



CITY OF MOORPARK

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May 30, 2017

SENT VIA FACSIMILE

The Honorable Ben Hueso
California State Senate, District 40
State Capitol, Room 4035
Sacramento, CA 95814
FAX: (916) 651-4940

RE: Opposition to SB 649 – Wireless Telecommunications Facilities

Dear Senator Hueso:

The City of Moorpark respectfully writes in opposition to SB 649 related to the permitting of wireless and small cell telecommunications facilities. This proposal unnecessarily strips local authority over public property and shuts out public input and local discretion by eliminating consideration of the aesthetic and environmental impacts of “small cells.”

As is the case with most jurisdictions throughout California, Moorpark is home to examples of cell sites that are well done and that are poorly done. Over time, the city has learned how to partner with telecommunication companies to create effective and well-planned cellular infrastructure to serve the community. Given the topography and abundance of buildings in Moorpark, it is currently easy to both provide sufficient coverage and appropriately incorporate simple solutions to address any aesthetic and/or environmental concerns. While some jurisdictions may be abusing the current regulatory framework, completely eliminating all jurisdictions’ discretionary reviews is akin to throwing the baby out with the bathwater and will prevent the collaborative work already taking place between the city and telecommunication companies to simultaneously achieve good design and good coverage.

SB 649 would undermine this collaboration by prohibiting local discretionary review of “small cell” wireless antennas, including equipment collocated on existing structures or located on new “poles, structures, or non-pole structures,” including those within the public right-of-way and buildings. The proposal preempts adopted local land use plans by mandating that “small cells” be allowed in all zones as a use by right, including all residential zones. In doing so, these projects would no longer be subject to any environmental review under CEQA.

The bill would also preempt local control and input by requiring local governments to make available sites they own for the installation of a “small cell.” The proposal does not provide local governments with any discretion to deny a “small cell” to be located on its property, except for fire department sites. Essentially, the measure would give control of public property

to private telecommunications companies, while also precluding local governments from leasing or licensing publicly owned property. Surely, the public should be able to benefit from its property through such leasing.

For these reasons, the City of Moorpark **opposes** SB 649.

Yours Truly,

A handwritten signature in blue ink that reads "Janice S. Parvin". The signature is written in a cursive, flowing style.

Janice S. Parvin
Mayor

cc: Senate Office of Floor Analyses (via Fax)
The Honorable Senator Henry Stern (via E-mail)
The Honorable Assemblymember Jacqui Irwin (via E-mail)
David Mullinax, League of California Cities (via E-mail)
City Council (via E-mail)
Steve Kueny, City Manager
Deborah Traffenstedt, Assistant City Manager