



Legislation Text

File #: 17-171, **Version:** 1

Report Prepared by: Mike Conway, Assistant to the City Manager

SUBJECT: Approve Opposition to Senate Bill 35 and Senate Bill 649

REPORT IN BRIEF

Approve the opposition to Senate Bill (SB) 35, Affordable Housing: Streamlined Approval Process, and SB 649, Wireless and Small Cell Telecommunications Facilities.

RECOMMENDATION

City Council - Adopt a motion approving the opposition of SB 35 (Weiner), Affordable Housing: Streamlined Approval Process, and SB 649, (Hueso) Wireless and Small Cell Telecommunications Facilities.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to other than recommended by staff (identify specific findings and/or conditions amended to be addressed in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Charter of the City of Merced, Section 200.

CITY COUNCIL PRIORITIES

As provided for in the 2015-16 Adopted Budget

DISCUSSION

SB 35, Affordable Housing: Streamlined Approval Process, has been introduced by State Sen. Scott Weiner, D-San Francisco. The bill claims to address the state's need for market rate and affordable housing by turning the approval process into ministerial action. However, in the process it appears to bypass public input, preventing neighborhood concerns about traffic, parking and other development impacts from being heard. While the intent of the bill is good - providing relief from the state's soaring home prices - it takes away public review of many multifamily housing projects and requires approval of affordable housing projects with very limited exceptions.

SB 649, Wireless and Small Cell Telecommunications Facilities has been introduced by State

Senator Ben Hueso, D-San Diego. This bill would prohibit local review of “small cell” wireless antennas, which also includes equipment such as meters, concealments, battery backups, power transfer switches, cables and conduits. There are no height restrictions on the antenna poles. The bill would require local governments to make available all sites they own except fire stations available for installation. The bill provides a de facto exemption to the California Environmental Quality Act (CEQA) and 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.

Staff will use a variety of methods to oppose the bills that can include letters, phone calls, personal meetings, testimony and media outreach.

Staff plans to bring before Council a complete Legislative platform in the weeks ahead for its discussion and approval. Once a Legislative platform is approved, staff will be able to respond quickly to requests for letters and to legislative actions, as needed, based on the contents of the adopted platform.

IMPACT ON CITY RESOURCES

No appropriation of funds is needed.