



CITY OF WEST HOLLYWOOD

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Councilmember

April 12, 2017

The Honorable Ben Hueso
California State Senate
State Capitol Building, Room 4035
Sacramento, CA 95814

Dear Senator Hueso:

**RE: SB 649, Small Cell Wireless Infrastructure Permitting
(as amended March 28th) - Oppose**

The City of West Hollywood opposes SB 649 which would unnecessarily and significantly impact the City's ability to permit the placement of small cell wireless antenna and related equipment. SB 649 would prohibit local government discretionary review of small cell infrastructure permitting regardless of whether they will be collocated on existing structures or located on new "poles, structures, or non-pole structures," including those within the public right-of-way.

The City of West Hollywood concurs with the League of California Cities that the prohibition of a discretionary permit, as proposed in SB 649, would eliminate public participation from the permitting process and preempt adopted local land use plans by mandating that "small cells" be allowed in all zones as a use by-right. Without a discretionary permit, "so called" small cell structures would not be subject to the California Environmental Quality Act (CEQA) or consideration of neighborhood aesthetics, design and nuisance impacts. The definition of a small cell includes other small cell equipment and therefore, the cumulative size specifications of all the small cells and associated equipment far exceed the impacts from a single cell.

SB 569 unconstitutionally preempts local authority and gives control of public property to private telecommunications companies. .by requiring local governments to make available sites they own for the installation of a small cell. While the city may place "fair and reasonable terms and conditions" on the use of city property. SB 569 does not provide the city with any discretion to deny a small cell to be located on city property except for fire department sites.

Requiring local government to approve small cells in its land use zoning by a ministerial permit is not in the best interest of our community. Therefore, the City of West Hollywood must respectfully oppose SB 649.

Sincerely,

Lauren Meister
MAYOR

Cc: Hon Benjamin Allen, SD 26

