



City of Sebastopol

Incorporated 1902

Planning Department

7120 Bodega Avenue

Sebastopol, CA 95472

707-823-6167

707-823-1135 (Fax)

www.ci.sebastopol.ca.us

Email: kwebster@cityofsebastopol.org

PLANNING COMMISSION

MEETING OF: February 23, 2016

SEBASTOPOL YOUTH ANNEX

425 MORRIS STREET

UNAPPROVED DRAFT MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF February 23, 2016

SEBASTOPOL YOUTH ANNEX
425 MORRIS STREET

PLANNING COMMISSION:

The notice of the meeting was posted by the City Clerk on February 18, 2016.

ANNOUNCEMENT: Please turn off all cell phones and pagers during the meeting.

1. CALL TO ORDER: Chair Doyle called the meeting to order at 7:01 p.m.

2. ROLL CALL:

Present: Chair Doyle, Vice Chair Kelley, and Commissioners Douch, Fernandez, Fritz, Jacob and Pinto (arrived at 7:02 p.m.)

Absent: None

Staff: Kenyon Webster, Planning Director
Rebecca Mansour, Planning Technician

3. APPROVAL OF PLANNING COMMISSION MINUTES of: January 26, 2016

Commissioner Fernandez made a motion to approve the minutes as submitted.

Commissioner Jacob seconded the motion.

Vote: Ayes: Chair Doyle, Vice Chair Kelley, and Commissioners Jacob, Douch and Fernandez
Noes: None

Abstain: Commissioner Fritz

4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA - This is for items *not* on the agenda, but that are related to the responsibilities of the Planning Commission or City Council. The Commission and Council receive any such comments, but under law, may not act on them. If there are a large number of persons wishing to speak under this item, speaking time may be reduced to less than 3 minutes, or if there is more than 15 minutes of testimony, the item may be moved to the end of the meeting to allow agendaized business to be conducted.

Gary Criss, a resident of Sebastopol, commented:

- Announced the upcoming 1st Annual North Bay Make-A-Thon Event, which is scheduled to take place at SOMO Village in Rohnert Park from 9 a.m. on Saturday, March 5th until 2 p.m. on Sunday, March 6th.
- Seeking volunteers for the event.
- Encouraged those interested to attend and participate in the event.

A member of the public asked Mr. Criss a question about the event.

Hearing nothing further, Chair Doyle closed Public Comment.

5. STATEMENTS OF CONFLICTS OF INTEREST

There were none.

6. PLANNING DIRECTOR'S REPORT (Update on Future Agendas, Action of Other Boards and City Council)

Director Webster provided the following update:

- At their last meeting, the City Council:
 - Introduced the ordinance to add an alternate position to the Planning Commission.
 - Reviewed Urban Growth Boundary (UGB) issues with the pending expiration of our 20-year UGB initiative.
- At their next meeting, the City Council:
 - Will consider awarding a bid for the Skatepark expansion.
 - Discuss several traffic issues related to Bodega Avenue.
 - Consider retaining a consultant for the Pine Grove Square project.
- The next Planning Commission meeting will be joint with the City Council. The topic will be the draft General Plan. The meeting will be held on Tuesday, March 8th at 4:00 p.m. The meeting will be held at the Sebastopol Youth Annex. Elements to be discussed include; Economic Vitality, Noise, and Safety. Dinner will be provided.
- The regularly scheduled Planning Commission meeting on March 22nd will serve as a scoping hearing for the General Plan Environmental Impact Report (EIR). At least one other item is expected to be on that agenda as well.
- The Planning Commission meeting on April 12th will be joint with the City Council. The topic will be Climate Action 2020. After an introduction to the Plan, the Commission and Council will begin their review.

There were no questions of staff at this time.

7. CONSENT CALENDAR (PUBLIC HEARING IF REQUESTED): None

8. PUBLIC HEARING:

A. USE PERMIT – KOWS Radio Antenna (Project 2015-126) – This is an application submitted by KOWS Community Radio for a 70-foot tall Low-Power FM antenna installation at a 3.39-acre property owned by the City of Sebastopol located at 1281 Pleasant Hill Road, Sebastopol. KOWS operates a non-profit radio station and wishes to install an antenna to expand its broadcasts. The antenna structure would be painted flat green and would be approximately 24 inches in diameter, with diagonal bracing and having an open structure. The proposed antenna requires a Use Permit. If the Use Permit is approved, the City Council will consider a lease for the antenna to be located on City property.

Chair Doyle explained the process for tonight's meeting.

Director Webster presented the staff report.

The Commission asked questions of staff.

Chair Doyle asked if the applicants wished to make a presentation.

Laura Goldman and Arnold Levine, KOWS volunteers, gave presentations and were available for questions.

The Commission asked questions of Ms. Goldman, Mr. Levine and other KOWS volunteers.

Chair Doyle asked if members of the public wished to speak on this item.

Stephen Barncard, 7420 Leland Street, commented:

- The applicant's presentation was great.
- His background includes work in radio, both of the technical level and as an on-air personality.
- Impressed with KOWS.
- Endorsed the thoroughness of KOWS with regards to this application.
- Because this station is line of sight, the antenna kind of has to be in the location the applicants have identified because specific calculations were made, etc. to ensure that it could work.
- Had questions, however, they were answered during the applicant's presentation.
- This is not a commercial or clear-channel station.
- Likes that local people are running this station.
- The emergency information they can provide is invaluable.
- Endorses this project.
- Thanked the Commission for their time.

Bob Jenkins, 1411 Pleasant Hill Road, commented:

- Lives next door to the proposed antenna site.
- His family grows organic apples and sustainably farms grapes.
- Does not use anti-freeze fan towers as had been reported.
- Has looked at the staff report pretty thoroughly.
- Staff appears to be cutting corners in the staff report.

Mr. Jenkins comments continued:

- It's been a little shocking to see how many of our core values staff appears to be willing to turn their back on for the sake of a tiny station, with a tiny audience, that's already operating in the County.
- There are a lot of glaring statements in the staff report.
- Questioned how staff could find a 70' tower categorically exempt from CEQA.
- Staff says the tower is an existing facility and is therefore exempt.
- Staff considers this a small structure.
- A 70' tall antenna is not a small structure.
- The staff report says that the antenna meets General Plan goals such as; 'Protect residential neighborhoods from the effects of adjacent non-residential uses.'
- 140 neighbors have signed a petition in opposition of this antenna and its unsightly blight in the neighborhood.
- Contrary to the staff report, a 70' antenna tower looming over Sebastopol's water tanks should not be considered a minor addition.
- It has taken decades for the trees to become big enough to adequately screen the water tanks.
- Staff says the tower preserves the views of the hills west of Sebastopol within the referral area.
- Staff says the tower preserves the scenic views of the natural landscape.
- Surely staff does not think a 70' tower is improving our landscape.
- Staff says the project minimizes our exposure to EMF radiation because it's consistent with FCC standards.
- Sebastopol banned SmartMeters and they were consistent with FCC standards.
- Sebastopol appears to stand for hypocrisy and false values from one project to the next.
- The General Plan states that a Use Permit shouldn't be granted when a use or structure are detrimental to the health, safety, peace, comfort and general welfare of persons residing in the neighborhood.
- The City should be trying to protect our neighborhood, rather than trying to harm it with a 70' antenna tower.
- Thanked the Commission for their time.

Peter Vangorder, 8150 Germone Road, commented:

- Much that has been presented in favor of the antenna has been boasting about the KOWS station and what it is for the community.
- Loves the station and would love for it to have a tower somewhere in town.
- Is not in favor of the proposed location.
- Has been interviewed by KOWS once on issues relating to sustainability and permaculture.
- Would love to see KOWS grow their listenership.
- KOWS can be streamed online.
- Expressed concern with the impact that the antenna will have on the surrounding neighborhood.
- There was talk about there being minimal impacts.
- The people that will be right under the antenna do not view the impacts as minimal.
- KOWS said that a better-looking antenna was cost prohibitive.
- The value of the land under the tower will be impacted.

Mr. Vangorder comments continued:

- If and where the antenna were to go up, would be in favor of allowing other people to use it so that there wouldn't be a proliferation of antennas.
- KOWS should not have a monopoly.
- Thanked the Commission for their time.

Alexandra Hart, 6066 Lone Pine Road, commented:

- Concern for the greater good.
- Seems to me that what KOWS is able to do for the people of our area amounts to greater good.
- Can understand not wanting the tower structure nearby, however, the impact seems minimal compared to what it will bring for our community.
- Hosts a show for elders on KOWS.
- Belongs to a neighborhood association in the Lone Pine/Bloomfield/Pleasant Hill area. All members, over thirty families in total, expressed being in support of the KOWS station.
- The greater good of the public will be served by allowing this to happen.
- Thanked the Commission for their time.

Shepherd Bliss, a resident of Sebastopol, commented:

- Has owned a small organic vineyard in the neighborhood of the proposed antenna for the past 24 years.
- Passes by the proposed antenna site many times per week.
- As Ms. Hart said, their neighborhood association supports this antenna.
- The President of Sebastopol Grange supports this application.
- Received a call regarding the signs in opposition that had been placed on a nearby property. The caller confirmed that the property owner did not approve the signs and stated that the signs had since been removed. Expressed being concerned by the fact that the signs had been posted without permission.
- Recently began hosting a KOWS program.
- The KOWS antenna is currently atop a tree at the Occidental Arts & Ecology Center (OAEC), which hosts an organic farm.
- 10 years ago OAEC paid \$3k for an engineer to study the impact of having an antenna on their farm. The engineer found that the proposed KOWS-LP facility would exhibit exposures that would be an extremely small fraction of the standards accepted by the Bioelectromagnetics Society, which was adopted by Europe, Canada and the United States. He noted that the primary contributors of RF exposure for most Occidental residents were in their homes.
- Made statements on other stations in the area to put the development of low power community radio in a regional context.
- KOWS has been up and running for almost a decade.
- KOWS had a lot to offer its neighbors.
- The decision that the Sebastopol Planning Commission will hopefully make will have a strong impact.
- Approval will widen KOWS listener base and provide a positive impact upon its neighbors.
- Asked the Commission to weigh the documented and numerous benefits against any alleged costs.
- Urged approval of this application.

Jerry Allen commented:

- Just finished his third term as Sebastopol Grange President.
- Now President of the Regional Grange Sonoma Pomona.
- Has a Masters in Public Health and is trained as a public educator.
- The Grange has a strong support for public radio as a vital link to community resilience, disaster preparedness and emergency preparedness.
- The expansion of the listenership of KOWS is extremely important.
- KOWS enriches the cultural fabric of our community.
- Used to live on Pleasant Hill Road and drove by the proposed location every single day.
- This is a great place to have an antenna.
- Acknowledged that there are people who live near the site who don't want the antenna to be placed there.
- When looking at the public good, factors have to be weighed in an appropriate way.
- Urges approval of this application.
- Thanked the Commission for their time.

Robert Foyer, a resident of Camp Meeker, commented:

- Will lose his ability to listen to KOWS on the radio, if the relocation is approved.
- Supports this application.
- KOWS has been struggling for 8 years.
- KOWS is a platform for non-commercial free-speech.
- A former member of the City Council, Kathleen Shaffer, propelled the idea of Sebastopol having a radio station. Ms. Shaffer told them on-air that they would be supported by the City Council since they were hungry for a radio station and had been seeking one for a while.
- The arguments in opposition are not viable.

Vicki Wayne, a resident of Pleasant Hill Road, commented:

- Lives very, very near the proposed site.
- Very much opposed to this project.
- It's easy to talk about the greater good.
- Emergency alerts can and do come from a number of sources.
- This antenna will be enormously visible and will be a complete blight on the neighborhood.
- Placing the antenna in this location would not be fair.
- While KOWS may be a nice channel, it can be accessed online and the tower should be located elsewhere.
- You're not going to listen to a radio station just because you get it.
- Doesn't listen to KOWS.
- This will affect property values as well as the general enjoyment of the neighborhood.
- Hopes the Commission will consider these impacts when making their decision.
- Thanked the Commission for their time.

Deborah Paggi, 1426 Pleasant Hill Road, commented:

- Lives across the street from the proposed site.
- Expressed strong opposition to the proposition.
- Her property is within visual and proximal site of the subject tower.
- Staunchly contests this proposal.
- The placement of this tower is inconsistent with Sebastopol's General Plan.

Ms. Paggi comments continued:

- The proposed tower is not consistent with the premier tenets of the General Plan.
- The General Plan would not want us to impose this commercial enterprise on our residential neighborhood.
- While minimizing visual impact is critical, maintaining a health environment is paramount.
- Questioned the risks of locating a radio antenna tower next to the water source for our entire community.
- Can't imagine how anyone could feel comfortable enough to approve this proposal.
- Sebastopol has always prided itself on balancing what is good for human beings against other species.
- Concerned about towerkill.
- Please consider the health of the citizens and wildlife in the area.
- Thanked the Commission for their time.

Mike Ruddick, a resident of Sebastopol, commented:

- Lives just east of the proposed location, on Logan Lane.
- When they purchased their home in 1999 they were well informed of the implications of rural residential living and what came with that, and they were fine with that.
- It took a while for them to realize the water tanks were stationed nearby.
- It was encouraging to see the lengths that were taken to hide the tanks.
- Dismayed to learn of this application that, if approved, will result in an antenna being visible from his home every single day.
- As an affected rural residential landowner he was compelled to state his opposition clearly.
- Curious as to what other sites had been explored, if any.
- Appreciates the Commission's earlier questions and commentary on this application.
- Believes there are alternative sites that can provide a huge upgrade to KOWS outreach.
- Other sites may allow a change in power, a change in height and provide less of a visual impact.
- Thanked the Commission for their time and consideration.

Jean Brashear, a resident of Sebastopol, commented:

- Owns property off of Pleasant Hill Road.
- Supports this application.
- KOWS radio is important for our community.

Janice Belding, 8561 Lawrence Lane, commented:

- The proposed site is immediately behind her property.
- She and her husband have lived there for 30 years.
- In 1986 she called the City Manager and asked specifically if any other structures, aside from the two water tanks (one of which had not yet been built), would be built on this site. The City Manager responded that no other structures would be built on the site.
- The trees screen the tanks pretty well during the spring and summer months.
- In 1994 an application for a cell tower on this site was submitted. The Planning Commission denied the application. The applicant appealed the decision to the City Council. Sebastopudlian, Helen Shane, spoke at the hearing on the importance of being good neighbors. The Council denied the application.
- Urged the Commission to live up to the integrity and ecological principals that Sebastopol is known for, to be good neighbors, and deny this request.

Ms. Belding comments continued:

- Thanked the Commission for their time.

Laurie Fusfield, a resident of Sebastopol, commented:

- Has lived on Lawrence Lane for ten years.
- Huge supporter of public radio.
- The people against this project have nothing against public radio.
- We don't need KOWS for emergency alerts.
- Expressed concern over colocation.
- We're fooling ourselves if we think that we're only talking about one low energy FM transmitter.
- It doesn't make sense to put a lot of towers up, it makes sense to co-locate.
- Federal regulations can require municipalities to put up cell towers and colocation is a real possibility.
- Heard that KOWS has already purchased a tower.
- The area is a prime corridor for entering and exiting Sebastopol.
- This site was meant for essential services, this is not an essential service.
- Thanked the Commission for their time.
- Provided a handout to the Commission.

Debbie Hurst, a resident of Sebastopol, commented:

- If approved, this will be a 70' eyesore and will obstruct the view that she has come to enjoy from the second story of her home.
- Thanked the Commission for their time.

Allen Horn, a resident of Sebastopol, commented:

- Resides at the corner of Pleasant Hill and Bodega.
- Read a statement about his time in the U.S. Coast Guard and on their use of radiation weapons.
- Urged denial of this application.
- Thanked the Commission for their time.

Doug Emery, a resident of Sebastopol, commented:

- Has nothing against KOWS.
- Loves access, Sebastopol and radio.
- This is core value of Sebastopol versus a great enterprise.
- The dilemma is in trying to figure out how we can make this work for everybody.
- 70' is pretty high up.
- Concern with colocation.
- Doesn't trust these processes.
- Wants this to be a win-win.
- This community deserves better.
- Hopes that the Commission will do the right thing and deny this application.

Terry Noe, 8555 Lawrence Lane, commented:

- Lives near the proposed site and is an Electrical Engineer.
- While within Federal limits, those limits may be too conservative.
- Sebastopol has already said no to PG&E's SmartMeters.
- Per his own calculations, this antenna would transmit 400x more than SmartMeters.

Mr. Noe comments continued:

- Asked the Commission to treat the residents, both in and outside of the City limits, at least as well as they'd treat themselves.
- Thanked the Commission for their time.

Michael Nader, a resident of Sebastopol, commented:

- Lives near the proposed site.
- Referred to a statement with fourteen points of objection to the proposed tower, which had been previously provided to the Commission.
- Urged the Commission to read them very careful.
- Thanked the Commission for their time.

Michael Carnacchi, a resident of Sebastopol, commented:

- Great to see such a turnout from the public.
- It's important to remember that people can listen to KOWS over the internet.
- Questioned how many people would actually benefit by moving the antenna to the proposed location.
- Suggested that this item be continued in order for the Commission to gain more information.
- Thanked the Commission for their time.

Mark Hogan, a resident of Sebastopol, commented:

- Lives off of Lone Pine Road.
- If he could get away with it, he'd be willing to have the antenna on his property.
- The visual impact of the tower should not be weighed so heavily.
- There's a lot of stuff that he sees that he doesn't like, yet somehow, he manages to tune it out.

Patrick Norton, a resident of Sebastopol, commented:

- Has lived near the proposed site his whole life.
- Huge supporter of community radio.
- Not in support of the proposed tower.
- Approval of this project will set a precedent for more towers.
- Has never found himself wanting for radio stations or emergency broadcasting.
- Thanked the Commission for their time.

Celia Gordy, a resident of Sebastopol, commented:

- Lives near the proposed site.
- Nobody would want this tower put up near his or her home.
- The Commission has to vote against this application.
- Approving this application would be unfair to the immediate neighbors.

Nancy Hubert, a resident of Sebastopol, commented:

- Kind of wished she lived out of town because she lives near the cell tower at City Hall.
- Existing city antennas have been added to without public input.
- The visual impact is the obvious problem.
- The main problem is the potential for ongoing, future health issues from a tower that gets loaded up with all kinds of cell antennas, and whatever else.
- Has nothing against public radio.
- Has listened to KOWS.

Ms. Hubert comments continued:

- Was previously interviewed by John Starkey on KOWS regarding SmartMeters.
- Most people don't have a clue about how harmful radio frequency microwave radiation is to human health. This is due in part to a huge cover up by the cellphone industry.
- Huge concern with impacts on health should colocation occur.
- The Telecommunications Act of 1996 has some provisions about colocation that are very scary.

Mark Hurstel, a resident of Lewanna Lane, commented:

- Hard to add anything more to the objections that have already been expressed.
- Absolutely against the proposed tower.
- The Federal Aviation Administration (FAA) may require that an anti-collision light be placed on top of the tower due to its height.
- Urged the Commission to consider the objections they'd heard in their deliberations.
- Thanked the Commission for their time.

An unidentified woman commented:

- Lives directly north of tower location.
- Purchased her home last October.
- Moved here primarily because she wanted to be away from urban sprawl, towers, and the like.
- The water tanks seem to be part of the landscaping because they're low and beautifully screened.
- The same will not be true with the tower.
- Has had recent experience with kids pulling pranks.
- The fence between her property and the City site is almost non-existent.
- People may attempt to climb the tower.
- Asked if there were surveillance cameras on site.
- There needs to be some sort of oversight on the property.
- Thanked the Commission for their time.

Sandi Maurer, a resident of Sebastopol, commented:

- Was struck by the fact that the antenna would be a gain for KOWS as they're proposing to increase from a 3-watt antenna to a 15-watt antenna.
- Questioned why KOWS would need 5 times more power than they currently have.
- The City needs a staff person with conflict resolution skills.
- Seems unfair to task the Commission with making a decision when there are such strong feelings on both sides.
- If you approve the antenna, the neighbors will lose and it's possible that wildlife will lose too.
- KOWS made a mistake when they wrote a letter in the local paper and said that radio waves are safe.
- The State of California and the Public Utilities Commission recommends prudent avoidance.
- Believes in and values progressive radio.
- This shouldn't be a taking of other people's property.
- Thanked the Commission for their time.

John Carrol, a resident of Sebastopol, commented:

- Thanked the Commission for their thoughtful consideration of all that had been said this evening.
- Has been a resident of Sebastopol for approximately 30 years.
- Loves public radio.
- Doesn't like to see the issues expressed being characterized as only local neighbors being in opposition because of the visual impact that the tower will have.
- The tower will be amongst two, 3 million gallon water tanks, which supply water to the residents of Sebastopol.
- Urged more study on the potential effects of having this tower placed near our water supply.
- The City cited scientific evidence about the effects of radio waves in denying a proposal by O'Reilly to broadcast free Wi-Fi throughout the city.
- These issues should be more prudently evaluated.
- As a nearby resident, he doesn't want to see a tower up on that ridge either.
- It's important to look at this from a health standpoint, citywide.
- Doesn't trust the Federal Government to evaluate matters relating to health.
- Wished the Commission good luck in their deliberations.

Doug Conover, a resident of Blackney Road, commented:

- Moved to Sebastopol 24 years ago.
- Spoke on his current view and on the visual impact of the proposed tower.
- The 40' water tanks are already giant.
- A 70' tall tower is a lot taller.

Gary Criss, a resident of Sebastopol, commented:

- The Youth Annex is 75' above sea level.
- The tower, if approved, will affect the culture of the larger community.
- It's hard to know what the right thing to do is.
- Thanked the Commission for their time.

Richard Rudy, a resident of Sebastopol, commented:

- Lives near the proposed site.
- Is a Programmer for KOWS.
- Believes in loving your neighbor as you would yourself.
- Sees stress of neighbors.
- KOWS provides benefits.
- Understands the dilemma.
- KOWS has been instrumental in bringing people together in a meaningful way.
- Hopes that the community can come together to support each other.
- Thanked the Commission for their time.

Hearing nothing further, Chair Doyle closed the Public Hearing.

The Commission asked additional questions of the applicants and staff.

Chair Doyle asked for comments from the Commission.

Commissioner Fritz commented:

- Appreciates hearing all of the comments that were brought forward tonight.
- Very much appreciates KOWS and what they do for our community.
- Expressed having some concerns with locating a 70' tall tower in a fairly bucolic, rural setting.
- This property is a City island.
- The site works well for the water tower function, however, this isn't necessarily a good place to start adding other uses.
- The water tanks are pretty well disguised.
- A 70' tall tower, regardless of the footprint, is still a 70' tall tower.
- Expressed concern with setting a precedent and also with possible future proliferation.

Commissioner Douch commented:

- Thanked members of the public for their helpful comments.
- Acknowledged that this was a complicated and difficult issue.
- Weighing the impacts on the neighborhood is difficult, but important.
- It's hard to judge the real impact that this tower may have.
- Biggest concern is with colocation.
- In the event of an approval, would like to explore if there is a means to prevent colocation from occurring.

Commissioner Fernandez commented:

- The work that KOWS does is commendable.
- Appreciates the value and passion that KOWS brings to the community.
- Nobody is here to speak out against KOWS and the work that they do.
- Commended the public on how they handled themselves when speaking on this item.
- The proposed use meets the General Plan designation, along with a number of the other criteria listed.
- In good conscience, he could not consider this a minor physical alteration.
- Expressed being concerned with the justification that this site is appropriate because there are already two water tanks on it.
- The footprint of the antenna is not the issue, the height is.
- There's a contradiction between the antenna being said to, 'constitute a minor physical alteration' and the Telecommunications Ordinance which states, 'protect the visual character of the city from the potential adverse effects of telecommunication facility development and minor antenna installations.'
- Does not consider the radio tower a supplemental use, as it is not consistent with the existing use.
- In good conscience, he could not say that installation of this antenna would not be detrimental to health, safety, peace and comfort.
- Based on historical perspective, he could not assure that no further changes would occur in the future.
- We don't factually know about the impacts on our health.
- Thought it strange that the Federal Government would state that health could not be a consideration when reviewing these types of applications.
- Determining the greater good is debatable.
- Reiterated that he could not consider this a minor physical alternation.
- The proposal is contrary to some items in the General Plan.

Commissioner Jacob asked a procedural question of Chair Doyle.

Commissioner Jacob commented:

- A lot of different issues have been brought up.
- There is a scenic and visual impact to having a tower.
- There are PG&E power lines and poles all over the place in that area.
- Expressed being less swayed by the height of the tower.
- There is value to having a local radio station.
- Not everyone has online access.
- From a community standpoint, having local radio is important.

Vice Chair Kelley commented:

- Has a history of neighborhood advocacy.
- Viewshed issues are always difficult to deal with.
- As a healthcare provider, the issue of radiofrequency pollution is a concern. Because KOWS is a low-powered station she wasn't too concerned, however noting that it would run 24 hours per day.
- Noted that one of the issues with SmartMeters was, while low-powered, the signal would repeat from neighbor, to neighbor, to neighbor, all over town.
- Her biggest concerns were the viewshed issue and the matter of colocation.
- Not convinced that another site could not be located.
- There is value of radio in state of emergency.
- Like the neighbors, she wouldn't want to live under the tower either.
- Continuing this application may be appropriate in order to allow the applicant to explore alternative sites.

Vice Chair Pinto commented:

- Echoed the fact that the Commission was being put in an awkward position.
- Could find himself approving the application with the conditions set forth in the staff report if he was convinced that there was no other site that could work.
- We need to confront the fact that regardless of the location, this room will be full with people who want to comment on it.
- In order to confront that, we need to reassure ourselves that we are dealing with a site that produces the best benefit and the least cost.
- Would like to see an analysis of other potential sites and/or additional data on how this site was arrived at.
- With regards to EMF, he purchased a meter a few years ago and carries it with him wherever he goes.
- While there are a number of 'hot spots' in town, he has concluded that the greatest disfavor we do ourselves is mostly in our own homes.
- Doesn't feel that strongly about FM transmission.
- Would like to have a deeper understanding that there has been a thorough analysis of all of the alternative sites, and that this site packs the best punch for the general community.
- We should try to accommodate this kind of use.
- Expressed concerns over setting a precedent.
- Approval of this may give KOWS a monopoly on a key site in town.
- Would like time to think about this more.

Chair Doyle commented:

- Agreed on this being a very difficult issue.
- It's impossible to please everyone.
- Absolutely sympathized with the neighbors.
- Doesn't personally have concerns on radiation, as this would be a low-powered antenna.
- Did not believe that the view disturbance would be as bad as is feared.
- There are a lot of vertical elements in that viewshed.
- While this would be one more vertical element, and by far the tallest, it would be placed a long ways away from most properties.
- Welcomes further discussion.

Commissioner Fernandez asked whether the rest of the Commission considered this to be a minor physical alteration.

Commissioner Fritz commented that he would consider a 70' tower a fairly significant modification, not minor, or small.

Chair Doyle asked Director Webster for information on the next level of scrutiny for this type of application.

Director Webster responded:

- The next level of scrutiny would be an Initial Study.
- The Initial Study would be performed by City staff or in some cases, a consultant.
- There is a checklist under CEQA that looks at a whole range of issues.
- When evaluating a project you analyze each one of the issues listed in the checklist.
- The responses have to be explained.
- If a potential impact is identified, the Initial Study can say whether or not there is a mitigation measure, change to the project, or condition of approval that can be imposed that would reduce the impact to an acceptable level.
- If a significant environmental impact is found and cannot be mitigated the next level would be an Environmental Impact Report (EIR), which is a whole other analysis.

Chair Doyle thanked Director Webster for his response and commented that an EIR would be very expensive.

Director Webster agreed and commented that an Initial Study has the potential to be quite costly as well.

Chair Doyle commented:

- It's very self evident what the issue is.
- Ultimately this is a matter for the interpretation and discretion of the Commission.
- Did not see the necessity to require the applicant to pay for more environmental review.

Commissioner Jacob asked for a straw poll on who considered the visual impact to be at the level of requiring an Initial Study.

Commissioner Pinto did not.

Vice Chair Kelley stated that she'd like to see a viewshed analysis.

Chair Doyle did not.

Commissioner Fernandez that he was not pushing for a study, he was just asking if the rest of the Commission agreed with the statement about this application being exempt from the requirements of CEQA because it was considered a minor physical alteration.

Commissioner Douch commented:

- In favor of this application in principal.
- Sympathetic to the concerns from the neighbors regarding the viewshed.
- At this stage there are still questions that need to be answered.
- More information on appropriate alternative sites is needed.
- Careful consideration of all sites is needed because most anybody will object to a tower being placed in his or her backyard.
- Although in favor of the application, the questions regarding CEQA and General Plan conformance were enough for him to want to see more information, in order to better evaluate the visual impact.
- Keen to act on this application to allow the process to continue.

Commissioner Fritz asked if there were other FCC emergency alert designated stations in the area.

A member of the public commented that there were about 20 stations in the area.

Commissioner Fritz commented:

- Supports KOWS.
- What KOWS does is great.
- Approving this application because KOWS will provide emergency alerts in a time of need isn't a good enough reason because there are other avenues by which that information can be received.
- Interested in seeing information on appropriate alternative sites, particular in more urban areas.

Commissioner Jacob commented:

- Would prefer to continue this application to allow for additional information, rather than denying it tonight.
- There is a large standing in the neighborhood and community that is really concerned about this.
- Would be interested in receiving information about alternative sites within our purview.
- Wants to be a Commission that balances the public good for a larger community.
- Creating a community that we want to live in by giving up some of our autonomy is a balancing act that we're always dealing with.

Commissioner Fernandez concurred.

Chair Doyle commented that the applicant might prefer a denial, if that's the consensus of the Commission, rather than a continuation so they can file an appeal if they so choose.

Director Webster commented that they might want to ask the applicant about a continuance versus other actions.

Chair Doyle asked to hear from the applicants about a continuance versus other actions.

Mr. Levine responded:

- They spent three years looking at alternative sites, including sites in downtown Sebastopol.
- Because of the other stations in the area, the FCC would not allow them into downtown Sebastopol.

The Commission asked additional questions of the applicant.

Ms. Goldman commented that they had tried very hard to comply with the regulations and guidelines of Sebastopol.

Members of the public interjected in an attempt to reopen public comment and ask questions of the applicant.

Chair Doyle asked members of the public to hold their comments as the Public Hearing had closed.

The Commission asked additional questions of the applicant.

Commissioner Jacob commented:

- Agreed that continuing this application would only be putting off a hard decision.
- The applicant has looked at sites and has determined that this is the best one for their needs.

Chair Doyle asked if anyone wished to make a motion.

Commissioner Pinto commented:

- Acknowledged the concerns expressed by the neighbors.
- Anywhere else within our city limits is likely to have more neighbors.
- Curious about exploring alternative locations on the proposed site.

Commissioner Pinto made a motion to approve the application as submitted.

Commissioner Jacob seconded the motion.

Commissioner Douch asked Commissioner Pinto if he'd be willing to amend his motion to include the following conditions:

- The tower structure shall include anti-climb panels.
- The site shall be secured with appropriate fencing.

Commissioner Pinto agreed to amend his motion as stated by Commissioner Douch.

Commissioner Jacob seconded the amended motion.

Chair Doyle asked for additional discussion.

Commissioner Fernandez asked staff to explain the appeal process.

Director Webster explained that an appeal could be filed by anyone within 5 working days. He noted that an application form would need to be completed, and fee paid.

The Commission voted on the amended motion as follows:

Vote:	Ayes:	Chair Doyle and Commissioners Pinto, Douch and Jacob
	Noes:	Vice Chair Kelley and Commissioners Fernandez and Fritz
	Abstain:	None

The motion carried.

Chair Doyle adjourned the meeting for a brief break at 10:17 p.m.

Chair Doyle resumed the meeting at 10:30 p.m.

B. VILLAGE BUILDING CONVERGENCE 2016 PROJECT – Multiple locations – This is a submittal from a local non-profit for a variety of temporary and permanent art-related projects on public and other property in Sebastopol. Planning Commission review and comment is required for projects proposed for location in public parks.

Director Webster presented the staff report.

Chair Doyle asked if the applicant wished to make a presentation.

Sebastian Collet gave a presentation and was available for questions.

The Commission asked questions of Mr. Collet and staff.

Chair Doyle introduced City Project: 1 – Repainting Street Murals.
The Commission asked questions of Mr. Collet on that project.

Chair Doyle commented:

- Likes the fish.
- With this concept, the process is as important as the final product.
- Because it is ephemeral, it would be nice to come up with a new design, rather than repainting what had been done before.
- Repainting the previous design does not seem to be in the same spirit of the initial project.
- Expressed being surprised that something new and different wasn't be proposed.

The Commission asked additional questions of Mr. Collet.

Commissioner Pinto asked Chair Doyle if the Commission could focus their discussion on projects 6,7, and 10 as requested in the staff report.

Chair Doyle stated that he had questions on City Project: 5 – Leland Street Farms.
However, he agreed to discuss projects 6,7, and 10 first.

Chair Doyle introduced City Project: 6 – Natural Log Hives.

Mr. Collet gave a brief presentation.

The Commission asked questions of Mr. Collet on the project.

Chair Doyle commented:

- Interested in preventing yellow jackets from inhabiting the hives.
- Suggested placing a sign at the trail, nearest the hives, for educational value and also as a warning for people who may be allergic to bee stings.
- This is a cool project.
- It's important to demonstrate that it's well secured.

Commissioner Fernandez commented:

- Would be good to identify it as a project on the site.

Commissioner Jacob asked a clarifying question of staff.

Commissioner Jacob commented:

- Likes the idea of providing more habitats for honeybees.
- Meadowlark is an appropriate location.

The Commission agreed on being in support of this project.

Chair Doyle introduced City Project: 7 – Libby Park Green Path.

Commissioner Pinto commented:

- This is also included in Sebastopol's Bicycle and Pedestrian Master Plan as a desired connection.
- Really likes it a lot.
- This is a great project and a wonderful opportunity.
- Encouraged creativity with pavers, as are being proposed, in terms of colors and patterns, etc.
- This would be a very heavily used connection.

Commissioner Jacob commented:

- If in Sebastopol's Bicycle and Pedestrian Master Plan as a desired connect, a project should support that.
- Did not think that it could be designed and approved to be ADA compliant by April.
- Would be great if improved, but it needs to go through an appropriate approval process.

Chair Doyle commented:

- Agreed with Commissioner Jacob.
- This is a good concept, however, further study is needed.
- A lot of water flows through that area as well so close attention should be paid to drainage, etc.

The Commission asked clarifying questions of staff.

The Commission agreed on being in support of the concept, however noting that further study was needed.

Chair Doyle introduced City Project: 8 – Bodega Avenue East-West Pathway.

Chair Doyle commented:

- This will not work as proposed.
- Engineering is needed.
- Expressed concerns over possible liability issues.

Mr. Collet gave a brief presentation.

The Commission asked questions of Mr. Collet and staff.

Commissioner Jacob commented:

- This is a really important opportunity and while not appropriate for the VBC, this should be a high priority for the City.
- Something as simple as restriping the edge of the roadway to provide a 3' path through that area may be a workable interim solution.

Member of the public, Mr. Criss, expressed being in agreement with Chair Doyle and Commissioner Jacob with regards to the health and safety concerns raised and on the need for something to be done.

Commissioner Doyle commented:

- Appreciated the intent of the VBC with this project.
- This was outside the scope of a VBC type project.
- Agreed that this was not an appropriate project for the VBC.

Commissioner Pinto commented:

- Disclosed a conflict with this project.
- Has been representing the landowner in his negotiations with the developer.
- The landowner has expressed a willingness to have improvements made to that area, on his property, if it makes sense to the community so long as he was held harmless, etc.
- Agreed that a project like this would be too involved for the VBC.

Chair Doyle commented:

- On Ragle Road, between Stitch and Frankel, there is one property that doesn't have sidewalk.
- As a solution, because the street is wide enough, they have a nice white painted line with a whole bunch of reflectors and it's very effective and safe feeling.
- Something like that may be appropriate in this situation as well, if there is enough overall width across the street.
- Suggested that that be added as something for the Public Works Department to look into as a project.

Chair Doyle introduced City Project: 10 – Community Loom/Community Grief Space.

Chair Doyle commented that some of the photos were really cool but that the proposal was lacking specifics.

Mr. Collet gave a brief presentation.

The Commission asked questions of Mr. Collet and staff.

Commissioner Fritz commented that he liked the idea and was open to it.

Commissioner Douch commented:

- In principal it is a great idea.
- This is a great use for the space.

Chair Doyle commented that the Commission appeared to be in consensus on being supportive of the idea.

The Commission agreed.

Commissioner Douch commented that he would recommend that all of these move forward to the City Council, with the exception of City Project: 8 - Bodega Avenue East-West Pathway.

Chair Doyle commented that he had some questions and comments on City Project: 5 – Leland Street Farms.

Property owner, Nancy Preblich, gave a brief presentation and was available for questions.

Chair Doyle expressed having a number of concerns and asked clarifying questions of Ms. Preblich.

Chair Doyle commented:

- Depending on what is being proposed, there may be setback issues; additional information may be required when going before the City Council.

C. PRELIMINARY ANNEXATION REVIEW – Village Park-Tomodachi Park Property, 6665 Sebastopol Avenue (Project 2015-52) – This is an application submitted by the City of Sebastopol for Preliminary Annexation Review to consider whether to initiate annexation of the Village Park property located at 6665 Sebastopol Avenue, as well as a potential related General Plan amendment to change the Sphere of Influence. The subject property is currently located within the County of Sonoma jurisdiction, but is directly contiguous with the City limits, and is provided with City sewer and water services. The City of Sebastopol owns the property and is therefore initiating the annexation of the two parcels (APN's 060-060-001 and 004-063-017). The 12.4-acre property proposed for annexation is developed with a 3.7-acre mobile home park, and Tomodachi Park, an 8.7-acre public park, which has a permanent open space easement. The City does not intend to alter these uses at this time.

THIS ITEM HAS BEEN FORWARDED TO A FUTURE AGENDA.

D. MANDATORY ZONING ORDINANCE AMENDMENTS PURSUANT TO ADOPTED HOUSING ELEMENT – The City Housing Element identified a number of Zoning Ordinance amendments that are mandated by State law. The amendments were identified in the City Housing Element adopted in 2015, and include: update density bonus provisions to be consistent with State law; modify provisions regarding farmworker housing, homeless shelters, and transitional and supportive housing; modify second dwelling unit procedures to provide for administrative approval and make changes in other provisions; modify provisions regarding manufactured housing for consistency with State law.

THIS ITEM HAS BEEN FORWARDED TO A FUTURE AGENDA.

9. DISCUSSION ITEMS: None

10. WRITTEN COMMUNICATIONS: None

Commissioner Fernandez commented that he would not be able to attend the meeting on Tuesday, March 8, 2016.

11. ADJOURNMENT: Chair Doyle adjourned the meeting at 11:34 p.m. The next meeting will be a special joint meeting with the City Council. The meeting will be held on Tuesday, March 8, 2016 at 4:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted By:

Kenyon Webster
Planning Director