

CITY OF
Palos Verdes Estates

July 20, 2017

Carolyn Coleman, Executive Director
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: SB 649 (Hueso) Wireless Telecommunications Facilities (Oppose)

Dear Ms. Coleman:

The City of Palos Verdes Estates understands that connectivity is essential for our residents and supports the deployment of wireless technology. However, the City is strongly opposed to SB 649 in its current form. SB 649 disregards aesthetic and environmental concerns, eliminating local authority over the deployment of “small cell” wireless facilities. The proposed bill benefits only the telecommunications carriers.

Mindful that SB 649 continues to move through the legislative process despite the opposition of most local authorities, the City of Palos Verdes Estates also urges the League of California Cities to consider supporting amendments to SB 649 that would potentially provide exemptions for cities with unique conditions like the ones we have in Palos Verdes Estates. We are a small residential city (under 15,000 residents), without urban structures such as street lights, traffic lights and bus stops. We believe the proposed legislation will hit smaller residential communities especially hard and that there might be a basis for partial or total exemption from the measure.

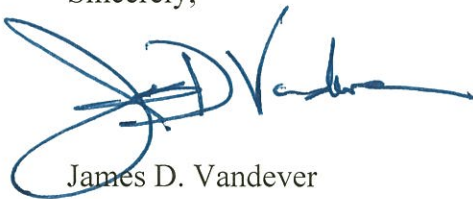
Palos Verdes Estates is a small, 5-square mile residential community. We have 5,000 parcels with no street lights, sidewalks, or signals; narrow, steep and winding streets; hillside homes; and over a quarter of the City has been designated as natural parkland. The City retains its unique character through strict zoning and architectural controls set that are forth in the single set of covenants, conditions and restrictions that apply to every home in our community. Locations for cell sites are limited and carriers have been aggressively pushing into residential areas. Most of our homes are fronted by city-owned parkways that contain underground utility easements. Based on the availability of the utility easement, telecommunication carriers are already applying for “small cells” poles and utility boxes that literally appear to be in the front yards of our residents. SB 649 reverses the landmark ruling in *Sprint PCS Assets LLC. vs. City of Palos Verdes Estates*, that established city control over the “time, place and manner” of cell sites in the public rights-of-way.

July 20, 2017
Page Two

Currently, telecommunications equipment is sited in our city through a thoughtful and reasonable, community-based process that balances the interests of our residents and the business requirements of the wireless carriers. Over the past several months, our City has approved more than a dozen telecommunications facilities. These applications were approved through a reasonable public hearing process that balances our community's aesthetics and technology requirements against the requirements of the telecommunications companies. Our City Council also adopted an updated Wireless Telecommunications Ordinance to guide future applications. We believe our process provides for deployment of new technologies without significant disruption to the natural beauty and neighborhood character of our City, and it is working appropriately for all parties. We do not believe the carriers should be allowed to disregard the unique character or other special requirements of any city, but we feel it is especially unfortunate to apply such a heavy handed approach to smaller cities that have significantly fewer alternatives for the deployment of cellular facilities.

SB 649 should be rejected in its entirety. It is significantly biased in favor of the telecommunication providers at the expense of local governments and residents. However, if the measure appears to be on a path toward approval, the City of Palos Verdes Estates respectfully urges the League of California Cities to submit amendments to exempt (or otherwise protect) smaller cities that would be particularly impacted by this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read 'James D. Vandever', with a large, stylized initial 'J' and 'V'.

James D. Vandever
Mayor

c: Palos Verdes Estates City Council
Jeffrey Kiernan, League of California Cities (via e-mail)