



SB 649 (HUESO)

Not So “Small” Cell

PROMISES VS. REALITY

1. PROMISE: The wireless industry promises SB 649 will allow locals to keep their discretion over “small cell” installations in their communities.

REALITY: SB 649 only gives complete discretion over small cell installation in coastal zones and historic districts, while the rest of **California’s communities lose their full ability to:**

- Negotiate any public benefit such as access for police, fire, or library services.
- Require regular maintenance, repair, or replacement of broken small cells.
- Reserve pole space for public safety or energy efficiency technology such as police cameras or solar panels.
- Negotiate a market rate lease with wireless carriers for installation of their private equipment on public taxpayer funded property.
- Generate flexible revenue to pay for services such as police, fire, parks, and pension obligations.
- Allow for public input for the location and design of “small cells” even if right outside their homes or in communities attempting to improve their aesthetic character in key residential or business areas.

2. PROMISE: The wireless industry promises SB 649 will help deliver the most advanced “small cell” technology with “sufficiently minor” impacts on local governments—justifying their push to remove local discretion and community input.

REALITY: SB 649’s “small cells” aren’t so small. Using the least restrictive regulations, SB 649 allows for large, unsightly, and nearly unlimited installations in public spaces (6 cubic feet for antennas and 21 cubic feet for on pole equipment)—**all without community input or local approval.** Communities will also be burdened and unable to control the amount and size of the following “ancillary” equipment since it’s excluded from the bill’s small cell definition:

- Electric meters and any required pedestal.
- Concealment elements.
- Any telecommunications demarcation box.

- Grounding equipment.
- Power transfer switch.
- Cutoff switch.
- Vertical cable runs for the connection of power and other services.

3. PROMISE: The wireless industry promises SB 649 will assist in the rapid deployment of 5G technology, create thousands of jobs, and prepare California for the future.

REALITY: In reality, SB 649:

- Cannot promise communities 5G capable technology because the standards for 5G are still being developed and is not readily available for deployment today.
- Does not require “small cells” to meet any technological standard such as 5G, 4G, or any quality or reliability standards, leaving uncertain exactly what is being “streamlined.”
- Does not require the wireless industry to build out their networks to unserved or underserved communities, instead rewards the industry for existing deployment patterns.
- Instead of creating jobs, SB 649 actually limits the ability for communities (non-coastal or historic areas), especially those that have been historically marginalized or struggled to attract business, to improve the aesthetics of their neighborhoods and business corridors.
- Sets a dangerous precedent of limiting the ability for local governments to leverage use of their public property to negotiate a public benefit and generate flexible revenue for essential government services, further eroding local dollars and adding additional pressure to raise taxes or reduce services.
- Removes local input and any incentive for local governments and the wireless industry to collaborate on the deployment of the most advanced technology, likely resulting in costly litigation throughout the state.