced her strong opposition to the KOWS antenna tower project at the May 3<sup>rd</sup> meeting. Ms. Wulfekamp and her son Tony Stone have signed the petition opposing the KOWS tower. She is also a SHARP member. The KOWS Attachment C states that she did *not* sign a petition and is *not* a member of SHARP. She was present at the May 3 City Council meeting, and spoke vehemently during Public Commentary against the KOWS antenna tower and in support of the SHARP Appeal.

The November 3, 2015 KOWS letter to neighbors shows the efforts made by KOWS, from its first interactions with neighbors, to misrepresent its tower project.

**KEY STATEMENTS IN THE NOVEMBER 3, 2015 KOWS LETTER TO NEIGHBORS are as follows:**

““Our low power antenna” [No mention of a 70 foot tower with 4 antennas]

“The proposed low power FM antenna” [No mention of a 70 foot tower with 4 antennas]

“**THE** FCC-designated Emergency Alert station for West Sonoma County” [An attempt to create the impression that KOWS is a critical station for public safety].

KOWS is not “**THE**” FCC-designated Emergency Alert station for West Sonoma County. **ALL stations must broadcast emergency alerts, and KZST is the primary EAS radio station for Sonoma County.** KOWS would be abandoning much of its broadcast coverage to the Occidental area with a move to Sebastopol, as shown in the broadcast coverage map provided by KOWS to the Sebastopol Planning Department. If the claims of being THE West County emergency broadcast station were true, Occidental would be without emergency broadcasts in the event of a KOWS departure, while Sebastopol, already covered by many existing radio stations that carry emergency alerts, would just be getting one more.

Laura Goldman, a KOWS spokesperson and program host, also stated at the November 3, 2015 City Council meeting that, “**this is not a tower, but an antenna**”, in reference to its antenna relocation project, as shown in the minutes of the meeting. Using this description of their tower project with residents and city officials early on in the process is a blatant attempt to mislead people.

Misrepresentation appears to be a key KOWS strategy. It reveals a lack of integrity and honesty that is particularly worrisome in a group that claims to be a “community radio station”. Their goal seems to be to get the biggest piece of broadcast range, by whatever means necessary, and at whatever the cost to the surrounding neighborhoods.

## 7. Objections to the May 3, 2016 Sebastopol City Council Meeting Staff Report

### General Plan Consistency:

The Planning Staff is in error when it states that the KOWS antenna tower is consistent with the General Plan land use designations because it considers the KOWS radio tower a utility use. The definition of a utility involves supplying a critical resource used by the vast majority of the population. Water, electricity, and gas are the obvious examples. Telephone and cable have become utility uses due to a majority of homes requesting those services and the government's need to allow certain monopoly practices for their delivery to homes. It is a considerable misapplication of the "utility" designation to state that the KOWS radio station is a utility. **KOWS is not providing a critical resource used by a majority of homes; it is not serving a large population; it has no ability to determine the actual number of listeners it currently has or will have in the future; it is severely constrained by funds to operate on a consistent and professional level; and it is a private, non-governmental entity and service which is not controlled by a municipal government or by California regulators that have oversight over actual utility companies.**

The Planning Staff also chooses to ignore the substance and purpose of stated General Plan goals when it claims the KOWS antenna tower is consistent with the General Plan goals of "Preserving the unique character and ambiance of residential areas", and "Preventing encroachment of non-residential use.... in residential areas", and "Protecting Residential Neighborhoods from the effects of adjacent non-residential uses". It is simply not true that the 65-70 foot KOWS tower "...does not encroach onto residential uses", as the Planning Staff states. It is not true that a 65-70 foot tower, designated as a Major Telecommunication Facility, is a minor addition to the Pleasant Hill Reservoir site, where the 36 foot tall tanks have been recessed into the ground and have been almost fully mitigated by the surrounding trees that were planted to serve that purpose. The 65-70 foot KOWS tower rises 30-40 feet above the trees surrounding the water tanks and rises 40-50 feet over the recessed water tanks.

**A radio antenna tower is not a supplemental use to water tanks; it is a completely unrelated use having no connection to any current use on the Reservoir site. It is proposed outside of the existing trees meant to mitigate the water tanks, with no effective additional mitigations being proposed or required by Staff.**

It begins to feel like a complete mockery of the General Plan when the Planning Staff further states that the KOWS 65-70 foot antenna tower is consistent with the General Plan goal of "Preserving Scenic views of the natural landscape", by ignoring the obvious dimension that dramatically and negatively affects the surrounding area, the 65-70 height of the antenna tower. The Staff instead chose to focus only on its 2 foot diameter, while also designating the tower as a Major Telecommunication Facility due to its height, and not from any other dimension.

### Zoning Ordinance Consistency:

The KOWS antenna tower does not meet any of the land use categories listed for the CF, Community Facilities District. **The tower is not a governmental facility, it is not a public utility, it is not an educational facility, and it is not a park. The tower is a privately owned structure providing entertainment services to very few people.** It will be located adjacent to 6 million gallons of municipal water that is listed by the Federal Government and Homeland Security as a critical municipal resource requiring a heightened level of security.

### **Required Use Permit Finding:**

It is extremely difficult to understand how the KOWS antenna tower satisfies the requirements set forth in Section 17.260.030.C of the Zoning Ordinance for Use Permit Criteria:

**“A Use Permit may be granted **ONLY** if the [use] will not, under **ANY** circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.”**

The residents in the neighborhoods surrounding the proposed KOWS antenna tower have clearly demonstrated that the KOWS tower **IS** a detriment to their health, safety, peace, comfort and general welfare. The only remaining question is whether the City Council will honor the requirements of its Use Permit ordinance and deny the KOWS Use Permit.

### **REFERENCE INFORMATION EXCERPTED FROM KOWS STEERING COMMITTEE (SC) NOTES AND OCCIDENTAL COMMUNITY COUNCIL (OCC) MEETING MINUTES:**

#### **Regarding Respini Ranch:**

**KOWS SC notes March 8, 2016 [two weeks after the Feb 23rd Planning Commission meeting]**

Antenna – other options? Lower antenna from 70 ft to 50 ft (would lose half the listeners). **Not as much loss at 60 ft. Respini Ranch.**

**KOWS SC notes special session August 26, 2015**

Antenna Relocation

After their own meeting the ARC presented current information to the SC.

The results can be summarized approximately

Using the Pleasant Hill (“Water Tower”) site there appear to be two options:

1. An antenna of approx 100 feet that would use omnidirectional transmission and cover outlying areas of the West County but somewhat erratically. Transmission into Sebastopol would not be as strong as option #2 below.
2. An Antenna of approx 60 feet using directional transmission and would saturate the Sebastopol area but perhaps lose much of the surrounding area outside of that.

Both choices would use towers which would need various levels of consent from city, etc.

Approx costs involved for tower transmitting:

total could be approx \$25,000- \$30,000 or more. Maybe less ...researching now.

In another scenario, KOWS would move to the Respini Ranch site. Broadcast be effective as either tower option but costs would be exponentially less.

There would be no tower, eliminating a large portion of the expense, antenna would be in tree, as it is now, omnidirectional antenna would be used (costs less I believe).

The total costs are unclear but would be in the range of less than \$5,000-\$10,000 (approx).

Any of the options above would provide a better and wider signal than we currently have to The West County.

A suggestion was made by Campau to first move to Respini and then with added audience support raise the funds to move to the Pleasant Hill site eventually. No motions were made.

A decision was made to file immediately for 92.5 FM which would become our new frequency. This frequency would give us less interference with other surrounding stations. The ARC will file for this immediately. Costs were approved.

A motion was made and passed to pay Paul Bame \$500 for more research and effort regarding the Pleasant Hill site.

A motion was made and passed to spend approx \$200 to do a test broadcast from the Respini Ranch and Pleasant Hill sites using a large "scissor" track outfitted with necessary equipment.

### **KOWS Steering Committee meeting July 7, 2015**

#### **•Antenna Discussion**

##### **•What are the choices**

- Pleasant Hill
- Police station pole on Laguna Parkway
- Note that this location is short spaced to the Redwood Justice on 92.3
- Other three sites in the Grandview/Cherry Ridge area

##### **▪Respini Ranch**

▪Need to understand if we go here whether we lose the option of going to the Pleasant Hill site because of distance -ask Paul

▪Dusty Lane

▪New Cherry Ridge property

▪These choices are partly a product of working with the new Radio Engineer

▪Most require a change of frequency to 92.5 FM

▪City properties also entail a 6 – 12 month process of approval

▪Concern raised by Stuart that if we wait to file for a frequency change to 92.5 and a relocation to the Pleasant Hill Water Tank location, we may get short-spaced out of this option when the Redwood Justice Center finally gets a permanent site – best to file now and cancel later than to wait.

▪We need to understand what our goals are as a station

▪Mark – we should go for the location that offers the possibility of greatest growth

▪John Parry passes around a triangle (cost, expediency, new listeners) for everyone to locate their preferences

▪David – signal strength into Sebastopol gives us businesses in downtown Sebastopol to provide financial support

▪Alan – we should go for the best and claim the commons in Sebastopol (the airwaves) before someone else does

▪Arnold – how long do we wait, technology is changing. If we have a cheap stronger solution ( e.g. Respini). Want a quick and dirty way to move to increase our signal.

▪Randy – I see the \$60k option and the 1 year city process as insurmountable. We have an available option for Respini

▪John Parry – I disagree that the city process needs to be insurmountable. John has talked to the city planning committee and reviewed this. The city planner says 6 – 12 months. Dealing with a public entity is a more solid proposition. No guarantee that Respini would be any faster or cheaper. City provides legal coverage.

A “triangle” sheet of priorities was used to mark people’s ideas of maximizing listenership, cost and expediency. In the end, a motion was made to pursue the site known Pleasant Hill or The Water Tank site in Sebastopol. The SC has given the ARC 90 days to flesh out this plan and move forward on it until such a time that it might be eliminated from the discussion. Since it is the optimum site The SC has decided to go straight for it. The costs and hurdles may be insurmountable but these are facts we need to know. We are headed toward Pleasant Hill to give maximum saturation and coverage in Sebastopol.

Part 2 of the motion was to delegate someone to apply for the 92.5 frequency that will be needed if we move to The Pleasant Hill or other sites to maximize coverage. We must act rapidly in case another possible applicant stakes claims on this frequency. Randy Wells said he will take care of this aspect.

In October, when the final verdict regarding The Water Tank site is in, we will move forward on it or towards our second choice location. Then, we will call a Herd Meeting to discuss all the options and let the full group know what the choices are.

## **KOWS Steering Committee notes June 2, 2015**

Antenna Relocation Committee.

A motion was made and agreed to that the ARC take immediate action to secure a lease with the new property owners on Cherry Ridge. Our 18 month window ends in August so the SC has decided we cannot wait any longer. If a lease cannot be secured with the new people on Cherry Ridge we will need to act fast on an alternative. The SC would like details in place by July ideally.

It is unclear how much the Antenna Project will cost until we know the details of where it will be placed and what type of transmitter and other equipment we will need.

## **ANTENNA RELOCATION COMMITTEE NOTES by Stuart Goodnick (June 9, 2015)**

Hi all,

Below are my notes from the ARC meeting we held today from 4:30 – 6:30pm. The format of the meeting was as follows:

- We have two high level choices in front of us regarding relocating the antenna:
  - Staying at 107.3 FM and moving the antenna: As we learned earlier from Michael Brown, the 107.3 FM frequency has become progressively more short spaced as time has gone on. Paul does not think that were we to apply for the original Lockhart Cherry Ridge Road location today, we would even get it. He does not think the FCC would approve a modification to our waiver to move our antenna to the new Cherry Ridge location at 107.3 FM. We would need to change the frequency of the station.

**It appears that the Respini Ranch location is still viable for a modification to our FCC waiver while staying on 107.3 FM because it is within the short spaced allowable locations as originally determined by Michael Brown. This will need additional research (\$100) to determine whether we could apply for a modification to our FCC approved waiver or whether we would need to let the existing major waiver expire and apply for a minor waiver for the Respini Ranch location.**

- Moving to 92.5 FM and moving the antenna: Paul feels that we have more flexibility in relocating the antenna and changing the frequency to 92.5 FM. Because there are second adjacent frequencies in the region (e.g. 92.9 FM), there are FCC constraints on the power, the antenna complexity (multiple bays), and the antenna height. Technically, we have to guarantee that we can reduce the power of the signal directly below the antenna so that nearby homes do not suffer interference in their attempts to listen to either 92.9 FM or 92.1 FM. This can be accomplished by a 4 bay antenna mounted on a tower that could be as much as 100' high. Were we to move in this direction, the number of available sites increases. Most notably we have identified a site at the Sebastopol City water tanks on Pleasant Hill Road, a home owner's property at the intersection of Grand View and Cherry Ridge Road, and a farm at the end of Dusty Lane off of Cherry Ridge Road. The technical term for this detailed configuration to minimize the possible interference of our signal with existing stations for homeowners near our antenna is a "non-population waiver." The practical implications are that we would need to invest in a significant tower structure and have approval from the county and the site owners for its installation.

This is not necessarily different than what we had originally envisioned for the Lockhart property, but for 92.5 FM we do not have the option to stick an antenna in a tree. To better understand the relative antenna heights and allowable power that we could transmit at 92.5 FM, Paul would need to do a detailed study at one of these sites (e.g. the Pleasant Hill water tanks). This would tell us for instance whether we could have a 100' tower at 100 watts or a lower tower at 50 watts. This analysis will enable us to understand the relative cost/benefit of different tower architectures.

- The ARC directs Paul to perform an analysis of the Respini Ranch location to determine 1) if it is a viable option for 107.3 FM, 2) if it requires a modification to our currently approved FCC construction permit, or 3) if it requires that we let the current permit expire and then apply for a minor waiver for relocation to Respini Ranch. (\$100)

- The ARC directs Paul to perform an analysis of the requirements for a “non-population waiver” for the Pleasant Hill Road water tank location so that we understand the options for power level, antenna height, and antenna configuration (e.g. multiple bays) for a transmitter broadcasting at 92.5 FM. (\$100)

The ARC feels that these actions are the most concrete actions we can take in response to the concerns raised by the KOWS Steering Committee in the short term.

Once we have the analysis done by Paul on the Respini Ranch and Pleasant Hill Road water tank sites, we can provide to the KOWS Steering Committee a clearer set of alternatives for review and discussion.

In the meantime, we will proceed post haste with the filing of an extension request to address our impending permit expiration. Stuart (on behalf of the ARC)

### **KOWS Steering Committee notes May 5, 2015**

Antenna

Paul Bame is now working with the ARC and advising on ways to move forward. Respini Ranch is still the leading candidate although other options were discussed. We will need to do a test broadcast from Respini as next step. The funding for the Antenna is almost in reach and then we will need to buy transmitter appropriate for the location.

### **KOWS SC notes 3 March 3, 2015**

Antenna

[10900]Cherry Ridge: now out

Respini Ranch: still considered

A couple of other locations being pursued.

### **KOWS Steering Committee notes May 13, 2014**

Antenna Relocation:

Identifying the next steps to make this happen.

Lease agreement.

Tower position and county and neighborhood sign off.

Waving of Antenna relocation permit: Value \$2890

#### **KOWS Steering Committee notes April 8, 2014**

Bring Dave Henson of OAEC up to date & into antenna lease discussions for lawyer stuff?

#### **KOWS SC meeting notes March 4, 2014**

Paul Bame is now working with the ARC and advising on ways to move forward. Respini Ranch is still the leading candidate although other options were discussed. We will need to do a test broadcast from Respini as next step. The funding for the Antenna is almost in reach and then we will need to buy transmitter appropriate for the location.

#### **KOWS Steering Committee notes December 3, 2013**

review of the successful test of the antenna site, the filing, and talk of the possible fundraising avenues we must pursue.

#### **KOWS Steering Committee notes November 5, 2013**

Miscellaneous items of discussion

SC also agrees to re-pay Donald True for truck rental for antenna test. Approx \$160.

Details being hammered out for test on Saturday Nov 9. Arnold, Donald, Randy will do the work.

His payment request will be sent to Don Campau who will forward it to The OAEC for immediate payment of the first installment. If the funds are unavailable, one of the SC will have to put it on their credit card for repayment later.

#### **KOWS SC meeting notes October 1, 2013**

Relocation of antenna

Details reviewed of tentative agreement by property owner, equipment needed to test proposal and funding write up of what it will take to accomplish. SC agrees to move antenna to 10900 Cherry Ridge Rd if it is feasible.

#### **KOWS Steering Committee notes September 10, 2013**

Dave Henson, Director The OAEC, addressed the Steering Committee giving a short history of our relationship together and reasons for KOWS to become it's own fiscal agent and 501 ( c ) 3 entity.

There was general agreement about making KOWS its own fiscal agent and taking responsibility for all of its actions as a solely operated entity.

Dave Henson is giving KOWS all the time it needs to make our independence happen and also, very generously, said that all of the equipment used by KOWS will be donated to KOWS from The OAEC when the time comes. He also said our place in the tree (the antenna and transmitter) is secure and can be used until we find another location ( part of another discussion later).

Excellent progress being made on possible new antenna site. Donald has found person to give us 40 feet of tower. We have also found a prime location on Cherry Ridge Rd to place our antenna and the property owner is receptive to the plan. This would give us greater access to Sebastopol and perhaps even parts of Santa Rosa.

#### **Occidental Community Council Minutes September, 2015**

"KOWS: The antennae relocation can move forward at either the Respini site, or the Pleasant Hill Water Tank site in Sebastopol."

#### **Regarding Cherry Ridge Road:**

#### **Occidental Community Council Minutes Oct 2014**

"KOWS: 25,000 people served now. Projection with new antennae: 250,000! PLEASE DONATE!"

09-01-2014 07:41 PM WACCOBB post by KOWS

<http://www.wacobb.net/forums/showthread.php?107204-Vote-for-KOWS-107-3-FM-antenna-relocation-fundraiser!>

"Help KOWS 107.3 FM raise the funds to relocate their antenna from downtown Occidental to a hilltop in Sebastopol which will enable KOWS radio to reach a tested 200,000 people all over the west county, nearly 10 times its current audience reach."

#### **Occidental Community Council Minutes June 2014**

KOWS: "County permit fees were waived for the new tower."

#### **Occidental Community Council Minutes April 2014**

"KOWS: The county Planner is in the process of approving the Zoning for the new Tower."

#### **Occidental Community Council Minutes Mar 2014**

"KOWS: The new antenna / placement contract has been signed."

#### **Occidental Community Council Minutes Feb 2014**

"KOWS: Donald True reported the FCC has approved the radio tower be moved to the new location."

#### **Occidental Community Council Minutes Oct 2013**

"KOWS: The antennae relocation project is progressing. An upcoming test at the proposed new site on Cherry Ridge Rd. will solidify the move."

#### **Occidental Community Council Minutes Sept 2013**

"KOWS: Plans for the antenna and transmitter to be relocated to Cherry Ridge is in the works, to increase the range of broadcasts."

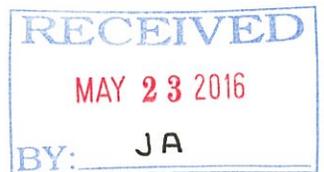
#### **Occidental Community Council Minutes Aug 2013**

"KOWS: The transmitter relocation is in process."

**310 PETITION SIGNERS  
OPPOSE  
THE KOWS ANTENNA TOWER  
AT  
1281 PLEASANT HILL ROAD AS OF May 15, 2016  
  
(PETITION INFORMATION ATTACHED)**

**PROVIDED BY:**

**SEBASTOPOL HILLS ALLIANCE FOR RURAL PRESERVATION  
P.O. BOX 2274  
SEBASTOPOL, CA 95473**



**SEBASTOPOL HILLS ALLIANCE FOR RURAL PRESERVATION  
P.O. BOX 2274  
SEBASTOPOL, CA 95473**

**Date: May 23, 2016**

**From: SHARP**

**To: Sebastopol City Council**

**Re: 310 Petition Signers Oppose the 70 foot KOWS Antenna Tower**

Attached please find the names of 310 individuals who have signed petitions opposing the KOWS antenna tower proposed at 1281 Pleasant Hill Road in Sebastopol. 148 individuals signed paper petitions that were provided by SHARP members walking the neighborhoods surrounding the proposed tower site. 162 additional individuals signed on-line petitions that were available on [sharpwatch.org](http://sharpwatch.org). SHARP, to the best of its ability, removed names from the on-line petitions if an individual had previously signed a paper petition, to avoid duplication. The most up-to-date total for individuals signing the on-line petition can be found at [sharpwatch.org](http://sharpwatch.org). The attached on-line petition list includes the total number of signers from April 8 to May 15, 2016.

The on-line petition that individuals signed reads as follows:

**"I oppose the construction of a 70 foot antenna tower on the City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. The tower is unsightly, unsafe, and inappropriate for the rural residential setting where it is proposed. I ask the City of Sebastopol to deny the building of this antenna tower."**

The paper petition that individuals signed reads as follows:

**"The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe, and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower."**

**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 2, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

SIGNATURE	ADDRESS IN SEBASTOPOL	EMAIL
1. <i>Sara Burt</i>	8338 Medved Ln	saraschaffert@astmail.com
2. <i>[Signature]</i>	4820 VINE HILL ROAD	owenmaris@gmail.com
3. <i>[Signature]</i>	8338 Medved Ln.	tylerburt@gmail.com
4. <i>[Signature]</i>	160 Alice St. Sonoma	Resolution Factory, CA
5. <i>[Signature]</i>	4805 Medved Ln	LEO@SUN
6. <i>[Signature]</i>	1772 Sebastopol 95472	noahcee@rocketmail.com
7. <i>[Signature]</i>	8400 Medved Ln 95472	isofia@holmail.com
8. <i>[Signature]</i>	8360 MEDVED LN 95472	GMUSS@DRBLDR.COM
9. <i>[Signature]</i>	8338 MEDVED LN 95472	JAPR@M58
10. <i>[Signature]</i>	8738 MEDVED Ln	7C@BUD@GMAIL
11. <i>[Signature]</i>	321 Sebastopol Ln	SEINDY@JIB@YAHOO
12. <i>[Signature]</i>	912 SPENCER AVE	miahensley@yahoo.com
13. <i>[Signature]</i>	1425 SEBASTOPOL	Couys@SUN
14. <i>[Signature]</i>	1577 OLIVET ROAD	jpellety@gmail.com
15. <i>[Signature]</i>	4820 VINE HILL Rd	79.greene@gmail.com
16.		
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**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 6, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

NAME	ADDRESS IN SEBASTOPOL	EMAIL
1. Penny Bungey	1417 Pleasant Hill Rd. Seb.	pennybungey@gmail.com
2. Chesny Sharp	1417 Pleasant Hill rd. Seb	chesnyb@gmail.com
3. Travis Sharp	1417 Pleasant Hill Rd Seb	travis.sharp@rocketmail.com
4. Jon Bungey	1417 Pleasant Hill Rd Seb	Bungey1@yahoo.com
5. Mary Kay Chapman	1421 Pleasant Hill Rd Seb	MkChapman
6. Aaron Reiff	1419 Pleasant Hill Rd, Sebastopol	areiff@icloud.com
7. Ellisa Reiff	1423 Pleasant Hill Road Sebastopol CA 95472	
8.		epotik@hotmail.com
9. Penny Swift	1429 Pleasant Hill Rd 95472	strykerrad@comcast.net
10.		@comcast.net
11. Bob Jenkins	1411 Pleasant Hill Rd	rhjenkins1@gmail.com
12. Nancy Jenkins	" " " "	nancyjenki@gmail.com
13. John Baker	1426 Pleasant Hill rd	IPATHEIST@gmail.com
14. Daniel Tracy	1426 Pleasant Hill rd.	Danstracy@gmail.com
15. Anna Funn	1245 " " "	
16. Doug Conner	8063 Blackney Rd	RN44RLF@hotmail.com
17. Catherine Conner	8063 Blackney Rd.	dckkj95472@yahoo.com
18. Daniel Conner	8140 Blackney Rd	daniel@riviera.law.com
19. Katherine Conner	8140 Blackney Rd	editingink@comcast.net
20. JOHN ANESTAD	8337 BLACKNEY RD	jmaanestad@comcast.net
21. GREG ANESTAD	8337 BLACKNEY RD	gjaanestad@comcast.net
22. Carl Baker	8270 Blackney Rd	707-322-8662
23. JOHN KAYLON	8400 Blackney Rd	John.kaylon@gmail.com
24. Robert West	8399 Blackney Rd	usevme@cs.com
25. Jay Guerford	8425 BLACKNEY RD	

**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
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To: The City of Sebastopol

From: Concerned Neighbors

Date: February 6, 2016

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mvr.ewee@gmail.com

NAME	ADDRESS IN SEBASTOPOL	EMAIL
1. Laurie Fusfield	8569 Lawrence Ln.	lafsonoma@comcast.net
2. Robert & Rose Ann	8580 Lawrence Ln	robo@...com
3. Terry Noe	8555 Lawrence Lane	trnoe@yahoo.com
4. Kelly Tierney	9530 Lawrence Ln.	kellykins11@gmail.com
5. GAVIN MURRAY	1177 PLEASANT HILL RD	gavinmurrayarchitect@gmail.com
6. JIM BELDING	8561 LAWRENCE LN	jbelding10@comcast.net
7. Justin & Tammie Hume	8545 Lawrence Ln. Sebastopol CA	Justin.Hume@...co
8. Lander Fusfield	8569 Lawrence Lane Seb. CA	95472
9. Davie Noe	8555 Lawrence Lane Sebastopol, CA	95472
10. JEFF KROSS	8541 Lawrence Lane Sebastopol, CA	jeffskross@earthlink.net
11. Linda Lebovics	8541 Lawrence Lane Sebastopol CA	linda@quick-skills.com
12. John Noe	8555 Lawrence Lane Sebastopol CA	john.noep45@gmail.com
13. Christie Noe	8555 Lawrence Lane Sebastopol CA	christence3@gmail.com
14. Jim Noe	8555 Lawrence Lane Seb. CA	jimnoe11235@gmail.com
15. Janice Belding	8561 Lawrence Ln. Seb. CA	jbelbding@comcast.net
16. Ross & Neal	8550 Lawrence Ln Seb. CA	rossneal@gmail.com
17. Jonathan Bunker	8572 Lawrence Ln Sebastopol, CA	abek@abetito.com
18. SOPHEL Allen	8570 Lawrence Ln Sebastopol, CA	thshasoprel@gmail.com
19.		
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**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 6, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

NAME	ADDRESS IN SEBASTOPOL	EMAIL
1. Danna Kempthorne	8425 Blackney Rd	jaythane@comcast.net
2. Danya Greenfield	8425 Blackney Rd. Sebastopol, CA 95472	
3. JULIA WHITTY	8355 Blackney Rd	julia.whitty@gmail.com
4. JILL WEISBERG	8331 BLACKNEY RD	Schawilla@yahoo.com
5. Al Milberg	8427 Blackney Rd	armilberg@comcast
6. Michael Andon	8466 Blackney Rd	Andon05@comcast
7. John A. Dunn	8306 Blackney Rd	
8. EVAN HENRY	8346 Blackney Rd	evancarhenry@gmail.com
9. Rick McElroy	8312 Blackney Rd	
10. Connor Gault	8352 Blackney Rd	
11. Jack Coarston	8229 Blackney Rd	
12. Diana Killbride	1252 Pleasant Hill Road	dianakilbride@hctman
13. Debbie Hurst	1215 Pleasant Hill Rd	hurstdeb@gmail.com
14. MYRIAH VOLK	1375 Pleasant Hill Rd	myriahv22@gmail.com
15. Kimberly Norton	1078 Snotem Ln. Seb. CA	roberts.kristhe5@gmail.com
16. [unclear]	8950 Gormone Rd	
17. Rachel Cutler	1036 Pleasant Hill Rd	cutlerstacy@gmail.com
18. PEGE RAUSON	8495 Gormone Rd. SEBASTOPOL CA 95472	
19. Peter vanBorger	8150 Gormone Rd.	pvg@broovefarm.com
20. Beth Gallatin	8341 Gormone Rd	morninglight8@yahoo.com
21. MILO ZIARA KOV	8384 " "	milosteven@attworld.com
22. Linda Zepponi-Nervey	8398 Gormone Rd	
23. John Nelson	" " "	
24. Ashley Baldwin	971 Pleasant Hill Rd	ashleybaldwin22@yahoo.com
25. Josh Tzavelli	951 Pleasant Hill Rd	

**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 6, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

NAME	ADDRESS IN SEBASTOPOL	EMAIL
1. Susan Panas	1400 Hollman Lane, Sebastopol	spanas@vbbn.com
2. Michael Panas	1400 Hollman Lane Sebastopol	spanas@vbbn.com
3. Linda Mary Grove	13807 Hollman Lane Sebastopol 95472	
4. William Nune	463 GRUNDEL DR SEBASTOPE 95472	
5. Victoria Spinner	1486 Hollman Ln Seb.	Vspinner@pacbell.net
6. William Hobus	7143 ELPHICK RD	Hobusw1@Comcast.net
7. Diane Rooney	1384 Hollman Lane	dianemrooney@gmail.com
8. NPS member	" " "	nicolas.gibney@gmail.com
9. Barbara Woodbury	1041 Pleasant Hill Rd	
10. Robert Woodbury	" " "	barbara.woodbury@sonic.net
11. Craig Foster	7945 NORA AVE, Sebastopol, CA 95472	
12. Linda Anandakethan	940 Gaydee Ct	
13. Jim Galstever	934 Gaydee Ct Sebastopol 95472	
14. John DeAguiar	930 Gaydee Ct Sebastopol 95472	
15. Andrea Schmitz	1262 Logan Ln. Seb.	ahagan@sonic.net
16. STEVEN SCHMITZ	" "	" "
17. KOD HELVEY	1270 LOGAN LN SEBASTOPOL 95472	
18. MICHAEL RUDDICK	1276 Logan Ln Sebastopol, CA	MRUDDICK@PACBELL.NET
19. CAROL RUDDICK	1276 Logan Ln, Seb 95472	carol-maynard@yahoo.com
20. LORI ZWECKER	1256 Logan Ln Seb 95472	zwdshov@aol.com
21. TERRY BYERS	1250 LOGAN LANE SEB 95472	figrating@bcglobal.net
22. JOYCE BYERS	1250 LOGAN LANE SEB 95472	" "
23. Tom Horvath	1244 Logan Ln 95472	
24. Annelie Hagan	1254 Logan Ln. 95472	
25. Christine Walker	2196 Elphick Rd Sebastopol CA 95472	

**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 7, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

SIGNATURE	ADDRESS IN SEBASTOPOL	EMAIL
<i>Dennis Hysor</i>	2196 Elphinder Rd Sebastopol CA 95472	DennisHysor
<i>Rathleen Shanahan</i>	1255 Logan Lane Sebastopol	
<i>Christina Felgenhauer</i>	1255 Logan Lane Sebastopol	Felgenhauer@Yahoo.
<i>Mark Perlman</i>	8333 BLACKWELL RD Sebastopol, CA. 95472	markperlman.com
<i>Ina Perlman</i>	" "	Ina Perlman
<i>Charles Wans</i>	8201 Blochney Rd, Sebastopol	
<i>Bruce Truitt Wans</i>	8201 Blochney Rd, Sebastopol	
<i>Marta Tilling</i>	7891 Lynch Rd Sebastopol	
<i>Ori Tilling</i>	" "	
<i>Susi Meagher</i>	1121 HILLHAVEN DR SEBASTOPOL	Susi Meagher
<b>MICHAEL MEAGHER</b>	" "	Mike Meagher
<i>Linda Albert</i>	2500 Pleasant Hill Rd., Sebastopol	lindaalbert@comcast.net
<i>Bob Albert</i>	2500 Pleasant Hill Rd. Sebastopol	
<i>Ernesto Cormona</i>	1465 Pleasant Hill Rd, Sebastopol, CA 95472	
<i>Ernesto Cormona</i>	" "	
<i>Carlo Cambabella</i>	CARLO CAMBABELLA 1404 Pleasant Hill Rd	
<i>Vickie Burt</i>	7949 Lynch Rd. Sebastopol CA	
<i>Mark Hurston</i>	MARK HURSTON 8349 Lewanna Lane Sebastopol CA 95472	
<i>Celia Golje</i>	CELIA GOLJE 8349 LEWANNA LANE SEBASTOPOL CA 95472	
<i>Lee Cox</i>	1455 Pleasant Hill Rd, Sebastopol (A. 95472)	
<i>Max Reichwage</i>	1455 Pleasant Hill Rd, Sebastopol CA 95472	max Reichwage

**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 10, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

SIGNATURE	ADDRESS IN SEBASTOPOL	EMAIL
1. <u>Jennifer St. George</u>	<u>2000 Pleasant Hill Rd.</u>	<u>stgeorge@sonoma.com</u>
2. <u>Jerry St. George</u>	<u>2000 Pleasant Hill Rd</u>	<u>" " "</u>
3. <u>Robert A. Koster</u>	<u>890 DANIEL ST</u>	
4. <u>Cheri -</u>	<u>8035 Yule Tree Ln</u>	<u>1M_outthere@qubic.com</u>
5. <u>Donald L. Maier</u>	<u>8035 Yule Tree Ln.</u>	<u>dMaier@dslextreme.com</u>
6. <u>Nancy K. Jones</u>	<u>2500 Pleasant Hill Rd.</u>	
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**LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA**

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 22, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

SIGNATURE	Print Name	ADDRESS IN SEBASTOPOL	EMAIL
		8446 Appleseed Way	gwr15@yahoo.com
	Jessica Brandes	8446 Appleseed Way	gensmom16@gmail.com
		1145 Pleasant Hill Road	9035sunset@gmail.com
		1145 Pleasant Hill Rd	get903@gmail.com
		1840 Pleasant Hill Rd	vwayne19@sbcglobal.net
	Tony Stone	1301 Pleasant Hill Rd	titanicboy94@hotmail.com
	LINDA STONE WULFEN	1301 PLEASANT Hill Rd	Pearl12345@aol.com
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LETTER OF OPPOSITION TO THE APPLICATION BY KOWS FM RADIO STATION  
TO CONSTRUCT A 70 FOOT ANTENNA TOWER AT 1281 PLEASANT HILL ROAD,  
IN SEBASTOPOL, CA

To: The City of Sebastopol

From: Concerned Neighbors

Date: February 20, 2016

The individuals signing below are opposed to the application by KOWS FM radio station to construct an antenna tower on City of Sebastopol property located at 1281 Pleasant Hill Road, a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. We feel the KOWS antenna tower is unsightly, unsafe and inappropriate for the rural residential setting where it is proposed. We ask the City of Sebastopol to deny the application for a Use Permit applied for by KOWS regarding this antenna tower:

NAME	ADDRESS IN SEBASTOPOL	EMAIL
1. KEVIN DEMARTELLERE	1514 HOLLMAN LN.	KDEMARTE@GMAIL.COM
2. Patricia McGinty	1528 Hollman Ln	DMG@SBC.COM
3. Scott Spinner	1486 Hollman Ln	SPINNER@KOTMA.COM
4. DAVID SPINNER	1486 HOLLMAN LN.	DAVID_SPINNER@KOTMA.COM
5. Helen Schiffer	1485 SANTA MARIA	
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Printed May 16, 2016 by SHARP, Sebastopol Hills Alliance for Rural Preservation

The following individuals signed the on-line petition at sharpwatch.org opposing the 70 Foot KOWS antenna tower at 1281 Pleasant Hill Rd., Sebastopol, CA (individuals who previously signed the paper petition opposing the KOWS tower have been removed from this list to avoid duplication)

The on-line petition reads as follows:

"I oppose the construction of a 70 foot antenna tower on the City of Sebastopol property located at 1281 Pleasant Hill Rd., a parcel that is surrounded by rural residential homes, farms, and scenic rolling hills in west Sonoma County. The tower is unsightly, unsafe, and inappropriate for the rural residential setting where it is proposed. I ask the City of Sebastopol to deny the building of this antenna tower."

The individuals below signed the petition between April 8, 2016 and May 15, 2016.  
(The most current number of petition signers can be seen on sharpwatch.org)

First Name	Last Name	Email Address	Street Address	City	State	Post Code	Date Signed	Petition Title
1	robin	rdurrie@hotmail.com	1766 sanders rd	sebastopol		95472	5/15/2016 9:11	Stop the proposed tower in the rural hills of Sebastopol
2	Dorie	doralee23@att.net	8069 Yule Tree Lane	Sebastopol Ca		95472	5/13/2016 15:59	Stop the proposed tower in the rural hills of Sebastopol
3	Linda	missmamabare@yahoo.com	1855 Archer Way	Sebastopol		95472	5/11/2016 9:59	Stop the proposed tower in the rural hills of Sebastopol
4	Dennis	drgarv@sbcglobal.net	8439 Elphick Road	Sebastopol		95472	5/11/2016 9:49	Stop the proposed tower in the rural hills of Sebastopol
5	Virginia	Ginger_Koel@msn.com	2013 Pleasant Hill Rd.	Sebastopol		95472	5/11/2016 8:58	Stop the proposed tower in the rural hills of Sebastopol
6	David	david.koel@lhs.com		Sebastopol		95472	5/11/2016 8:00	Stop the proposed tower in the rural hills of Sebastopol
7	Pitr	Patrickdad@msn.com	2074 pleasant hill road	Sebastopol		95472	5/10/2016 19:41	Stop the proposed tower in the rural hills of Sebastopol
8	Richard	Duchin@mac.com	2195 Pleasant Hill Rd.	Sebastopol		95472	5/10/2016 18:05	Stop the proposed tower in the rural hills of Sebastopol
9	Irma	Irma.duchin@gmail.com	2195 Pleasant Hill Rd.	Sebastopol		95472	5/10/2016 17:53	Stop the proposed tower in the rural hills of Sebastopol
10	Ross	Rossrarron@comcast.net	2216 Pleasant Hill Road	Sebastopol		95472	5/10/2016 17:28	Stop the proposed tower in the rural hills of Sebastopol
11	Anne	woodward.anne@gmail.com	1948 Pleasant Hill Road	Sebastopol		95472	5/9/2016 6:40	Stop the proposed tower in the rural hills of Sebastopol
12	Wendy	Wendyrc@comcast.net	3600 Bloomfield rd	Sebastopol		95472	5/9/2016 6:40	Stop the proposed tower in the rural hills of Sebastopol
13	Shannon	shannongarritt@aol.com		San Pedro		90731	5/7/2016 14:30	Stop the proposed tower in the rural hills of Sebastopol
14	Carlos	Cjflim@aol.com	217 west 223rd street	Carson		90745	5/7/2016 14:28	Stop the proposed tower in the rural hills of Sebastopol
15	Nicole	Njulin93@yahoo.com		Carson		90731	5/7/2016 14:26	Stop the proposed tower in the rural hills of Sebastopol
16	Tony	tgarr@uci.edu		San Pedro		90731	5/7/2016 14:23	Stop the proposed tower in the rural hills of Sebastopol
17	Jess	bigjcrf450@yahoo.com		San Pedro		90731	5/7/2016 14:21	Stop the proposed tower in the rural hills of Sebastopol
18	Sara	s1gold@outlook.com	9625 Hwy 116	Forestville		95436	5/5/2016 23:23	Stop the proposed tower in the rural hills of Sebastopol
19	Daniel	danshan1@sbcglobal.net	245 Brown Street	Sebastopol		95472	5/5/2016 20:10	Stop the proposed tower in the rural hills of Sebastopol
20	Nora	noraparkerhome@comcast.net	1967 Pleasant Hill Road	Sebastopol		95472	5/5/2016 13:51	Stop the proposed tower in the rural hills of Sebastopol
21	Tessa	Tessapaloma@gmail.com		Sebastopol		95472	5/4/2016 14:52	Stop the proposed tower in the rural hills of Sebastopol
22	barbara	barbaranne@hotmail.com	2045 Pleasant Hill Rd.	Sebastopol		95472	5/4/2016 8:50	Stop the proposed tower in the rural hills of Sebastopol
23	Christy	stgeorge@sonic.nete	2000 Pleasant Hill Road	Sebastopol		95472	5/4/2016 8:35	Stop the proposed tower in the rural hills of Sebastopol
24	Mark	arkice@sonic.net	1948 Pleasant Hill Road	sebastopol		95472	5/4/2016 8:08	Stop the proposed tower in the rural hills of Sebastopol
25	susan	genesuebeck@sbcglobal.net	Appleseed Way	Sebastopol		95472	5/4/2016 7:59	Stop the proposed tower in the rural hills of Sebastopol
26	Margaret	hppydogs@sonic.net	Pleasant Hill Rd	Sebastopol		95472	5/3/2016 20:53	Stop the proposed tower in the rural hills of Sebastopol
27	Lainie	Marincik01@hotmail.com		Sebastopol		95472	5/3/2016 20:49	Stop the proposed tower in the rural hills of Sebastopol
28	Joan	dirtgirls@aol.com	236 Locust Ave	Sonoma		95476	5/3/2016 20:19	Stop the proposed tower in the rural hills of Sebastopol
29	candace	candacenagle@sbcglobal.net		Sonoma		95476	5/3/2016 20:16	Stop the proposed tower in the rural hills of Sebastopol
30	Joanne	flyuph6127@aol.com	8430 Appleseed Way	Sebastopol		95472	5/3/2016 20:16	Stop the proposed tower in the rural hills of Sebastopol
31	Christopher	Cstoffs@sbcglobal.net	217 E Shiloh Road	Santa Rosa		95403	5/3/2016 19:27	Stop the proposed tower in the rural hills of Sebastopol
32	Elaine	sokolmark2011@gmail.com	1893 Pleasant hill rd	Sebastopol		95472	5/3/2016 19:07	Stop the proposed tower in the rural hills of Sebastopol
33	Ross	Sebastopudlian@comcast.net	2216 Pleasant Hill Road	Sebastopol		95472	5/3/2016 18:18	Stop the proposed tower in the rural hills of Sebastopol
34	Rebecca	rebecca.kimbrell@gmail.com		Sebastopol		95472	5/3/2016 11:14	Stop the proposed tower in the rural hills of Sebastopol
35	Andrew	andrewsparker@yahoo.com		Sebastopol		95472	5/3/2016 11:14	Stop the proposed tower in the rural hills of Sebastopol
36	John	Captjohnrumman@aol.com	Mt Shasta Dr	San Pedro		90732	5/3/2016 10:46	Stop the proposed tower in the rural hills of Sebastopol
37	Jacquelyn	Jackiepopov@gmail.com	Mt Shasta Dr	San Pedro		90732	5/3/2016 10:45	Stop the proposed tower in the rural hills of Sebastopol

38	Sierra	Butler	Sierrarain1992@gmail.com	5575 Sebastopol Ave.	Sebastopol	95472	5/3/2016 7:08	Stop the proposed tower in the rural hills of Sebastopol
39	chris	feartow	chrisfeartow@gmail.com	5575 Sebastopol ave	Sebastopol	95472	5/3/2016 6:24	Stop the proposed tower in the rural hills of Sebastopol
40	Kayce	Dannenbrinf	Cdannenbring@sbcglobal.net	1120 Irwin lane	Santa rosa	95401	5/3/2016 0:06	Stop the proposed tower in the rural hills of Sebastopol
41	Charles	Alegria	av.dimensions@gmail.com	33 Karen Drive	American Canyon	94503	5/2/2016 22:55	Stop the proposed tower in the rural hills of Sebastopol
42	Kim	Galvano	kimkimi@aol.com	6578 Williams place	Sebastopol	95472	5/2/2016 22:39	Stop the proposed tower in the rural hills of Sebastopol
43	Alissa	Trinel	Atrinet@manzanaproductsco.com		Sebastopol	95472	5/2/2016 22:12	Stop the proposed tower in the rural hills of Sebastopol
44	Nicole	Hamilton	Nikorazon@gmail.com	8815 bower st	Sebastopol	95472	5/2/2016 22:02	Stop the proposed tower in the rural hills of Sebastopol
45	Sarah	Garrison	Mrgarrisonclass26@gmail.com	7249 Witter Road	Sebastopol	95472	5/2/2016 21:25	Stop the proposed tower in the rural hills of Sebastopol
46	Starr	Hergenrath	starr@trashtalk.net	7969 Kennedy Rd	Sebastopol	95472	5/2/2016 21:14	Stop the proposed tower in the rural hills of Sebastopol
47	Paula	Braunschweig	paulaagaray@gmail.com	2353 Gravenstein Hwy. South	Sebastopol	95472	5/2/2016 16:47	Stop the proposed tower in the rural hills of Sebastopol
48	Candace	Bertrand	Britey2u@comcast.net	35 Chiva Ct	Rohnert Park	94928	5/2/2016 0:25	Stop the proposed tower in the rural hills of Sebastopol
49	Tony	Stone	Titanicboy94@hotmail.com	1301 pleasant hill rd	Sebastopol	95472	5/1/2016 20:18	Stop the proposed tower in the rural hills of Sebastopol
50	MaryKay	Chapman	marykay.11@gmail.com	1421 Pleasant Hill Road	Sebastopol	95472	5/1/2016 20:01	Stop the proposed tower in the rural hills of Sebastopol
51	Cindy	Snyder	Cymndez@aol.com	949 W 26th street	San Pedro	90731	5/1/2016 16:51	Stop the proposed tower in the rural hills of Sebastopol
52	Mike	Snyder	Mikespauto@aol.com	949 W 26th street #114	San Pedro	90731	5/1/2016 16:46	Stop the proposed tower in the rural hills of Sebastopol
53	Jorge	Gomez	Jorge@wizadenterprise.com		Sebastopol	95472	4/30/2016 7:35	Stop the proposed tower in the rural hills of Sebastopol
54	Shawna	Thornton	Shawnat68@sbcglobal.net	1163 Hopper Ave. #91	Santa Rosa	95403	4/29/2016 20:18	Stop the proposed tower in the rural hills of Sebastopol
55	Elisa	Landauro	Michimus@comcast.net	4385 Sonoma hwy	Santa Rosa	95409	4/29/2016 12:26	Stop the proposed tower in the rural hills of Sebastopol
56	Jeannette	Riess	jeannettepriess@gmail.com		Berkeley	94702	4/29/2016 7:32	Stop the proposed tower in the rural hills of Sebastopol
57	Barbara	Bent	barbarabent@yahoo.com	1214 Derby St.	Berkeley	94702	4/29/2016 5:50	Stop the proposed tower in the rural hills of Sebastopol
58	John	Dearden	johndearden@verizon.net	Bloomfield Rd.	Sebastopol	95472	4/28/2016 14:19	Stop the proposed tower in the rural hills of Sebastopol
59	Hilary	Wakelee	hilarywakelee@yahoo.com	50 Amador Village Circle	Hayward	94544	4/28/2016 10:05	Stop the proposed tower in the rural hills of Sebastopol
60	Fanny	London	fanlondon100@gmail.com	657 Acacia Lane #203	Santa Rosa	95409	4/28/2016 9:19	Stop the proposed tower in the rural hills of Sebastopol
61	Lynda	Riley	lynrly@yahoo.com	1221 Derby St.	Berkeley	94702	4/28/2016 9:05	Stop the proposed tower in the rural hills of Sebastopol
62	Lisa	London	lisalondon@bae1.com	2789 north point prky.	santa rosa, ca	95407	4/28/2016 8:15	Stop the proposed tower in the rural hills of Sebastopol
63	scott	thornton	scott.thornton@viasolutions.com	pobox 72	bodega bay	94923	4/27/2016 21:29	Stop the proposed tower in the rural hills of Sebastopol
64	David	Berry	captaindavey723@gmail.com	214 Monarch Court	Santa Rosa	95401	4/27/2016 21:06	Stop the proposed tower in the rural hills of Sebastopol
65	Annette	DiBartolo	annettedibartolo@sbcglobal.net		Santa Rosa	95401	4/27/2016 20:33	Stop the proposed tower in the rural hills of Sebastopol
66	Jan	Sanders	bjs1955@comcast.net	7160 palm ave	Sebastopol	95472	4/27/2016 19:56	Stop the proposed tower in the rural hills of Sebastopol
67	Elizabeth	Rakestraw	silren007@yahoo.com	4820 Bennett Valley Td.	Santa Rosa	95404	4/27/2016 19:02	Stop the proposed tower in the rural hills of Sebastopol
68	Ivan	Clinton	Saleivan@yahoo.com		Berkeley	94710	4/27/2016 14:41	Stop the proposed tower in the rural hills of Sebastopol
69	Susan	Beckman	rhenium@pachelli.net		santa rosa	95403	4/27/2016 14:37	Stop the proposed tower in the rural hills of Sebastopol
70	David	Zanchi	parbirdg@aol.com		Sebastopol	95472	4/27/2016 13:23	Stop the proposed tower in the rural hills of Sebastopol
71	Kristen	Young	dabug72@yahoo.com	2438 10th St	Berkeley	94710	4/27/2016 13:06	Stop the proposed tower in the rural hills of Sebastopol
72	Somer	Shook	oaknivy@gmail.com	217 E.Shiloh rd	santa rosa	95403	4/27/2016 6:16	Stop the proposed tower in the rural hills of Sebastopol
73	Oonah	Finneral-thornton	una76@sbcglobal.net	8399 Blackney Road	Sebastopol	95472	4/26/2016 19:17	Stop the proposed tower in the rural hills of Sebastopol
74	Diane	Valentino	dianemvalentino@hotmail.com	4397 Burnside Road	Sebastopol	95472	4/26/2016 19:16	Stop the proposed tower in the rural hills of Sebastopol
75	Eva	Norton	gopherswon@gmail.com	1078 Sholem Lane	Sebastopol	95472	4/26/2016 9:51	Stop the proposed tower in the rural hills of Sebastopol
76	Patrick	Norton	garrison_49@yahoo.com	7777 Bodega Ave F-9	Sebastopol	95472	4/25/2016 20:13	Stop the proposed tower in the rural hills of Sebastopol
77	ila	Benavidez-Heaster	ila@berkeley.edu	672 Piezzi Rd	Santa Rosa	95401	4/25/2016 18:11	Stop the proposed tower in the rural hills of Sebastopol
78	Jana Lynne Webb	Niernberger-Muhar	janarosa@sonic.net	1418 Deer Ln	Sebastopol	95472	4/25/2016 17:50	Stop the proposed tower in the rural hills of Sebastopol
79	Margy	Stewart	margyra@comcast.net	Anthony Street	Sebastopol	95472	4/25/2016 16:10	Stop the proposed tower in the rural hills of Sebastopol
80	Mary	Bullwinkel	bullwinkel@gmail.com	78984 Bayside crt	Sebastopol	95472	4/25/2016 12:25	Stop the proposed tower in the rural hills of Sebastopol
81	Sonya	Barber	sonyadbarber@gmail.com		Sebastopol	95472	4/25/2016 8:48	Stop the proposed tower in the rural hills of Sebastopol
82	Mary	G	mgullory@dc.rr.com	2371 Tilton Rd.	Sebastopol	95472	4/25/2016 0:21	Stop the proposed tower in the rural hills of Sebastopol
83	Christine	O'Brien	Christine.obrien@gmail.com		Cotati	94931	4/24/2016 20:55	Stop the proposed tower in the rural hills of Sebastopol
84	Djuni	Patarra	djunii@gmail.com		Sebastopol	95472	4/24/2016 18:52	Stop the proposed tower in the rural hills of Sebastopol
85	Debbie	Hammond	debbieh@sbcglobal.net		Sebastopol	95472	4/24/2016 10:41	Stop the proposed tower in the rural hills of Sebastopol
86	Becky	Arnett	Ropafire@gmail.com		Sebastopol	95472	4/24/2016 10:38	Stop the proposed tower in the rural hills of Sebastopol
87	anne	lyman	outsideoverthere@hotmail.com	8558 cypress ave				
88	Tamara	Voyles	tamaravoyles@gmail.com	2049 Blucher Valley Rd				
89	Katrina	Hurst	katrinkets@gmail.com	1215 Pleasant Hill Rd				
90	Andrew	Taylor	andrewbt1991@gmail.com	1215 Pleasant Hill Rd				

91	Amanda	Hurst	cheezer66@gmail.com	1215 Pleasant Hill Rd	Sebastopol	95472	4/24/2016 10:36	Stop the proposed tower in the rural hills of Sebastopol
92	Karim	Motawi	karim.motawi@gmail.com	887 Sonoma Avenue, #11	Santa Rosa	95404	4/23/2016 18:52	Stop the proposed tower in the rural hills of Sebastopol
93	Sarah	Hazen	sarita@sonic.net	887 Sonoma Ave - apt 14	Santa Rosa	95404	4/23/2016 13:45	Stop the proposed tower in the rural hills of Sebastopol
94	Nicoline	Lesaigneur	nicoline@sonic.net					Stop the proposed tower in the rural hills of Sebastopol
95	Linda	Harlow	linda37@sonic.net					Stop the proposed tower in the rural hills of Sebastopol
96	Joyannah	Lonnes	joyannah@gmail.com	519 Sahara St	Santa Rosa	95403	4/23/2016 9:11	Stop the proposed tower in the rural hills of Sebastopol
97	ML	Wright	marge@sonic.net	5492 Douglas Lane	Sebastopol	95472	4/23/2016 8:21	Stop the proposed tower in the rural hills of Sebastopol
98	Sara	Jones	schatzismom@comcast.net	1647 Jullianne Place	Santa Rosa	95404	4/22/2016 21:29	Stop the proposed tower in the rural hills of Sebastopol
99	Adam	Galler	Adamg223@gmail.com	Lynch road	Sebastopol	95472	4/22/2016 20:24	Stop the proposed tower in the rural hills of Sebastopol
100	Allie	Mccann	amandrus@msn.com	Lynch road	Sebastopol	95472	4/22/2016 8:54	Stop the proposed tower in the rural hills of Sebastopol
101	James	Stevens	Thejimstevens@gmail.com		Sebastopol	90034	4/22/2016 8:52	Stop the proposed tower in the rural hills of Sebastopol
102	Tamara	Galanter	tamara_galanter@gmail.com	1648 Watertrough Road	Sebastopol	95472	4/22/2016 5:18	Stop the proposed tower in the rural hills of Sebastopol
103	Jan	Fong	janicrfong@me.com	1101 Barlow Lane	Sebastopol	95472	4/21/2016 20:41	Stop the proposed tower in the rural hills of Sebastopol
104	Jack	Raineault	Jack_raineault@yahoo.com	7821 Valentine Ave.	Sebastopol	95472	4/21/2016 18:29	Stop the proposed tower in the rural hills of Sebastopol
105	Jane	krensky	jane@krenskyphotos.com	700 Grandview Rd	sebastopol	95472	4/21/2016 17:51	Stop the proposed tower in the rural hills of Sebastopol
106	Jane	hein	simplyjane1@comcast.net	125 south main street, #312	sebastopol	95472	4/21/2016 13:48	Stop the proposed tower in the rural hills of Sebastopol
107	Alan	Rosenzweig	Arosenz704@aol.com	1648 Watertrough Rd	Sebastopol	95472	4/21/2016 8:19	Stop the proposed tower in the rural hills of Sebastopol
108	Ruth	Ahlers	nowbeingruth@gmail.com	7821 Valentine Ave	Sebastopol	95472	4/21/2016 7:34	Stop the proposed tower in the rural hills of Sebastopol
109	R	Fong	rfong79@yahoo.com	1101 Barlow Lane	Sebastopol	95472	4/21/2016 7:08	Stop the proposed tower in the rural hills of Sebastopol
110	Gregg	Wrisley	gwris@yahoo.com	8446 Applesseed Way	Sebastopol	95472	4/20/2016 16:38	Stop the proposed tower in the rural hills of Sebastopol
111	Sue Ann	Calmeyer	Sueanngebo@comcast.net	Thorn road	Sebastopol	95472	4/20/2016 8:47	Stop the proposed tower in the rural hills of Sebastopol
112	Louise	Ausburne	laweezy@gmail.com	1215 Pleasant Hill Rd	Sebastopol	95472	4/20/2016 8:26	Stop the proposed tower in the rural hills of Sebastopol
113	barbara	woodbury	barbara.woodbury@sonic.net		sebastopol	95472	4/20/2016 4:18	Stop the proposed tower in the rural hills of Sebastopol
114	BS	Fischer	squarebooks@sbcglobal.net				4/19/2016 17:12	Stop the proposed tower in the rural hills of Sebastopol
115	Nancy	Ballard	Ballardnj@aol.com	1335 6th avenue	San Francisco	94122	4/19/2016 15:11	Stop the proposed tower in the rural hills of Sebastopol
116	Elizabeth	Clinton	Elizabeth4600@rocketmail.com	4820 Bennett Valley Rd.	Santa Rosa	95404	4/19/2016 12:04	Stop the proposed tower in the rural hills of Sebastopol
117	Holly	Worley	Hollyworley25@yahoo.com	2671 5th avenue	Sacramento	95818	4/19/2016 11:47	Stop the proposed tower in the rural hills of Sebastopol
118	Ray	Abel	r_abel@sbcglobal.net		Sebastopol	95472	4/18/2016 20:29	Stop the proposed tower in the rural hills of Sebastopol
119	Pilar	Pacheco	Pipacheco@sbcglobal.net		Sebastopol	95472	4/18/2016 20:26	Stop the proposed tower in the rural hills of Sebastopol
120	Isabel	Fischer	isb.fisch@gmail.com	8164 Whited Rd.	Sebastopol	95472	4/18/2016 20:08	Stop the proposed tower in the rural hills of Sebastopol
121	Kim	Hollaway	kimlaure333@gmail.com		sebastopol	95473	4/18/2016 11:22	Stop the proposed tower in the rural hills of Sebastopol
122	shelley	olson	cmpshelleymarie@gmail.com	PO Box 1814	sebastopol	95473	4/17/2016 13:54	Stop the proposed tower in the rural hills of Sebastopol
123	Christiane	Roedel	christiane.roedel@gmail.com	P.O.Box 2266	Sebastopol	95473	4/17/2016 13:41	Stop the proposed tower in the rural hills of Sebastopol
124	Lynda	Kanzler	lyndak@kanzler.com	Hayden Avenue	Sebastopol	95472	4/17/2016 13:36	Stop the proposed tower in the rural hills of Sebastopol
125	Stephanie	Osby	Osby909@gmail.com		Sebastopol	95472	4/17/2016 13:11	Stop the proposed tower in the rural hills of Sebastopol
126	Nick	Paggi	Mrpaggi@gmail.com	1426 pleasant hill road	Sebastopol	95472	4/17/2016 13:00	Stop the proposed tower in the rural hills of Sebastopol
127	Deborah	Paggi	Paggi@comcast.net	pleasant	Sebastopol	95472	4/17/2016 10:17	Stop the proposed tower in the rural hills of Sebastopol
128	Wei	Chiu	weichiu88@gmail.com	Hawthorn	Santa Rosa	95403	4/15/2016 22:04	Stop the proposed tower in the rural hills of Sebastopol
129	Sarah	Alexander	sunprenceoffove@gmail.com		Sebastopol	95472	4/15/2016 7:25	Stop the proposed tower in the rural hills of Sebastopol
130	Jane	Ferris	drijaneferris@gmail.com	145 Mountain Meadow Rd	Santa Rosa	95401	4/14/2016 21:05	Stop the proposed tower in the rural hills of Sebastopol
131	Michele	Lott	lottsaiuv@gmail.com		Santa Rosa	95404	4/14/2016 19:21	Stop the proposed tower in the rural hills of Sebastopol
132	Rebecca	Parker	welbcnu@aol.com		Santa Rosa	95409	4/14/2016 17:14	Stop the proposed tower in the rural hills of Sebastopol
133	Alan	Horn	qiqigao88@gmail.com	7996 Bodega Ave	Sebastopol	95472	4/14/2016 16:26	Stop the proposed tower in the rural hills of Sebastopol
134	Qi	Gao	alanhorn@sonic.net	7996 Bodega Ave	Sebastopol	95472	4/14/2016 16:14	Stop the proposed tower in the rural hills of Sebastopol
135	Dodd	Holsapple	drholesapple@hotmail.com		Sebastopol	95472	4/14/2016 14:24	Stop the proposed tower in the rural hills of Sebastopol
136	Karen	Brooks	kbrooks81@comcast.net	314 Oak Tree Drive	Santa Rosa	95401	4/14/2016 7:50	Stop the proposed tower in the rural hills of Sebastopol
137	Adam	Daker	larry.daker@gmail.com		Santa Rosa	95401	4/14/2016 7:16	Stop the proposed tower in the rural hills of Sebastopol
138	Christina	Daker	Daker@gimail.af.mil		Sebastopol	95472	4/14/2016 7:14	Stop the proposed tower in the rural hills of Sebastopol
139	Larry	Daker	larry.daker@yahoo.com		Sebastopol	95472	4/14/2016 6:47	Stop the proposed tower in the rural hills of Sebastopol
140	Sally	Barris	sallybarrismusic@yahoo.com		Santa Rosa	95404	4/14/2016 6:09	Stop the proposed tower in the rural hills of Sebastopol
141	Cindy	Williams	Cindy1104@comcast.net	2167 Linwood Ave	Forestville	95436	4/13/2016 23:28	Stop the proposed tower in the rural hills of Sebastopol
142	Brian	Schuler	info@Mindfulandscapes.com	5701 Pride rd.	Forestville	94922	4/13/2016 23:24	Stop the proposed tower in the rural hills of Sebastopol
143	Stacy	Lippincott	stacyliane@gmail.com					Stop the proposed tower in the rural hills of Sebastopol

144	Patrick	Lynch	farmfresh1@yahoo.com	2890 Pleasant Hill Rd	Sebastopol	95472	4/13/2016 23:08	Stop the proposed tower in the rural hills of Sebastopol
145	michele	rocha	mrocha2008@gmail.com	8350 Lewanna Ln	Sebastopol	95472-544	4/13/2016 22:30	Stop the proposed tower in the rural hills of Sebastopol
146	Alicia	Lorenzoni	alorenzoni@sbcglobal.net	PO Box 731	Sebastopol	95473	4/13/2016 21:39	Stop the proposed tower in the rural hills of Sebastopol
147	Ann	Rosenfeld	trixie@theteadrinker.com		Sebastopol	95472	4/13/2016 20:32	Stop the proposed tower in the rural hills of Sebastopol
148	Rob	Guthrie	roboguthrie81@gmail.com		Sebastopol	95472	4/13/2016 18:41	Stop the proposed tower in the rural hills of Sebastopol
149	Sandi	Maurer	emfsafe@sonic.net	8141 Valley View Dr.	Sebastopol	95472	4/13/2016 17:59	Stop the proposed tower in the rural hills of Sebastopol
150	Bridget	Breese	bridgetinca@gmail.com		Sebastopol	95472	4/13/2016 16:59	Stop the proposed tower in the rural hills of Sebastopol
151	Karen	Irvin	montanakawee@yahoo.com		Sebastopol	95472	4/13/2016 16:11	Stop the proposed tower in the rural hills of Sebastopol
152	Lance	Groody	Groovee@ladolcev.com	8050 Elphick Rd	Sebastopol	95472	4/13/2016 14:43	Stop the proposed tower in the rural hills of Sebastopol
153	Laura	Hilbert	Lkalbert84@gmail.com		Sebastopol	95472	4/13/2016 13:18	Stop the proposed tower in the rural hills of Sebastopol
154	Alec	Strang	elephinos@gmail.com		Sebastopol	95472	4/13/2016 12:17	Stop the proposed tower in the rural hills of Sebastopol
155	gudrun	wickland	gudrunwi@gmail.com		Sebastopol	95472	4/13/2016 11:17	Stop the proposed tower in the rural hills of Sebastopol
156	BlM	Lipp	blm@blimpix.com	7777 Bodega Ave	Sebastopol	95472	4/13/2016 11:14	Stop the proposed tower in the rural hills of Sebastopol
157	Brodie	Jenkins	brodie.jenkins@gmail.com	7245 Baker Lane	Sebastopol	95472	4/13/2016 11:05	Stop the proposed tower in the rural hills of Sebastopol
158	Greg and Corey	Thomas	903sunset@gmail.com		Sebastopol	95472	4/13/2016 11:04	Stop the proposed tower in the rural hills of Sebastopol
159	Kacie	Hendrickson	kaciehendrickson@gmail.com		Sebastopol	95472	4/12/2016 16:28	Stop the proposed tower in the rural hills of Sebastopol
160	Jon	Carrroll	joncarroll707@gmail.com	8150 Germone rd	Sebastopol	95472	4/8/2016 12:19	Stop the proposed tower in the rural hills of Sebastopol
161	Heather	Knoll	hrknoll@gmail.com	1304 High School Road	Sebastopol	95472		
162	Dominique	Pacheco	dp@mixingreality.com		Sebastopol			

# **ATTACHMENT #3**

## **ADDITIONAL KOWS SUBMITTAL**



**KOWS - LP COMMUNITY RADIO  
107.3 FM**

P.O. Box 1073 OCCIDENTAL, CALIFORNIA 95465

OFFICE PHONE: (707)874-9090  
STUDIO PHONE: (707) 874-1073

WEBSITE: WWW.KOWS.FM  
EMAIL: KOWS@SONIC.NET

May 23, 2016

From: David Dillman, on behalf of KOWS Community Radio, email: [sasha@monitor.net](mailto:sasha@monitor.net)

To: Kenyon Webster, Director, City of Sebastopol Planning Department

## **KOWS Antenna Relocation Project Additional Requested Information and Response to Appeal Presentation**

### **Overview**

At the request of the City of Sebastopol, this packet provides additional information on the KOWS radio antenna site search and proposed antenna structure; a third-party review of the accuracy and thoroughness of the exhaustive site search and analysis of the NIER report on radio frequency emission data; and responses to allegations made in the SHARP presentation to the Sebastopol City Council on May 3, 2016. Information is presented in the following sections, including references to our previous responses to the City on the same topics:

### **Section 1**

#### **KOWS Antenna Relocation Project Site Selection Analysis**

- Overview of criteria and conclusions
- Site search matrix and explanatory notes
- Antenna data for specific sites
- Attachment A: OAEC/Sowing Circle LLC letter to City of Sebastopol

### **Section 2**

#### **Antenna Tower Specifications, Visibility and Comparisons**

- Updated Antenna Tower Specifications
  - Attachment B: 60-foot Trylon Tower Analysis (60' Super Titan S-100)
  - Attachment C: Specifications for 2-inch extension pole
  - Attachment D: Three Trylon tower photos
- Antenna Tower Visibility and Comparisons
  - Attachment E: Antenna and Utility Pole Comparison

### **Section 3**

#### **Third-party review of site search conclusions, verification of NIER report accuracy**

### **Section 4**

#### **Responses to Appellant's Allegations**

- Attachment F: Examples of KOWS Community Events



**Section #1**  
**Antenna Relocation Project Site Selection Analysis**

- Overview of criteria and conclusions
- Site search matrix and explanatory notes
- Antenna data for specific sites
- Attachment A: OAEC/Sowing Circle LLC letter to City of Sebastopol

## **Section I**

### **KOWS Antenna Relocation Project Site Selection Analysis**

The following materials provide additional technical detail on methodology used by the KOWS Antenna Relocation Committee (ARC) for selecting the optimal site for a new antenna. Previous KOWS documentation submitted to the City of Sebastopol details the early history of the KOWS antenna at the Occidental Arts and Ecology Center (OAEC) and the extended site search process (*KOWS Antenna Relocation Project Response to SHARP Appeal April 25, 2016, Attachment A*). Although the Appellants suggested otherwise in materials and testimony before the City Council, in reality the expanded search for a new KOWS antenna site began in 2013 in response to a request by the owners of the land where OAEC is located (Sowing Circle LLC) that KOWS find a new site. Dave Henson, OAEC Executive Director, wrote a letter, excerpted here, to the City Council on May 17, 2016 (See Attachment A)

Several years ago, KOWS and OAEC together agreed that KOWS would be better served under its own 501(c)3 non-profit status, and we together began the long process to move the KOWS radio project from OAEC's fiscal sponsorship to the independent KOWS entity.

As part of the move from being a project of OAEC to being an independent organization, OAEC and the Sowing Circle LLC very specifically required KOWS to move its antenna from the OAEC site to a new site. While moving the antenna is to the benefit of the community KOWS serves (by reaching a much larger listening audience than was delivered when broadcasted from OAEC's fir tree), OAEC and Sowing Circle – with KOWS engaged agreement – have been very clear that the antenna needs to be moved from our site. This is not due to any criticism we had of KOWS or their management of the antenna, but rather to our own internal planning about what projects we can and should host on our land.

During the initial phase of the site search process (2009 to 2013) and during the recent expanded site search phase, KOWS evaluated 15 potential sites for consideration as an alternative to OAEC. To assess the merits of each site as objectively as possible, the KOWS ARC identified 14 criteria that represent key success factors for an effective antenna installation. Each site was rated as acceptable or unacceptable under these criteria, and a total ranking was determined by summing up the number of acceptable entries for each given site. The best possible ranking with this methodology is 14 out of 14.

The 14 criteria/success factors for an effective antenna installation are as follows:

1. Line-of-sight Sebastopol: Line-of-sight into Sebastopol is an essential criterion; Sebastopol is the primary community we intend to serve.
2. Line-of-sight West County: Line-of-sight into West County is important because many rural listeners have expressed concern about losing the signal when KOWS moves the antenna closer to Sebastopol. The KOWS mission is to serve as much of West Sonoma County as possible including towns such as Forestville, Graton, and Occidental.
3. Line-of-sight Santa Rosa Plain: Line-of-sight into the Santa Rosa plain doubles the number of potential listeners by reaching listeners in Santa Rosa, Cotati, Rohnert Park and Windsor and rural areas in between.
4. Hwy 116 and Hwy 12 Reception: People in vehicles tend to listen to broadcast radio while driving. Therefore, it is very important to have the best signal possible along the key West County Highways 116 and 12.
5. 92.5 MHz Allowed: Sites where broadcasting at 92.5 MHz is allowed are preferred to sites limited to 107.3 MHz because 92.5 MHz allows for higher power and allows us to locate the antenna closer to Sebastopol. This is due to FCC short spacing requirements for adjacent frequencies. Higher power at a closer range increases signal strength into the community we intend to serve.
6. Within FCC Allowable Area: Some sites are not located within the FCC allowable area for the specified frequency, or would require a reduction in power due to encroachment into adjacent frequencies. This factor categorically excludes certain sites from consideration.
7. Ease of Working with Host: Municipal and non-profit organizations are preferred over private land owners due to the difficulty in securing a lease with entities that have little familiarity with negotiating leases or contracts. Businesses can have complications due to not owning the land, or because there are multiple decision makers.
8. Long Term Lease Security: Municipalities offer the highest degree of lease security because it is highly unlikely that ownership changes will occur, as they most certainly may with privately held land. Losing a lease would require going through a costly, time-consuming process once again, and could lead to the loss of broadcast capabilities.
9. Construction Cost  $\leq$  \$25K: The estimated cost at the Pleasant Hill site is about \$25,000. The other sites are rated relative to this cost.
10. Availability of Utilities: Electricity and Internet access are required. Some sites do not have electricity nearby, and others do not have high-speed Internet service available or nearby.
11. 24/7 Site Access: Antenna and transmission equipment seldom need servicing, but when they do, immediate access is crucial to resume broadcasting quickly. Privately owned properties and businesses do not provide easy 365/24/7 access, thus are rated lower than publicly owned sites.
12. Ease of Antenna Access: Antennas located in trees are extremely difficult to access, and higher towers are more difficult to access than lower support structures. Support structures over 65 feet in height are designated as "hard" in terms of access in the site selection criteria.
13. Site Security: Sites with security fencing and restricted access are preferred to open, unprotected sites. Theft and vandalism are concerns because important broadcast-related equipment will be located at the antenna site.
14. Visual Impact: Sites in urban areas will have a higher visual impact than in rural sites. Visual impact is minimized by setbacks from the road, surrounding vegetation, and relatively low numbers of nearby residences with a direct view of the tower. High towers in population-dense areas are considered to have more visual impact.

The attached spreadsheets detail the relative ranking of the sites evaluated by the KOWS ARC during its multi-year site search. Of the 15 potential sites evaluated, as well as the current OAEC site, the Pleasant Hill Reservoir site (1281 Pleasant Hill Road) scores 14 of 14 and is by far the most optimal site

that KOWS identified. The lines of sight into Sebastopol, West County, and the Santa Rosa plain from the Pleasant Hill site are excellent, as is the potential coverage of Highways 116 and 12. The 92.5MHz signal in an FCC-allowable area permits a robust signal with extensive reach. Because the property in question is owned by the City of Sebastopol, there is a great advantage of easily working with an experienced lessor and having long-term lease security. Because the site is already zoned as Community Facility, the antenna represents a project consistent with existing zoning requirements. Financially, the \$25K construction cost is realistic for KOWS. The Pleasant Hill site already has electricity and Internet utilities, simplifying antenna construction and operation. The site permits 24/7 access to authorized personnel, with security fencing to prevent intruders. Because the site elevation allows for a 65' support structure, maintenance access to the antenna will be easy. Visual impact at the Pleasant Hill site is minimized by the sizable setback from the road, surrounding vegetation, and the relatively low number of nearby residences that will have a direct view of the tower.

The next highest ranked site, the Sebastopol Police Station, has a score of 11 of 14. However, this site is excluded from consideration because it is not within an FCC-allowable area at any target frequency.

The next viable site is the Sebastopol Fire Station. Since a member of SHARP testified to the viability of this site at the May 3, 2016 City Council Meeting, it is useful to compare and contrast this site with the proposed Pleasant Hill location. The Sebastopol Fire Station scores 10 of 14 on the KOWS evaluation scale. Its line of sight into Sebastopol is comparable to Pleasant Hill, though limited by a lower elevation. The line of sight into West County is significantly degraded compared to the Pleasant Hill site, and coverage of Highways 116 and 12 are somewhat degraded compared to Pleasant Hill. The Longley-Rice analysis for this site also shows that the Pleasant Hill antenna has better reach into the Santa Rosa plain.

When we worked with our FCC-licensed radio engineer to evaluate the Sebastopol Fire Station site, we asked that he provide a rough estimate of a tower structure that would yield comparable population coverage to the Pleasant Hill site. On this basis he estimated it would require a 6-bay antenna centered at 80' for a total tower height of approximately 90' to 100', assuming a signal strength at the maximum allowable 100 watts. It would be possible to lower the tower by 30% and lower the power by 50%, but this would degrade the potential reach into West County, Sebastopol, and the Santa Rosa plain, significantly reducing potential listenership. We did not evaluate if the allowable power at 90' might need to be reduced (thereby limiting coverage) due to the requirement to minimize interference for nearby residents of local adjacent FM stations.

A 90' to 100' tower complicates construction and significantly increases the expense of the project to about three times the cost at Pleasant Hill. The proposed 6-bay antenna at the Sebastopol Fire Station doubles the antenna cost of the 3-bay design proposed for Pleasant Hill. With a tall tower located in a dense population area in the middle of Sebastopol, we rated it as a "significant" visual impact. Access to the antenna on a 90' tower is rated as "hard" in the site search criteria. Another construction complication is that at heights above 80' it may not be feasible to install a freestanding tower, and guy wires might be required. If these construction factors are mitigated at the Fire Station site by designing a lower tower at lower power, the number of potential listeners will be reduced. The lower elevation will further degrade line of sight into Sebastopol, West County, and the Santa Rosa plain.

Even if we agree on the feasibility of a 90' tower at the Fire Station site, the relative elevations of the two sites provide clarity. According to USGS topographical maps, the elevation of the Pleasant Hill site is about 310' above sea level; the elevation of the Fire Station site, roughly 100' above sea level. A multi-bay antenna centered at 360' above sea level provides superior coverage to *all* of West County compared to an antenna centered at 180' above sea level. Based on all considerations, the Pleasant Hill reservoir site remains the optimal antenna site evaluated by the KOWS ARC.

Given the Appellant's claims about the supposed viability of the Respini property for the KOWS antenna, it is useful to note this site scores a low 4 of 14 in the selection criteria. Line-of-sight considerations alone make it a poor choice for a Sebastopol-receptive community radio station. Private ownership, lack of security, difficult site and antenna access all contribute to a low rating. This site was considered as a possibility when negotiations for a lease fell through for one of the Cherry Ridge sites, and before KOWS consulted with the City of Sebastopol on the possibility of City-owned sites. At that time, the KOWS Steering Committee considered Respini as a "next best" alternative. With continuing analysis of many other potential sites by the KOWS ARC, and refining our criteria for an ideal site, the Respini alternative no longer was under consideration.

It is worthwhile to include the opportunity offered by the Pleasant Hill antenna site to reach potential listeners in the Santa Rosa plain. The most recent Longely-Rice analyses done for our proposed antenna design show estimates of 50K potential listeners, based on signal strength and population density in the Sonoma County area surrounding the proposed antenna. A key assumption that limits this number is the presence of the Santa Rosa based Redwood Justice Fund KZCM-LP FM station licensed to operate at 92.3MHz FM from downtown Santa Rosa. FCC interference requirements basically exclude listeners in locations in which the signal strength from KOWS at 92.5MHz and KZCM at 92.3MHz might interfere with each other. At such locations, KOWS reception might not be reliable. However, KZCM-LP is not currently in operation and does not yet have an approved antenna location designated.

Thus, there is a sizeable advantage to acting now: With an antenna at the Pleasant Hill site, KOWS will have a strong signal into Santa Rosa with a potential listenership of well over 100K. By taking immediate action and leveraging the first-mover advantage, Sebastopol-based KOWS community radio will establish strong service into Santa Rosa, and have the opportunity to further designate and brand Sebastopol as a Sonoma County center for creativity and culture. Extended outreach will not only promote the city, but also provide wider recognition of local businesses and other community-based underwriters that support KOWS Community Radio. This type of outreach and recognition will undoubtedly provide a net-positive, ongoing economic and municipal benefit for the City of Sebastopol.

# KOWS Site Search Comparison

Site Criteria Comparison	Total Rating	Line-of-sight Sebastopol <sup>1</sup>	Line-of-sight County <sup>2</sup>	Line-of-sight SR Plain <sup>3</sup>	Hwy 116 & Hwy 12 Reception <sup>4</sup>	92.5 MHz Allowed <sup>5</sup>	Within FCC Allowable Area <sup>6</sup>	Ease of Working With Host <sup>7</sup>	Long Term Lease Security <sup>8</sup>	Construction Cost ≤ \$25k <sup>9</sup>	Availability of Utilities <sup>10</sup>	24/7 Site Access <sup>11</sup>	Ease of Antenna Access <sup>12</sup>	Site Security <sup>13</sup>	Visual Impact <sup>14</sup>
1 Pleasant Hill Water Tanks	14	100%	100%	100%	excellent	92.5	in	city-utility	yes	25k	yes	yes	easy	highest	minor
2 Sebastopol Police Station	11 <sup>15</sup>	85%	0%	100%	good	92.5	out	city	yes	10k	yes	yes	hard	high	none
3 Sebastopol Fire Station	10	75%	0%	75%	fair	92.5	in	city	yes	75k	yes	yes	hard	moderate	significant
4 Druids Cemetery	7	0%	100%	25%	poor	107.3	in	non-profit	yes	25k	no	yes	hard	low	minor
5 Burbank Heights & Orchard	7	50%	50%	75%	fair	92.5	in	private corp	yes	50k	yes	no	hard	moderate	significant
6 Aubergine	6	75%	0%	100%	good	92.5	in	business	no	50k	yes	no	extreme	low	significant
7 Peaks Pike	6	0%	100%	50%	poor	107.3	out	business	yes	50k	yes	yes	easy	low	minor
8 Vinegar Ridge	6	0%	100%	50%	poor	107.3	in	private	no	15k	yes	no	extreme	moderate	minor
9 O.A.E.C.	6	0%	25%	25%	poor	107.3	out	non-profit	no	0	yes	yes	extreme	moderate	none
10 Cherry Ridge-1	6	25%	75%	50%	fair	107.3	out	private	no	30k	yes	no	easy	moderate	minor
11 Cherry Ridge-2	6	25%	75%	50%	fair	107.3	out	private	no	30k	yes	no	easy	moderate	minor
12 Miramar Vineyards	5	0%	100%	50%	poor	107.3	in	business	no	30k	no	yes	easy	low	minor
13 Facendini Lane	5	0%	100%	25%	poor	107.3	in	private	no	30k	yes	no	easy	low	minor
14 Fitzpatrick Lane	5	0%	100%	25%	poor	107.3	out	private	no	25k	yes	no	extreme	moderate	minor
15 Respini Ranch	4	0%	100%	50%	poor	107.3	in	private	no	15k	no	no	extreme	low	minor
16 Dusty Lane	4	0%	50%	25%	poor	107.3	out	business	no	30k	no	yes	easy	moderate	none

**Footnotes:** Green = acceptable Red = unacceptable

- Line-of-sight into Sebastopol is an essential criterion. Sebastopol is the primary community we intend to serve. Previous sites became undesirable upon discovering that a frequency change was possible that would allow us to locate closer to Sebastopol. The Pleasant Hill site is by far the best site of all for maximizing signal penetration into Sebastopol.
- Line-of-sight into West County is important because many rural listeners have expressed disappointment about losing the signal when we move the antenna closer to Sebastopol. Of all the sites presented the Pleasant Hill site offers the best reception in both central Sebastopol and West County, making it the best site.
- Line-of-sight into the Santa Rosa plane doubles the number of potential listeners by reaching listeners in Santa Rosa, Cotati, Rohnert Park and Windsor and rural areas in between.
- People in vehicles tend to listen to broadcast radio while driving. Therefore, it is very important to have the best signal possible along Highways 116 and 12. The Pleasant Hill site provides far superior coverage along these major local highway routes than any other site.
- Sites where broadcasting at 92.5 MHz is allowed are preferred to site limited to 107.3 MHz because 92.5 MHz allows for higher power and allows us to locate the antenna closer to Sebastopol. Higher power at a closer range increases signal strength into the community we are trying to serve.
- Some sites are not located within the FCC allowable area for the specified frequency, or would require a reduction in power due to encroachment into adjacent frequencies.
- Municipal and non-profit organizations are preferred over private land owners because of the difficulty securing a lease with entities that have little familiarity with negotiating leases or contracts. Businesses can have complications due to not owning the land, or multiple decision makers. The Pleasant Hill property has the additional benefit of being zoned for utilities.
- Municipalities offer the highest degree of lease security because it is highly unlikely that ownership changes will occur, as they most certainly will with privately held land. Losing a lease would require going through this costly, time consuming process all over again, and could lead to the loss of broadcast capabilities.
- The estimated cost at the Pleasant Hill site is about \$25,000. The other sites are rated relative to this cost.
- Electricity and internet access are required. Some sites do not have electricity nearby. Some sites do not have high speed internet service available or nearby.
- The antenna seldomly needs servicing. But, when it does, immediate access is necessary to get back on the air quickly. Private residences and businesses do not allow for easy 365/24/7 access, as required. The Pleasant Hill site is the only site that offers anytime access without coordinating with the property owner.
- Antennas located in trees are extremely difficult to access. Higher towers are harder to access than lower towers. Towers over 65 feet in height are designated 'hard'.
- Pleasant Hill is the only site with security fencing. All other sites allow access by intruders and are less secure, even though some are on private property. Theft and vandalism are concerns.
- Sites in urban areas will have a higher visual impact on more people than rural sites. Visual impact at the preferred Pleasant Hill site is minimized by the sizable setback from the road, surrounding vegetation, and relatively low number of nearby residences that will have a direct view of the tower. Towers at other sites would need to be higher and more powerful to achieve the same level of performance as the Pleasant Hill site and thus generally have a higher visual impact. (See KOWS Antenna Data table for heights and power information).
- The Sebastopol police station has a rating of 11, but is precluded from consideration because it is not in our allowable transmitter area.

## KOWS Antenna Data for Specific Sites

Antenna Comparison	Type of Mounting Structure	Max Height Above Ground <sup>1</sup>	Transmitter Power (watts) <sup>2</sup>	Reasons Sites are Inferior to Pleasant Hill Water Tanks <sup>3</sup>
1 Pleasant Hill Water Tanks	tower	65	30	This is the only site that meets all the criteria
2 Sebastopol Police Station	ex. tower	80	100	Out of allowable area and cannot be considered
3 Sebastopol Fire Station	tower	90	100	Significantly higher cost, 90' tower with 6 bays, greater visual impact for more people, no West County line-of-sight
4 Druids Cemetery	tree	80	5	107.3 frequency does not reach into Sebastopol, lower allowable power
5 Burbank Heights & Orchard	tower	80	100	Higher cost, no West County coverage, business property, 100' tower & 100 watts needed, high visual impact
6 Aubergine	tower	100	100	Higher cost, no West County coverage, business property, 100' tower & 100 watts needed, high visual impact
7 Peaks Pike	tower	60	3	107.3 frequency does not reach into Sebastopol, lower allowable power
8 Vinegar Ridge	tree	80	12	107.3 frequency does not reach into Sebastopol, lower allowable power
9 O.A.E.C.	ex. tree	65	3	107.3 frequency does not reach into Sebastopol, lower allowable power
10 Cherry Ridge-1	tower	60	20	107.3 frequency does not reach into Sebastopol, lower allowable power
11 Cherry Ridge-2	tower	60	20	107.3 frequency does not reach into Sebastopol, lower allowable power
12 Miramar Vineyards	tower	60	3	107.3 frequency does not reach into Sebastopol, lower allowable power
13 Facendini Lane	tower	60	5	107.3 frequency does not reach into Sebastopol, lower allowable power
14 Fitzpatrick Lane	tree	60	3	107.3 frequency does not reach into Sebastopol, lower allowable power
15 Respini Ranch	tree	80	15	107.3 frequency does not reach into Sebastopol, lower allowable power
16 Dusty Lane	tower	60	20	107.3 frequency does not reach into Sebastopol, lower allowable power

### Footnotes:

<sup>1</sup> Obtained from Longley-Rice studies.

<sup>2</sup> Obtained from Longley-Rice studies and estimates based on similar sites. Power listed is the power needed to produce coverage comparable to the Pleasant Hill site. In some cases power is limited by elevation.

<sup>3</sup> The 107.3 allowable area does not include any sites that have a direct line-of-sight into the town of Sebastopol, whereas 92.5 sites allow for excellent Sebastopol and Santa Rosa plain coverage, which is the primary goal of the antenna move. Therefore, once we became aware of the 92.5 option we categorically rejected all 107.3 sites because of their inferiority. Of the four remaining sites the Pleasant Hill Water Tanks site is superior because it provides the greatest penetration into our target area, best coverage to the west, and extended coverage into the Santa Rosa plain and main traffic corridors of Highways 116 & 12. It also requires a smaller tower, fewer antenna bays, and lower power than the other 92.5 sites. In short, the Pleasant Hill site costs less, reaches more people, requires a much lower tower with fewer bays, impacts the fewest neighbors and has the greatest security and accessibility, and offers superior lease stability. No other site comes close.

**Green = acceptable**

**Red = unacceptable**

## Attachment A: OAEC/Sowing Circle LLC letter to City of Sebastopol



15290 COLEMAN VALLEY RD., OCCIDENTAL, CA 95465  
(707) 874-1557 + OAEC@OAEC.ORG  
WWW.OAEC.ORG

May 17, 2016

To: The Members of the Sebastopol City Council  
Re: The KOWS antenna on the OAEC site

Dear Sebastopol City Council,

I am a partner in and resident of the Sowing Circle LLC Intentional Community that owns the 80-acre parcel at 15290 Coleman Valley Road 1/5 mile west Occidental. The Sowing Circle LLC leases most of the land to the Occidental Arts and Ecology Center, for which I serve as Executive Director.

I write to clarify an issue I understand has come before you regarding a request made by the Sowing Circle LLC and the Occidental Arts and Ecology Center that KOWS move the antenna that we have hosted at the OAEC site since KOW's inception. For background, OAEC created KOWS as a project of OAEC – we applied for and secured the license, and we facilitated the building of what has become a wonderful community radio project with, over the years, hundreds of volunteer programmers and committee members.

Several years ago, KOWS and OAEC together agreed that KOWS would be better served under its own 501(c)3 non-profit status, and we together began the long process to move the KOWS radio project from OAEC's fiscal sponsorship to the independent KOWS entity.

As part of the move from being a project of OAEC to being an independent organization, OAEC and the Sowing Circle LLC very specifically required KOWS to move its antenna from the OAEC site to a new site. While moving the antenna is to the benefit of the community KOWS serves (by reaching a much larger listening audience than was delivered when broadcasted from OAEC's fir tree), OAEC and Sowing Circle – with KOWS engaged agreement – have been very clear that the antenna needs to be moved from our site. This is not due to any criticism we had of KOWS or their management of the antenna, but rather to our own internal planning about what projects we can and should host on our land.

And to be further clear, we love KOWS. We have been a partner, supporter and admirer of the remarkable community that KOWS has become – and the public service it provides – since its founding.

You are very welcome to contact me with any questions. Thank you, Sebastopol City Council, for always striving for inclusion, participation, and robust democracy in your super fine city!. Good luck with your deliberations on this.

My best,

A handwritten signature in black ink that reads "Dave Henson". The signature is written in a cursive, slightly slanted style.

Dave Henson

Executive Director, OAEC • [dhenson@oaec.org](mailto:dhenson@oaec.org) • (707) 874-1557 x104

**Section #2**  
**Antenna Tower Specifications, Visibility and Comparisons**

- Updated Antenna Tower Specifications
  - Attachment B: 60-foot Trylon Tower Analysis (60' Super Titan S-100)
  - Attachment C: Specifications for 2-inch extension pole
  - Attachment D: Three Trylon tower photos
- Antenna Tower Visibility and Comparisons
  - Attachment E: Antenna and Utility Pole Comparison

## Updated Antenna Tower Specifications

To address concerns related to potential visual impact, KOWS proposes an alternative tower design, narrower in width and lower in height than the ROHN model specified in the Use Permit application. The proposed reductions in tower height and width are substantive mitigations to any potential visual impacts associated with the proposed antenna project.

We plan to replace the tower specified in the Use Permit application (ROHN model 65G, 70-foot tall, 24-inches wide) with a narrower and lower antenna structure. (Trylon 60' Super Titan series, model S-100.) In the updated design, a 2-inch pole rises 5 feet from the 60-foot top of the tower, for a total height of 65 feet. A Trylon Tower Analysis of this new 60-foot tower design (including the see-through structure and dimensions of the tapered design) is provided in Attachment B. Specifications for the 2-inch extension pole are in Attachment C.

Unlike the ROHN model, the width of the proposed Trylon tower is not 24 inches from ground to top. Instead, the tapered design has narrower dimensions: 30 inches wide at ground level; 21 inches wide at 30 feet; 15 inches at 50 feet; and 12 inches at 60 feet. The lower height and narrower width design would operate at a power of 30 or 35 watts, instead of the previous ROHN model at 25 watts.

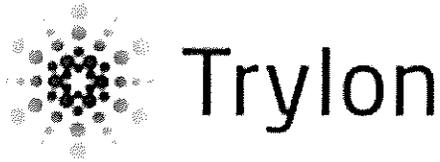
We would like to provide further clarification regarding antenna tower photographs. Well before the May 3, 2016 City Council meeting, KOWS requested a photo of the 60-foot, Super Titan S-100 self-supporting structure from Trylon. However, the company did not have a photo of this particular tower. Instead, they sent three photos, but could not confirm the images represented the S-100 model or that the tower tops in the images had a width of 12 inches. (See Attachment D for three tower photos the manufacturer sent to KOWS, not model 60' Trylon Super Titan S-100.)

After the City Council meeting and further research by Trylon, the company clarified and confirmed information contained in Attachment D:

- The full 30-foot tower photo shown is, in fact, similar in appearance to the 60-foot S-100 model, and the width at the top of the tower is 12 inches.
- The photo of the man climbing the tower and detailed close-ups at the far right in photos show two safety accessories KOWS will purchase from Trylon: a vertical series of short, horizontal step bolts and a vertical cable for a climber to clamp onto for safety. Also shown are two horizontal elements at the top of the tower, providing structural support for the 2-inch extension pole. Other hardware on tower provides added support for cable safety system.

As a visual reminder, the very nearest residence to this tower is hundreds of feet away.

## Attachment B: 60-foot Trylon Tower Analysis (60' Super Titan S-100)



Monday, April 25, 2016

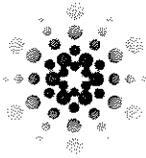
### **Trylon Tower Analysis TA1850-5**

#### **Tower Details**

Tower Height (ft)	60
Tower Line	SuperTitan (ST)
Model Designation	S100
Tower Part Number	5.94.0100.060

#### **Optional Accessories and Services**

<b>Description</b>	<b>Quantity</b>	<b>Part Number</b>
Climbing Kit - Step-Bolt	1	4.98.0100.060
Safety Climb Kit - 3/8in Cable - Leg Mounted (No Slider)	1	4.99.0485.100
Anti Climb Shield/Mesh Kit	1	4.92.0001.006
Grounding Kit	1	4.91.0103.000
Lightning Rod - 5' Long Copper Clad with Mount	1	4.90.0200.C05
TX Line Brackets - 4 lines maximum	18	4.84.0300.100
Work Platform - Fits sections # 1 to 12HD	1	4.88.0200.000
Foundation Material	N/A	INTEGRAL
Canada P.Eng Stamped Dwg Tower Profile and Standard Foundation	1	4.77.0101.200
USA P.E. Stamped Dwg Tower Profile and Standard Foundation	1	4.77.0101.100



## Trylon Tower Analysis: TA1850-5

The tower analysis was performed based on the wind speed, antenna and line loading parameters provided. Please note that the software used for this analysis depends on users supplying accurate antenna data, wind speed and other critical input parameters. Trylon assumes no liability for inaccurate user assumptions or any tower failures as a result thereof.

**Please review this tower set-up to ensure it matches with the final tower design.**

Upon completion it was seen that the tower under study, **PASSED** TIA-222-G with the below listed design parameters, and equipment attached.

Trylon Tower	
Tower Height:	60 ft
Model Designation:	S100
Tower Line:	SuperTitanKD
Part Number:	5.94.0100.060

Design Parameters	
Design Code:	TIA-222-G
Max. Basic Wind Speed:	100 mph
Max. Basic Wind Speed with Ice:	30 mph
Max. Design Ice Thickness:	0.00 in.
Service Wind Speed:	60 mph
Exposure Category:	C (Open terrain)
Topographic Category:	1 (No abrupt changes)
Reliability Category:	II (Substantial hazard)

Project Data	
Site Location:	Sonoma, California
Designer Initials:	SF / PS

### Tower Loading

Elev. (ft)	Qty	Fixture Type	UPSA <sup>1</sup> (sqft)	TX Line Qty	TX Line Type	Mounted on	Offset (ft)
65	1	OMB MP-1	1.25	1	1/2	CenterPipe	0
60	1	Center Pipe 4.87.0101.200	1.7	-	-	-	-
57	1	OMB MP-1	1.25	-	-	Leg	1
49	1	OMB MP-1	1.25	-	-	Leg	1

<sup>1</sup>UPSA: Un-factored Projected Surface Area (each)

### Results

Tower with the above noted loading is at **99% Capacity**.

Tower Maximum Tilt/Twist is **0.36°/ 0.10°**.

#### Factored Leg Foundation Loads

Max Download: 39.21 kips  
 Max Uplift: 32.22 kips  
 Max Shear: 1.62 kips

#### Factored Global Foundation Loads

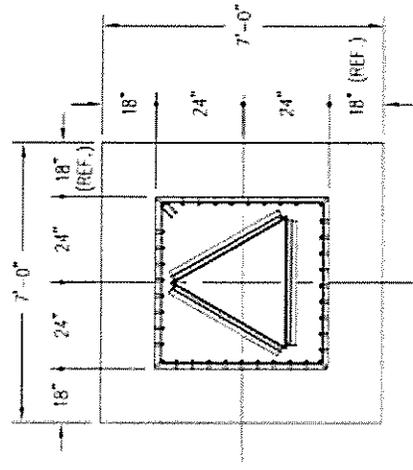
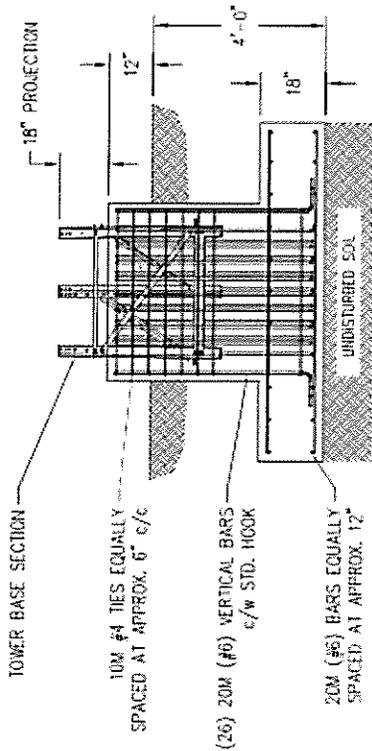
Max Axial: 1.67 kips  
 Max OTM: 83.69 kipsft  
 Max Shear: 2.58 kips

### P.E. Stamped Drawings:

If P.E. Stamped Drawings are required for this tower then we require a Geotechnical Report be provided to ensure a proper foundation design – If one is not available we will assume Normal Dry Soil conditions.

60FT 5100 SUPERITAN TOWER

FOUNDATION DESIGN (NORMAL DRY SOIL)  
DESIGN ASSUMES THAT FROST DEPTH IS LESS THAN 4'-0"



CUBIC YARDS OF CONCRETE		
PAD CONC VOL	PER CONC VOL	TOTAL VOL
2.7	2.1	4.8

CONCRETE: ALL STRUCTURAL PROPERTY VALUES ARE THE PROPERTY OF  
TRYLON MANUFACTURING COMPANY LTD. ALL DIMENSIONS, INCLUDING DEVIATIONS OR  
USE IS PROHIBITED WITHOUT WRITTEN CONSENT OF TRYLON MANUFACTURING COMPANY LTD.



CUSTOMER:	SCALE: 100/000
DATE: 07 FEB 07	APP:
DRWING NO.:	0000016200171
TITLE:	60' 5100 SUPERITAN TOWER

MAXIMUM ALLOWABLE ANTENNA AREA - PER IIA/EIA 222 REV. F					
WIND VELOCITY RATINGS					
NO ICE (ROUND/FLAT)		1/2" ICE (ROUND/FLAT)			
70 mph	21/15	90 mph	3/2	100 mph	17/12
90 mph	---	100 mph	---	90 mph	1/---
100 mph	---	70 mph	---	100 mph	---

FOUNDATION LOADS:  
MAX. OVERTURNING MOMENT (K-FT) =  
MAX. SHEAR (KIPS) =  
MAX. AXIAL (KIPS) =

MAXIMUM ALLOWABLE ANTENNA AREA - PER IIA/EIA 222 REV. G, CLASS 1 (NO ICE)				
WIND VELOCITY RATINGS				
90 mph 3sg	110mph 3sg	120 mph 3sg	3sg = 3 SECOND GUST WINDSPEED	
75 mph FM	90 mph FM	100 mph FM	FM = FASTEST MILE WINDSPEED	
ROUND	FLAT	ROUND	FLAT	FLAT
25	17	9	6	4
				2.8

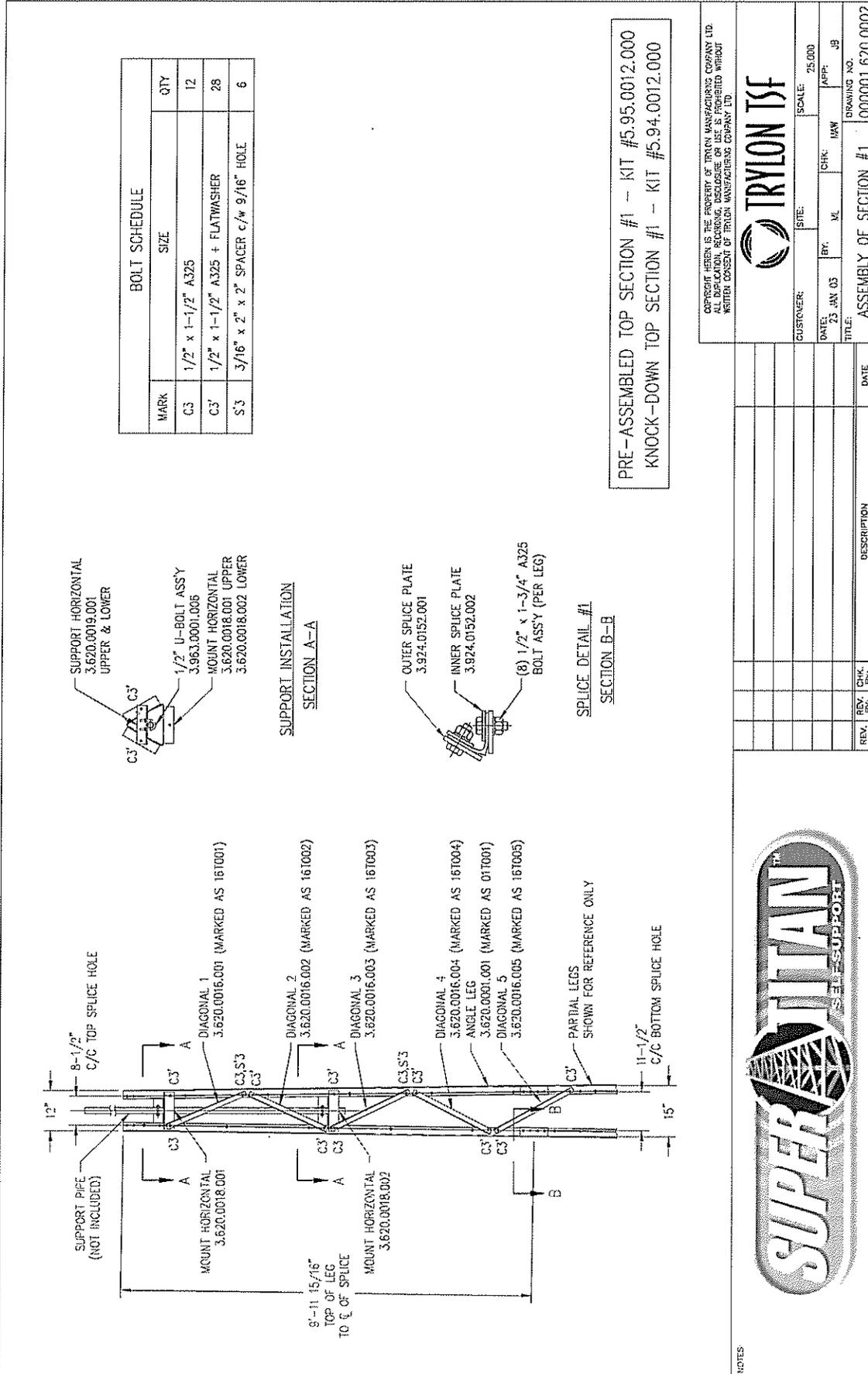
FOUNDATION LOADS:  
MAX. OVERTURNING MOMENT (K-FT) =  
MAX. SHEAR (KIPS) =  
MAX. AXIAL (KIPS) =

5' SEGMENT SECTION  
INCLUDED PLATS

- 1) 1600 L BEAM PART NUMBER 500-0400-000
- 2) 1600 L MEMBER PART NUMBER 500-0400-000
- 3) ALL TOWER LEGS ARE CENTRALLY LOCATED AND BALANCED, 3-FT OR LESS ABOVE THE TOWER TOP.
- 4) WIND LOADS ASSUMED AT 1/2" TRANSMISSION LINE PER 10 SQ.FT. OF ROUND MEMBER ANTENNA AREA.

REV.	CHK.	DATE	DESCRIPTION

# Attachment C: Specifications for 2-inch extension pole



TRYLON TSE

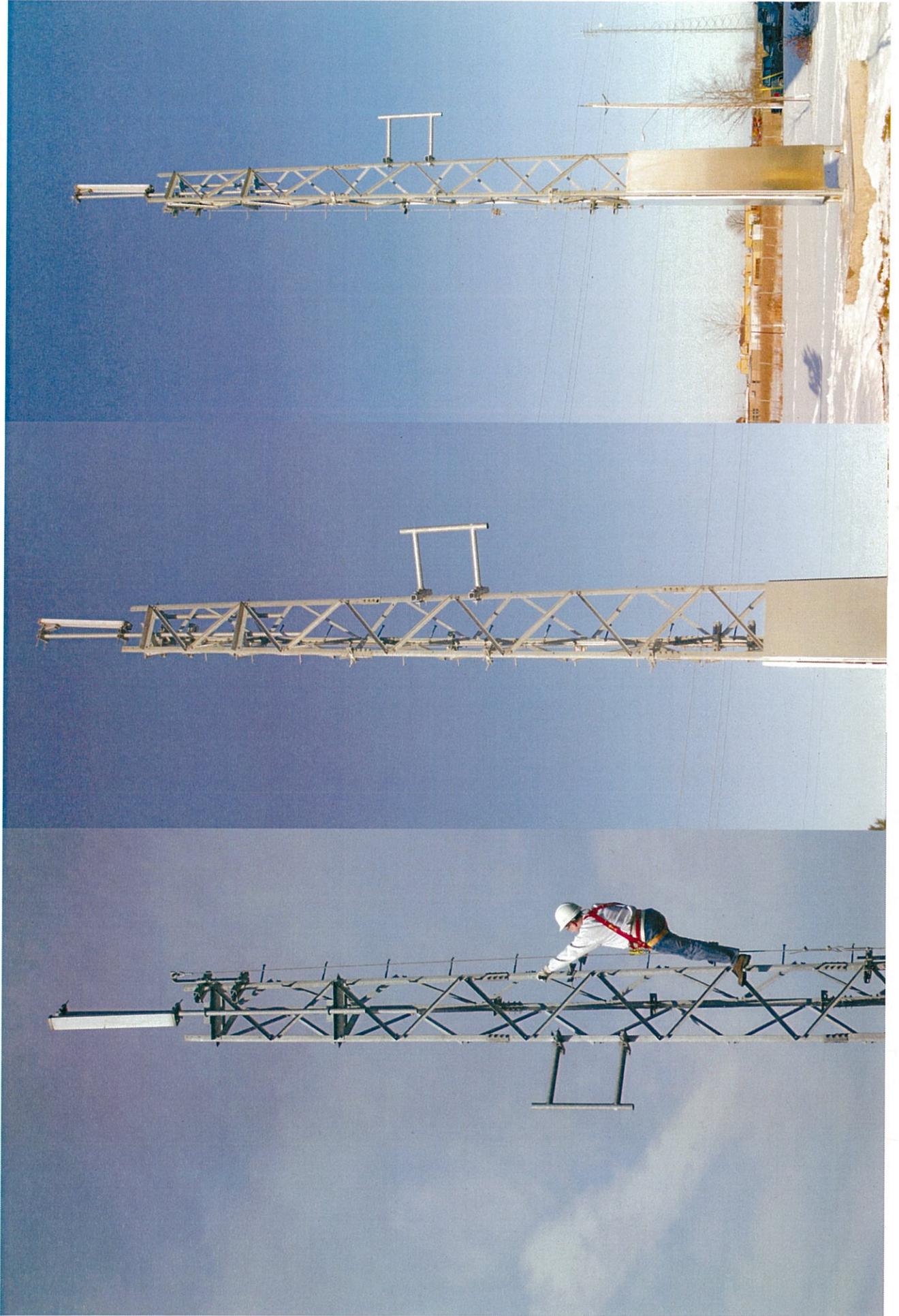
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CUSTOMER: \_\_\_\_\_ SCALE: 25.000  
 DATE: 23 JAN 03 BY: ML CHK: MAW APP: JB  
 TITLE: ASSEMBLY OF SECTION #1 DRAWING NO. 000001.620.0002

REV.	BY:	CHK:	DATE	DESCRIPTION

NOTES

Attachment D: Three Trylon tower photos



## Antenna Visibility and Comparisons

As already detailed in this report (**Section 2**), the proposed antenna tower structure has been modified from the original Use Permit application. The total height has been reduced to 65 feet, with the top five feet consisting of a low profile 2-inch diameter pole. This change will result in even less visual impact than shown in previously submitted photo simulations of the originally proposed 70-foot high, self-supporting, see-through tower. KOWS made this change voluntarily in an effort to minimize visual impact to the greatest extent possible.

At 65 feet, the tower, with a 30-inch base tapering to 12 inches at 60 feet, and a 2-inch pole at the top 5 feet, will be barely visible to surrounding residences. At the closest home, about 500 feet away, the visual impact is .06% of the panoramic view. That is six one-hundredths of one percent of a 360° vista.

Views of the tower from Pleasant Hill Road are minimal because the tower will be set back more than 400 feet, placed among trees ranging in height from 20 to 50 feet. The tower is far enough in the distance to be dwarfed by more apparent fences, mailboxes, road signs, utility poles and wires in the foreground, and the site's two 3-million gallon water storage tanks. In a few places along the road the top portion of the tower would be visible when approaching from the south, but not as a dominant feature in the landscape. Pleasant Hill Road is a main telecommunications and electric utility route with 50-foot poles carrying a myriad of wires for both local and regional distribution; thus, the tower is not out of character in this area. The proposed tower will be only 15 feet taller than neighboring utility poles, and much further away than other "disturbances" to the landscape. (See Attachment F)

Existing developments surrounding the tower make the area less than natural or unspoiled, with significant impacts from vineyards, orchards and homes in prominent view from the road. Throughout the vicinity, native vegetation has been stripped away for commercial agricultural development, and perimeter fencing denies access to indigenous animals that once inhabited the area. Ironically, an opponent's nearby hilltop residence is arguably far more prominent than the proposed tower. At the May 3, 2016 City Council meeting, the aforementioned opponent spoke of plans to build two houses on properties adjacent to the proposed antenna tower, which would further disturb the natural landscape, and very likely obstruct the views of neighboring homes far more than the KOWS tower, calling into question a likely double standard regarding development.

While it is true the tower is minimally visible from some residences in this sparsely populated area, the nearby hilltop residence about 500 feet away is the closest structure with a view of the tower. From this distance the tower will only occupy about 0.06% of the horizon. The calculation:

- Circumference of a circle with a radius of 500' =  $2\pi r = (2)(3.1416)(500) = 3142'$
- Percentage of this circle a 2 foot wide structure represents =  $2 \div 3142 \times 100 = 0.06\%$
- Angle subtended by this structure =  $0.06\% \times 360^\circ = 0.22^\circ$

To put this into perspective, hold up a pinky at arm's length. Close one eye and look at the horizon. The width of your pinky is about one degree. At a distance of 500 feet the entire two-foot wide, 65-foot high tower would easily be hidden behind this finger, leaving 99.94% of the view intact. In fact, two towers side-by-side, complete with antennas, would easily fit behind your pinky, with room to spare.

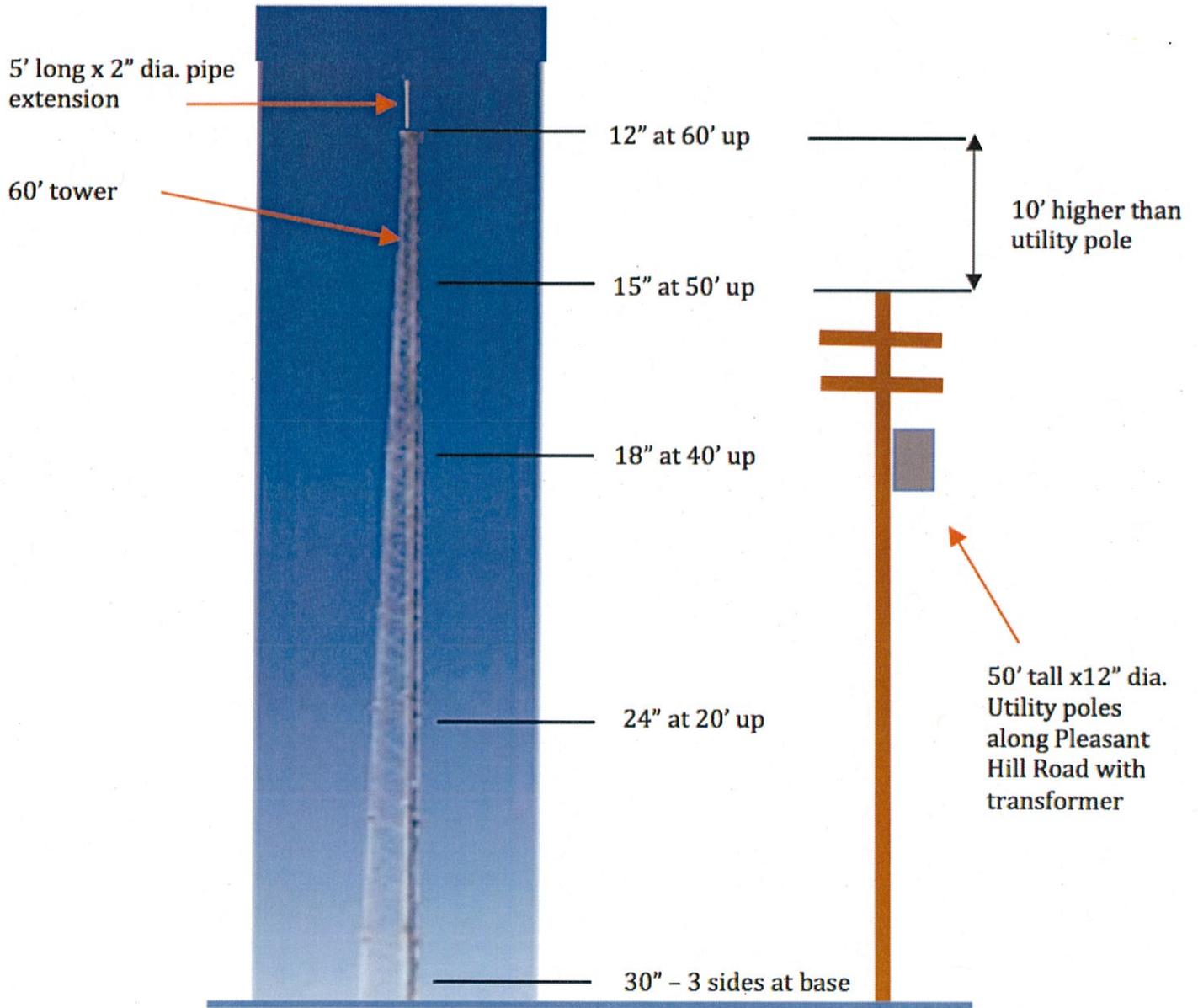
Several other further-away residences may have a partial view with an even smaller percentage of the view obstructed, mostly seen through the trees. An open lattice design and camouflage painting help the tower blend in with trees and sky, further minimizing visibility. It does not seem excessive to ask neighbors to share less than one-tenth of one percent of their panoramic view with a barely visible radio tower.

We contend the Appellant's response to a simple 65-foot tower is disproportionate to the actual impact the project will have on the landscape, and don't believe further modifications are necessary to mitigate concerns. A lower tower would result in losing the ability to broadcast to the west county, and would have a significant negative impact on signal strength in the Sebastopol area. Sebastopol Public Works Department ruled out attaching the antenna to one of the water reservoir tanks. The proposed project is the optimal solution to minimize impact and retain high quality signal strength to the communities we intend to reach. As the Site Search Comparison matrix (Section I of this report) illustrates, no other site provides the same advantages or has a lower impact. The proposed City-owned property on Pleasant Hill Road is the perfect site.

# Attachment E

## Antenna and Utility Pole Comparison

Trylon 60' Tower with 5' x 2" diameter extension pipe compared to local utility poles



**Section #3**  
**Third-party review of Site Search Conclusions**  
**and**  
**Verification of NIER Report Accuracy**

KOWS conducted an exhaustive search for allowable and appropriate sites for antenna re-location, and at the request of the City of Sebastopol, obtained an expert third-party opinion on the thoroughness of the search, included in this section.

Earlier in the Use Permit application process, KOWS commissioned a previously submitted third-party NIER (Non-Ionizing Electromagnetic Radiation) report to provide accurate, objective data, analysis and information about the safety of the proposed antenna. The expert third-party evaluation of the report is also included here.

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23 May 2016

Prepared for: KOWS Community Radio

## ENGINEERING REPORT

This office has been retained by KOWS Community Radio ("KOWS") to review materials submitted by it to the City Council of Sebastopol, California, as part of the Land Use Review process to relocate the KOWS Low Power FM transmission facilities to a site owned by the City and adjacent to the Pleasant Hill water reservoirs. Specifically, I was requested to review the report prepared by Paul Bame of the Prometheus Radio Project addressing human exposure to radiofrequency electromagnetic fields and the materials prepared by the Antenna Relocation Committee of KOWS concerning site selection.

It is my understanding that this review is to be presented to the City Council of Sebastopol, California, and will become part of the public record in the Land Use Review case.

I have reviewed the report concerning human exposure to radiofrequency electromagnetic fields (referred to in the report as non-ionizing electromagnetic radiation, "NIER") prepared by Paul Bame of the Prometheus Radio Project and dated 22 December 2015. Mr. Bame has used industry-standard techniques in computing the power density of the ambient radiofrequency electromagnetic field attributable to the proposed KOWS operation. The maximum permissible exposure ("MPE") standard selected is appropriate to this situation and he has correctly tied the computed radiofrequency field to the MPE standard.

I concur with his conclusions and agree that the proposed operation does not pose a risk of exposing the general public or ground-based workers to radiofrequency electromagnetic fields in excess of the appropriate standard. Indeed, the highest predicted ambient radiofrequency power density is almost two orders of magnitude less than MPE standard.

A sign should be posted at the base of the tower warning workers whose duties require that they work at elevation on the tower structure that the radiofrequency field may exceed the MPE standard at locations on the tower and provide information as how to arrange to have the transmission facilities disabled during such work activities.

I have examined the materials provided by the KOWS Antenna Relocation Committee concerning the siting process, including the antenna site comparison matrix. I commend the Committee on a very thorough and workman-like job. They have done a much better job than the majority of my clients who undertake to site transmission facilities.

The task of transmission facility siting is not an easy one. There are numerous constraints, both technical and regulatory. Foremost are the constraints imposed by the Federal Communications Commission in the frequency allocation process. These constraints are for the most part hard constraints, that is, except in very limited circumstances, they may not be waived or circumvented. Most are objective in nature without room for subjective interpretation.

Secondary, but perhaps more important to the station, is the ability to place a listenable signal over the population that the station desires to serve. This is constrained by a combination of topology and power. These parameters interact with FCC regulations determining maximum permissible power for a given antenna height above the surrounding terrain. As this height increases, the maximum permissible power decreases.

FM signal propagation is largely line-of-sight. That is, the ability of FM band signals to pass over or around intervening obstacles is severely limited. For this reason, transmission locations are chosen such that the transmitting antenna can "see" the area the station wishes to serve.

The criteria considered by the Committee in the siting process are just those I would have considered had I been hired to do the job, and they seem to have been appropriately weighted in arriving at the final score.

I agree with the Committee's conclusion that the Pleasant Hill Water Reservoir site is the clear best choice among the sites considered.

I, Gray Frierson Haertig, hereby affirm that:

I am principal and senior engineer at Gray Frierson Haertig & Assoc., a broadcast engineering technical consulting firm;

I have been retained by KOWS Community Radio to prepare this report;

This report has been prepared directly by myself and is based on information supplied to me by others;

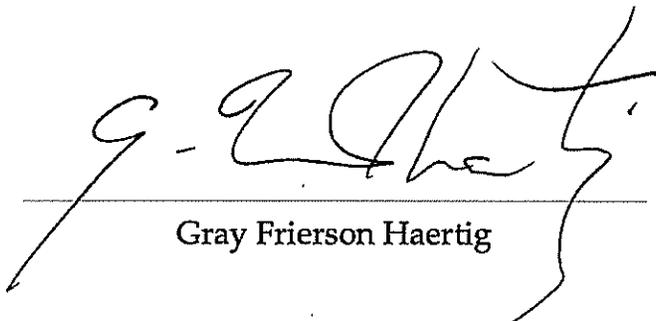
Unless otherwise attributed, I believe that all representations made herein are true to the best of my knowledge and represent the actual facts of the matter;

I have a special interest and expertise in broadcast transmission facility siting and in the determination and evaluation of compliance with regulations concerning human exposure to radiofrequency electromagnetic fields;

I am a broadcast engineer of 50 years experience;

And, my credentials are a matter of record with the Federal Communications Commission.

Respectfully submitted this 23<sup>rd</sup> day of May 2016,



Gray Frierson Haertig

## **Section #4 Responses to Appellant's Allegations**

We have addressed these same concerns in previous materials submitted to the City Council and Planning Commission. However, to comply with the City's request for responses to the Appellant's most recent allegations and accusations, we include brief information under each topic, and refer the reader to relevant materials, including **Section 1**, **Section 2**, and **Section 3** of this report.

We understand it is reasonable to react with suspicion to news of impending neighborhood developments, and respect the right of opponents to voice concerns and evaluate a project's potential impact. However, we have more than adequately responded with factual information and refuted allegations and accusations, and addressed concerns about potential visual impact, co-location, and radio frequency emissions, among other issues, although there have been no substantial changes since our previous responses.

This section summarizes and responds to the Appellant's statements at the May 3, 2016 City Council meeting.

- Allegation of visual blight, offensive to neighbors, will destroy area's pastoral beauty
  - Response: See **Section #2: Antenna Structure, Visibility, and Comparisons** for clarifying information regarding the proposed 60' Trylon Super Titan, S-100 tower, instead of the originally proposed 70' ROHN model. For further information, also view KOWS May 3, 2016 City Council meeting presentation. KOWS has previously presented clear evidence about the many trees, as well as contours of the local topography that would block views of the antenna from many perspectives in the immediate neighborhood. We dispute the contention that the KOWS antenna would substantively alter the rural character of the Pleasant Hill Road neighborhood, for three reasons:

First, if the area has rural character now, it must be acknowledged that this rural character is not irredeemably diminished by existing homes, antennas, power poles, electric, telephone and cables lines up to 50 feet high, as well as other developments. We contend the modified plan for the KOWS structure, at 60 feet, with a 5-foot high, 2-inch diameter pipe at the top, in context with tall trees and utility poles, will not stand out in the ways that opponents argue. We further contend that an objective comparison between the proposed antenna structure with already existing installations in and around Sebastopol, including the antenna tower at the nearby Gold Ridge fire station, as well as the many existing utility poles and lines in the neighborhood, clearly indicates a misplacement of fears about loss of rural character.

Second, at the May 3<sup>rd</sup> City Council meeting, KOWS presented evidence that paints a very different picture of the visual impact of the proposed antenna than the one offered by opponents. Despite the amount of money spent to bolster their case on this point, we argue that opponents have not presented clear and compelling evidence supporting their contentions regarding visual impact. Before their vote on the project, members of the Planning Commission, whose responsibility it is to make such determinations, went to the site to estimate visual impacts. They concluded that visual impacts did not merit blocking the antenna project, and we agree with their conclusion.

Third, at the May 3<sup>rd</sup> City Council meeting, KOWS representative Stuart Goodnick reminded the Council and audience that the existing 60-foot Gold Ridge Fire station antenna tower is less than half a mile from the proposed KOWS antenna. We suggest

that many, if not most, opponents did not know, or remember that the Gold Ridge antenna even exists. Moreover, the Planning Commission has mandated painting the antenna to blend in with surrounding trees and the sky to diminish the visual impact of the KOWS antenna, but the existing Gold Ridge antenna has no such paint mitigation. We suggest this is simply the way the human mind works: once an element in the landscape becomes familiar, the mind merges it into the background, and we no longer “see” it the same way as when it is novel. We contend that the KOWS antenna will become background in just the same way as the Gold Ridge antenna has for local residents, as well as the large number of 50-foot utility poles in the neighborhood.

In summary, we acknowledge there will be some very minimal visual impact to the views of a small group of neighbors, and strongly maintain the overall visual impacts to the neighborhood are very minor. We contend that visual impact concerns are balanced by the benefits to the Sebastopol community of a community radio station serving Sebastopol and the wider region.

- Allegation of failure to submit updated antenna structure design in a timely manner
  - Response: See **Section #2: Antenna Structure, Visibility, and Comparisons**. On April 21, 2016, we sent an email to the City of Sebastopol with a revised proposal addressing the issue of tower width, and followed up (April 25, 2016 email) with an updated proposal for a design with narrower tower width and lower height.
- Allegation of failure to honestly represent tower in photo simulations
  - Response: The first photos are irrelevant, as they were created to represent the original proposed 70-foot tower. Subsequent photo simulations, using Google Earth views, were submitted to the City of Sebastopol, replacing previous ones. The methodology was well documented, and we strongly assert their authenticity and accuracy.
- Allegation of required CEQA review
  - Response: We have already responded to this allegation, and once again respectfully defer to the City of Sebastopol for their response. We agree with the Planning Commission’s determination that the KOWS antenna is exempt from EIR requirements based on CEQA guidelines. In addition, the Appellant alleges the antenna could threaten Peregrine Falcons, but with no evidence to support this claim. According to the National Geographic Field Guide to the Birds of North America, “Peregrine falcons inhabit open wetlands near cliffs”, thus any sightings in the Pleasant Hill area are, at best, occasional.
- Allegation of vulnerability to FCC-mandated co-location of future towers and antennas
  - Response: The KOWS antenna structure cannot, by design, hold any other antenna, and the City’s lease will not allow additions to, or sharing of the antenna. Ultimately, the City of Sebastopol is responsible for this decision, and as property owner, does not have to permit co-location. City Manager/Attorney Lawrence McLaughlin has stated: “...the City as a public agency and as the property owner can control what goes on at its site and does not have to permit co-location.” If collocation is indeed not an issue, then the approval or denial of the KOWS antenna has no bearing on whether or not the City Council will be approached in the future by cell phone companies. The suggestion that allowing the KOWS antenna will encourage other private entities to approach the City Council for use of their property is speculative and not based on evidence or facts. Any such decisions would be made by the City Council on a case-by-case basis, and the KOWS antenna would have no bearing on that imagined situation.

- Allegation of other viable antenna sites, and lack of need due to availability of online streaming
  - Response: Please refer to **Section 1** of this report for a thorough discussion of sites evaluated for the KOWS antenna, and ranking criteria. Also included in that section is a response to allegations that KOWS misrepresented the need to find a new antenna location, with an explanatory letter from the OAEC executive director and property owners discussing the nature of the relationship with KOWS and need for separation.

In response to allegation that an antenna is unnecessary because KOWS “streams online worldwide,” a significant portion of community members have limited or unreliable access to the internet due to financial hardship, rural residency, or technological illiteracy. Furthermore, many people listen to broadcast radio while driving, with no other option. This represents a large section of KOWS listeners without online streaming capabilities.

- Allegation the KOWS antenna is not consistent with Sebastopol’s General Plan
  - Response: This issue was addressed in previous documents, and no new information has been added. KOWS defers to the City of Sebastopol for a decision.
- Allegation that KOWS lacks integrity and relevance
  - Response: We respect the Appellant’s right to uninformed opinions. However, this particular allegation is deceitful and mean-spirited, and not at all a true representation of the people who comprise KOWS radio, or the value and benefits we bring to our community. (Attachment F: Examples of KOWS Community Events)

Regarding accusations at the May 3<sup>rd</sup> City Council meeting that KOWS supposedly used an “Antenna Playbook” to manipulate neighbors and the permit process to secure a site for the antenna: Until then, none of us had ever heard of such a “Playbook” and even doubted its existence. To the contrary, KOWS has followed expert advice of radio engineers at the national LPFM Prometheus Project, as well as local technical experts.

Regarding allegations that KOWS overstated its importance as an EAS (Emergency Alert System) member, and that another station is the “official” Sonoma County broadcaster. There is no one “official” EAS station. It is an FCC designation for which all radio stations are eligible, although a station may opt not to serve in that capacity. When local news and information are needed during an emergency, crisis or catastrophe, KOWS, like so many other LPFM community-based stations, has “boots on the ground” for news, alerts and information. There are many situations where duplication of emergency broadcast services, such as local radio, provides vital community assets.

Characterization of KOWS as a mere “radio club” is unfair and trivializes the nature of our organization. Over our nearly nine-year history, we have become a 501(c)3 non-profit, and an effective, involved community resource.

- Allegations of EMF exposure risk
  - Response: KOWS has already provided evidence that radio frequency (RF) emissions produced by the antenna would be extremely low at 1/2500<sup>th</sup> of internationally accepted safety limits. See the previously submitted Non-Ionizing Electromagnetic Radiation (NIER) report, the *KOWS Antenna Relocation Project Response to SHARP Appeal*, and **Section 3** in this report for facts on this issue that refute all EMF allegations. For further information, also view KOWS May 3, 2016 City Council meeting presentation.

- Allegations of financial liability to City of Sebastopol
  - Response: KOWS, after nearly 9 years on the air, is well past the “start-up” phase of development, and has proved its ability to survive – and thrive on limited resources. Our planned move will increase the number of listeners, underwriters and supporters, thus building financial reserves and increasing economic stability.
  
- Allegations of loss of property value
  - Response: Property valuation is extremely subjective, depending on current market conditions. See the *KOWS Antenna Relocation Project Response to SHARP Appeal* for previous information submitted.

**Attachment F**  
**KOWS Community Events**  
**Partial List**

Examples of Live Broadcasts, Recording and Tabling

- Sebastopol *Apple Blossom Parade* (four years)
- *Earthday*, Community Market, Sebastopol (two years)
- *Community Market Grand Opening*, Sebastopol
- *Bluegrass & Folk Festival*, Sebastopol Community Cultural Center (five years)
- *Tour de Organics* bike event, Sebastopol Community Cultural Center
- *Cajun Festival*, Ives Park, Sebastopol (two years)
- *Candidates for 5<sup>th</sup> District Supervisor Forum*, Sebastopol Center of the Arts
- *GMO Forum*, Sebastopol Grange
- *Pesticides Forum*, Sebastopol Grange
- *Fools Day Parade*, Occidental (eight years)
- *Occidental Farmers Market* (eight years)
- *Sebastopol Farmers Market*
- *Graton Town Festival*
- *Sustainable Design Assessment Teams (SDAT) Pre-General Plan Assessment*, Sebastopol
- *USGS water study, Santa Rosa Plain*, Rohnert Park
- *Fermentation Festival*, Salmon Creek School, Occidental/Freestone
- *Railroad Square Festival*, Santa Rosa
- *Sebastopol 4<sup>th</sup> of July Fireworks Festival*, Analy High School
- *Peacetown Concerts*, Ives Park Sebastopol

Examples of Events in Community to Benefit KOWS

- *Live music events and workshops*, Occidental Center for the Arts
- *Live music events*, Occidental Community Center
- *Live music*, Monte Rio Community Center
- *Pirate Radio* film benefit, Rio Theater, Monte Rio
- *Mayan Calendar 2014*, Sebastopol Community Center
- *Early music concert*, Dyhana Center, Sebastopol
- *Occidental Film Night, Live music events*, West County Herb Company, Occidental
- *Live music*, Sebastopol United Methodist Church
- *Live music* Hopmonk Tavern, Sebastopol
- *Live music*, Sally Tomatoes, Sonoma Mountain Village
- *Kowzapalooza* KOWS benefit, Occidental Community Center (two years)
- *Halloween Celebration* benefit, Occidental Community Center