

Request for Filing in CF 15-0002-S62

Dear City Council President Wesson and Councilmembers Huizar and LaBonge:

Pacific Palisades Community Council (PPCC) is informed that the above-referenced matter will be heard in the Rules, Elections and Intergovernmental Relations Committee on June 19, 2015. Accordingly, attached for your consideration are the following:

- 1) Los Angeles County Board of Supervisors letter dated June 12, 2015 in opposition to AB 57;
- 2) PPCC letter dated June 10, 2015 in opposition to AB 57;
- 3) PPCC letter dated June 15, 2015 supporting proposed Resolution in opposition to AB 57 (CF 15-0002-S62; Bonin/Koretz, O'Farrell second).

Please note that AB 57 is also opposed by the San Francisco Board of Supervisors, the California League of Cities and the California State Association of Counties (details/links in attached 6/15/15 letter from PPCC).

PPCC urges you to vote YES on the proposed Resolution opposing AB 57.

Thank you.

Chris Spitz
President
Pacific Palisades Community Council
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COUNTY OF LOS ANGELES

Sacramento Legislative Office

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ALAN FERNANDES
Chief Legislative Representative

June 12, 2015

The Honorable Ben Hueso, Chair
Senate Energy, Utilities and Communications
Committee
State Capitol, Room 4035
Sacramento, CA 95814

**RE: AB 57 (Quirk), As Amended April 6, 2015 – OPPOSE
Relating to Wireless Telecommunication Facilities
Set June 16, 2015, in Senate Energy, Utilities and Communications
Committee**

Dear Senator Hueso,

The Los Angeles County Board of Supervisors opposes AB 57 (Quirk).

The Federal Communications Commission (FCC) issued a ruling in November 2009, which established reasonable time periods for local governments to act on a colocation or siting application for a wireless telecommunications facility. The declaratory ruling (commonly referred to as the FCC's "shot clock rule") found that a "reasonable period of time" for state and local zoning authorities to act on land use applications is within 90 days of receiving an application involving colocation and siting of wireless communications facilities, and within 150 days for the siting of new facilities.

AB 57 would provide that a colocation or siting application for a wireless telecommunications facility is deemed approved, if the city or county fails to take action on the application within the time periods established by the FCC and all required public notices have been provided regarding the application.

The County's Department of Regional Planning (DRP) reports that AB 57 would have significant impacts on its ability to: 1) properly review an application for a wireless telecommunications facility for safety and community compatibility concerns; 2) allow for public participation; and 3) process other planning cases in a timely manner.

The DRP indicates that it already complies with State law regarding proper noticing and for public participation. However, AB 57 would not allow sufficient time for the public to fully participate in the evaluation process, because it reduces the processing time frame. In addition, public hearings on applications for a wireless telecommunications

facility are sometimes continued, postponing a decision on the matter to address community/ public safety concerns. If the public hearing is not resumed prior to time frames imposed by AB 57, the matter would be deemed approved regardless of whether the concerns were addressed. AB 57 would interfere with the County's ability to serve the public health, safety, and welfare.

AB 57 would limit the County's ability to exercise its local land use decision-making authority, evaluate the potential impacts of a proposed wireless facility on communities, and to comply with existing public notice and environmental review requirements. Therefore, I request your "**NO**" vote on AB 57. If you have any questions, please contact me at (916) 441-7888.

Sincerely,



ED BERENDS
Legislative Representative

c: Assembly Member Bill Quirk
Each Member and Consultant,
Senate Energy, Utilities and Communications Committee



PACIFIC PALISADES COMMUNITY COUNCIL

June 10, 2015

Hon. Ben Hueso
California State Senator, 40th Senate District
Chair, Senate Committee on Energy, Utilities & Communications

Via email: senator.hueso@senate.ca.gov

Re: AB 57 (Committee hearing date 6/16/15) – OPPOSE

Dear Senator Hueso:

Pacific Palisades Community Council (“PPCC”) has been the voice of the Palisades community since 1973. PPCC has been on public record for many years as strongly supporting enhanced local regulation of wireless telecommunications facilities (“WTF”— more commonly known as “cell towers”) in the public rights of way. PPCC opposes AB 57 because this bill will severely restrict the ability of local governments to regulate WTF and/or make local decisions about cell tower siting. PPCC opposes AB 57 based on all of the grounds set forth in the letters in opposition dated (1) May 6, 2015, by the California State Association of Counties, the American Planning Association (California Chapter) and the Urban Counties Caucus (<http://blob.capitoltrack.com/15blobs/793a8209-30cc-40f1-9f71-ed5f9154660b>), and (2) May 11, 2015, by the League of California Cities (<http://blob.capitoltrack.com/15blobs/aa02035b-46c0-41c1-a4be-e46ebef40d2f>), and specifically on the grounds that:

- 1) By “deeming approved” all applications for colocation or siting of new WTF if a city or county fails to act on such applications within time periods established by the FCC, AB 57 goes beyond the requirements of federal law and unnecessarily and significantly impacts and constrains the authority of local governments to regulate the placement of WTF; and
- 2) Despite language to the contrary in AB 57, WTF are matters of municipal as well as statewide concern.

PPCC also brings to your attention the fact that substantial portions of Pacific Palisades are located within the Coastal zone and are thereby afforded important environmental protections under the California Coastal Act. Depending on location, new WTF within the Coastal zone are required to undergo additional review by local governments and/or the California Coastal Commission. PPCC is concerned that under AB 57, such required environmental review may be severely curtailed or effectively eliminated and significant protections afforded by the Coastal Act may be rendered meaningless.

In addition, PPCC notes that on June 9, 2015, (1) the San Francisco Board of Supervisors unanimously passed a resolution in opposition to AB 57; and (2) a resolution in opposition was introduced in Los

Angeles City Council by Councilmembers Bonin, Koretz and O'Farrell
(http://clkrep.lacity.org/onlinedocs/2015/15-0002-S62_reso_06-09-2015.pdf; vote not yet scheduled as of this writing).

PPCC urges you to vote NO on AB 57.

Thank you for your consideration.

Sincerely,

Christina Spitz
President,
Pacific Palisades Community Council

cc (via email):

Senator Ben Allen, 26th Senate District
Senator Fran Pavley, 27th Senate District
Senator Bob Hertzberg, 18th Senate District
Los Angeles City Councilmember Mike Bonin, 11th Council District



PACIFIC PALISADES COMMUNITY COUNCIL

June 15, 2015

Honorable Members,
City Council Rules, Elections and Intergovernmental Relations Committee:
Council President Herb Wesson (Chair)
Councilmembers Jose Huizar and Tom LaBonge (Members)
Via email

Re: CF 15-0002-S62 - Proposed Resolution in Opposition to AB 57 (Bonin/Koretz) – SUPPORT for Resolution (Committee Meeting 6/19/15).

Dear Councilmembers Wesson, Huizar and LaBonge:

Pacific Palisades Community Council (“PPCC”) has been the voice of the Palisades community since 1973. PPCC has been on public record for many years as strongly supporting enhanced local regulation of wireless telecommunications facilities (“WTF”— more commonly known as “cell towers”) in the public rights of way. As set forth in its letter of June 10, 2015 to the State Senate Energy, Utilities and Communications Committee (attached), PPCC opposes AB 57 because this bill will severely restrict the ability of local governments to regulate WTF and/or make local decisions about cell tower siting.

The bill is also opposed by the California State Association of Counties, the Urban Counties Caucus and the American Planning Association (California Chapter) (<http://blob.capitoltrack.com/15blobs/793a8209-30cc-40f1-9f71-ed5f9154660b>); the League of California Cities (<http://blob.capitoltrack.com/15blobs/aa02035b-46c0-41c1-a4be-e46ebef40d2f>); the San Francisco Board of Supervisors (resolution passed June 9, 2015; #150594, p. 18, <https://sfgov.legistar.com/View.ashx?M=M&ID=402201&GUID=67377CD7-7FB2-46CA-9607-FB7375F2E3A4>); and the Los Angeles County Board of Supervisors (letter of June 12, 2015, attached).

PPCC urges you to join with the Los Angeles County Supervisors, the San Francisco City/County Supervisors, the League of California Cities and the California State Association of Counties, and vote YES on the proposed Resolution in opposition to AB 57.

Thank you for your consideration.

Sincerely,

Christina Spitz
President,
Pacific Palisades Community Council

ccs (via email):
Councilmembers Bonin, Koretz and O’Farrell; staff for all referenced Councilmembers.

Attachments:
Los Angeles County Supervisors letter to Senate opposing AB 57, 6/12/15
PPCC letter to Senate opposing AB 57, 6/10/15