

From: [City Council](#)
To: [Mary Gourley](#)
Cc: [Oriana Hart](#); [Erik Billing](#); [Torran Korman](#); [Elissa Overton](#)
Subject: FW: Sidewalk Racks
Date: Tuesday, August 04, 2026 5:46:16 PM

Please see public comment as it relates to an agenda item that will be on a city council meeting.

BCC: Email BCC to City Council, City Attorney

City staff that received this email are listed in the CC distribution line as noted above.

City Staff: Please Post to City Website

Thank you

Mary Gourley

City Manager

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From: [REDACTED]
Sent: Tuesday, August 4, 2026 3:02 PM
To: City Council <citycouncil@cityofsebastopol.gov>
Subject: Sidewalk Racks

Public Comment Agenda-Item-Number-6-Ordinance-Related-to-Newspaper-Racks-Corrected_1-1.pdf

I support the City's goal of improving sidewalk safety, accessibility, and reducing ugliness. The proposed ordinance recognizes that news racks are protected by the First Amendment, however, I believe some additions would improve the Ordinance.

I have three suggestions that I believe would make the ordinance stronger and less vulnerable to legal challenge.

1. **Exclude Non news racks from the "News Rack" definition.**
2. **Include ADA compliance.** The draft ordinance prohibits sidewalk racks from obstructing wheelchair traffic, curb ramps, and pedestrian passage, but it doesn't explicitly require compliance with ADA accessibility standards. Add requirements for compliance with applicable ADA and California accessibility requirements would provide an objective measurement for enforcement over subjective wording such as "unreasonably interfere."
3. **Lack evidence for 100-foot spacing requirement.** The ordinance requires racks to be at least 100 feet apart and limits downtown blocks to three newsracks per side. No justification as to why those specific limits are necessary or how spaces will be allocated if more vendors apply than there are spaces available. Clear findings or objective allocation criteria would strengthen the ordinance.
4. **Objective standards for permits.** The ordinance establishes timelines for permit decisions and appeals. It would be more efficient to make it clear that permits would

be issued whenever an applicant meets the objective standards in the ordinance.

5. Eliminate non news racks, the city is not required to host them on our sidewalks, we don't have the administrative bandwidth to permit and monitor these eyesores. These racks add nothing to our community. The vendors can negotiate with private store fronts for placement.

These changes would improve accessibility, fairness, and assure ADA compliance.

Thank you for your consideration.

M Kelly