



TOWN OF FAIRFAX

STAFF REPORT

June 3, 2015

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager GT

SUBJECT: Authorize the Mayor to send a letter in opposition Assembly Bill 57 regarding Wireless Telecommunications Facilities

RECOMMENDATION

Authorize the Mayor to send a letter in opposition to the California State Legislature regarding Assembly Bill 57- a Wireless Telecommunications Facilities bill which creates the potential for automatic approvals for cell towers.

DISCUSSION

Mayor Coler requested this item be added to the agenda for Council consideration, in light of the California State Assembly's Local Government Committee unanimously voting Assembly Bill (AB) 57 out of committee, thus, moving the bill forward. If adopted in its current form, AB 57 would *deem approved* an application for *new* wireless towers and facilities if: (1) the city (including a charter city) or county fails to approve or disapprove the application within the time periods established in the Federal Communications Commission's 2009 Declaratory Ruling (24 FCC Rcd. 13994), and (2) all public notices regarding the application have been provided. The law would also apply to applications to collocate additional wireless facilities and devices on or adjacent to existing facilities.

This bill could force staff to deny applications just to meet statutory deadlines and limit the ability of the public to appeal decisions.

FISCAL IMPACT

None