



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 5/8/2017

Agenda Placement: 7C

## Napa County Legislative Subcommittee Board Agenda Letter

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**TO:** Napa County Legislative Subcommittee

**FROM:** Molly Rattigan for Leanne Link - County Executive Officer  
County Executive Office

**REPORT BY:** Michael Karath, Staff Assistant - BOS - 299-1477

**SUBJECT:** SB 649 (Hueso) - Telecommunications permitting process

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### **RECOMMENDATION**

County Executive Officer seeks discussion and possible action on SB 649 (Hueso), a bill that seeks to establish an administrative permitting process not subject to public review and approval (including CEQA) for small cell wireless facilities and limit the fees that local governments may charge for those permits.

### **EXECUTIVE SUMMARY**

County Executive Officer seeks discussion and possible action on SB 649 (Hueso), a bill that seeks to establish an administrative permitting process (not subject to public review and approval, including CEQA) for small cell wireless facilities and limit the fees that local governments may charge for those permits.

The bill seeks to relax the permitting process for the new generation of cell towers, called small cells, that are smaller in size and transmit shorter distances, but at higher speeds.

Because these small cells have much shorter ranges, they need to be deployed at greater density in urban areas than traditional macro cell towers. Small cells are needed to support the roll-out of fifth generation mobile technology (5G) that will provide speeds of up 100 times faster than current networks. The bill's author cites reports estimating the benefits of 5G deployment to exceed \$500 billion in gross domestic product growth. The streamlined permitting process is needed, the bill's author says, to meeting an "exploding demand" for faster Internet service.

CSAC: Oppose  
RCRC: Oppose

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

In Napa County and other counties and cities in California, cell towers must go through the discretionary permitting process. The proposals must be publicly reviewed and approved.

SB 649 (Hueso) seeks to change that process for new "small cell" towers to a single administrative permitting process. That means a local government's zoning administration can issue the permit without the proposal going through the public review and approval process.

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SB 649 defines small cell to mean a wireless telecommunication facility that meets all of the following conditions:

- | Any individual antenna, excluding the associated equipment, is smaller than three cubic feet.
- | All antennas on the structure must be less than six cubic feet.
- | Any associated equipment does not exceed volume of: (1) 21 cubic feet for poles that can support one or two providers or 28 cubic feet for poles that can support at least three providers; or (2) 28 cubic feet for collocations on nonpole structures that can support less than three providers or 35 cubic feet for collocations on nonpole structures that can support more than three providers.

SB 649 does not allow the permit to require:

- | Provision of additional services, including in-kind contributions such as reserving fiber, conduit, or pole space.
- | The submission of any additional information other than that required of similar construction projects, except as otherwise provided in the bill.
- | Limitations on routine maintenance or the replacement of small cells with small cells that are substantially similar, the same size, or smaller.

- | The regulation of any antennas mounted on cable strands.

CSAC: Oppose

RCRC: Oppose

**SUPPORTING DOCUMENTS**

A . SB 649 - BILL TEXT

B . sb 649 - Senate Analysis

Recommendation: Approve

Reviewed By: Molly Rattigan