

Hi, all.

Attached is a new Palmdale ordinance draft from Richard Kite; it incorporates a few but not most of our proposed provisions. On the plus side, the antenna size threshold below which a CUP is not required is now 35 feet, which will accommodate large 20m yagis and even a full-sized 2-el 40m beam. Much as I'd like to see lot lines as the only size limit, I think this should be workable for the great majority of Hams.

Below is my response to him; please give your comments back to this group so we can pass then on to him on a timely basis. Please also let me know if you have any concern about my detailed response to Mr. Kite.

73,

Marty N6VI

----- Original Message -----

From: Marty Woll

To: Richard Kite

Sent: Thursday, May 19 and Thursday, May 26, 2011 (combination of two messages I sent him)

Subject: Re: Antenna dimensions

Dear Richard,

On a quick read through the revised draft, I noted that single-element wire antennas and their supports do not appear in 95.03 C 7. It is important and completely appropriate that they receive the same exemption from regulation as other antennas in that category. These are non-structural, low-visual-impact and low-cost antennas that we already know the Dep't of Building and Safety is not concerned with. Failing to provide this will have several negative and/or illogical results.

Similarly, I see that the draft does not reflect our recommendation for exemption of slender ground- and roof-mounted verticals, also of no concern to Building & Safety. Please reconsider these points.

In addition, I would point you to Chapter 8.04.230 of the Municipal Code and suggest that:

- a) Amateur Radio operators should enjoy the same exemptions as available to every other kind of antenna user, i.e., no permit required up to 45 feet; and
- b) Since the absence of a permit requirement is a strong indication that there is no health or safety issue for antennas at or below 45 feet, there is similarly no need for any other approval, fee or hurdle that would involve the Planning Department.

I believe the language we offered at our meeting accomplishes the above.

Your most recent draft still has a fixed or retracted height limit of 45 feet in order to avoid a CUP; there is no middle ground for fixed structures between 8.04 and a CUP. In

addition, having Planning discretion at adjust dimensions and other conditions is inconsistent with the by-right concept. Practically everything becomes a discretionary process.

95.03 F 5 d and e are subjective and undefined, making it impossible for an applicant to tell whether his or her proposed installation would be in compliance. (This is the kind of thing that got the city's last ordinance voided.) I recall at least one Council member expressing the opinion that the city should not be in the view-protection business, and we agree.

95.03 G still refers to changes in equipment, which can be broadly construed. Choice of transmitting and receiving equipment or changes thereto have nothing to do with the antenna structure and are not the province of local governments. This wording should be eliminated.

Now that I'm home, I can forward your revised draft to others for further input and will do so. I realize that the City Council would like to wrap this up by the end of June, and I will get any further input to you as soon as I receive it.

Regards,

Marty Woll