



PACIFIC PALISADES COMMUNITY COUNCIL

June 20, 2017

Assembly Committee on Local Government

Hon. Cecilia Aguiar-Curry, Chair, and Hon. Marie Waldron, Vice-Chair

Hon. Committee Members: Richard Bloom, Anna Caballero, Lorena Gonzalez Fletcher,

Timothy Grayson, Tom Lackey, Sebastian Ridley-Thomas, Randy Voepel

California State Assembly, State Capitol

P.O. Box 24289

Sacramento, CA 94949

Via email

Re: SB 649 (referred to the Assembly Committee on Local Government) -- OPPOSE

Dear Chair Aguiar-Curry, Vice-Chair Waldron and Members of the Committee:

Pacific Palisades Community Council (“PPCC”) – the most broad-based community organization and voice of the Palisades since 1973 – strongly supports enhanced local regulation of wireless telecommunications facilities (“WTF” – more commonly known as “cell towers”) in the public right of way. We oppose SB 649, which severely restricts the ability of local governments to regulate so-called small cell WTF; strips cities and counties of their police power granted under the California constitution; and violates the principle of “Home Rule.”

SB 649 would give so-called small cell WTF “by right” status, denying local governments discretionary authority over location and aesthetics of most WTF in public rights of way throughout California, with limited exceptions. Under this bill, WTF located in many sensitive areas would lose the critical protection afforded by local government review, i.e., in front of homes in residential zones, in areas protected by duly enacted Specific Plans and in or adjacent to parkland, open space, scenic highways or otherwise protected mountain areas, as well as on all public property, including city and county parks and recreational facilities and schools (with only three limited exceptions: in coastal zones, historic zones and on fire stations).¹

PPCC joins with over 110 California cities, counties and governmental coalitions statewide in opposing SB 649, including the County of Los Angeles, the County and City of San Francisco, the California State Association of Counties, the American Planning Association (California Chapter), the Urban Counties Caucus, the League of California Cities and many cities located in the Districts represented by this Committee’s Members. We are advised that Los Angeles City Councilmember Mike Bonin (11th Council District) also opposes the bill, and a resolution in opposition is now pending in Los Angeles City Council:

http://clkrep.lacity.org/online/docs/2017/17-0002-s69_rpt_CLA_05-18-2017.pdf.

PPCC respectfully urges Members to vote NO on SB 649 in the Committee on Local Government.

¹See commentary on SB 649 by nationally known attorney and telecommunications expert Jonathan Kramer: <http://wireless.blog.law/category/sb649/>. The bill’s overly broad definition of “small cells” (dimensions of up to 6 cu. ft. in antenna volume and up to 21 cu. ft. for associated equipment, including 9 cu. ft. for a single piece of related equipment – with other ancillary equipment excluded from volume calculations) encompasses facilities so large that it effectively exempts *virtually all WTF in the public right of way and on public property statewide from local regulatory review.*

Thank you for your consideration.

Sincerely,

Maryam Zar
Chair, Pacific Palisades Community Council

cc (via email):

Hon. Los Angeles City Councilmember Mike Bonin (CD11): mike.bonin@lacity.org

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LG Cmtee staff: angela.mapp@assembly.ca.gov

Senate staff: nidia.bautista@sen.ca.gov