



PACIFIC PALISADES COMMUNITY COUNCIL

June 16, 2017

Hon. Assemblymember Richard Bloom,
50th Assembly District
1800 28th Street
Santa Monica, CA 90405

Via email

Re: SB 649 (Passed in Senate; now in Assembly and pending Committee assignment) -- OPPOSE

Dear Assemblymember Bloom:

Pacific Palisades Community Council (“PPCC”), which is the most broad-based community organization and voice of the Palisades since 1973, has been on record strongly supporting enhanced local regulation of wireless telecommunications facilities (“WTF” – more commonly known as “cell towers”) in the public right of way.

We write today to express concern and opposition to the SB 649, based on our long held positions in support of home rule / local regulatory authority. In the past two years PPCC joined with numerous local governments and organizations statewide opposing legislation involving WTF regulation (AB 57 and AB 2788), based on concerns that these bills would severely restrict the ability of local governments to regulate.

SB 649 is similar in scope to AB 2788 (withdrawn by the author last year in the face of strong opposition). 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, in or adjacent to parkland, open space, scenic highways and in otherwise protected mountain areas, as well as on all public property, including city and county parks and recreational facilities and all schools (with only three limited exceptions: in coastal zones, historic zones and on fire stations).¹ It will essentially give so-called small cell WTF “by right” status, denying local governments location and aesthetic discretionary authority over most WTF in public rights of way throughout almost all of the state, with limited exceptions.

PPCC now 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 virtually all cities located in the 50th Assembly District. 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 the full Los Angeles City Council (http://clkrep.lacity.org/onlinedocs/2017/17-0002-s69_reso_04-28-2017.pdf).

We urge that you vote NO on SB 649 should it come to you as a member of the Local Government Committee and/or in the full Assembly.

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 so-called “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) encompasses facilities so large that it effectively exempts *virtually all WTF in public rights of way and on public property statewide from local regulatory review*.

Thank you for your consideration.

Sincerely,

Maram Zar
Chair, Pacific Palisades Community Council

cc (via email):
Hon. Los Angeles City Councilmember Mike Bonin, 11th Council District