

## San Mateo Citizens for a Safe Environment

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June 27, 2018

### Via Electronic/Email Delivery

**Rick Bonilla, Mayor, City of San Mateo**  
**Diane Papan, Deputy Mayor, City of San Mateo**  
**Maureen Freschet, Council Member, City of San Mateo**  
**Joe Goethals, Council Member, City of San Mateo**  
**Eric Rodriguez, Council Member, City of San Mateo**  
**Larry Patterson, City Manager**  
City of San Mateo  
330 W. 20<sup>th</sup> Avenue  
San Mateo, CA 94403

**Re: STRONGER WIRELESS ORDINANCE NEEDED FOR SAN MATEO**

**DEAR COUNCILMEMBERS,**

Thank you for listening to our concerns at the June 18, 2018 City Council Meeting, and for proposing amendments to the draft ordinance for wireless communications facilities in the public right-of-way. Our organization is comprised of San Mateo residents who live, work, vote and raise our children here. This is our home. We are writing because we still have serious questions and concerns that the draft ordinance will not protect San Mateans from unnecessary and harmful cell towers near our homes and schools. In the interest of government transparency, we would appreciate a written response so that San Mateo residents can fully understand how the City is proceeding to protect our health and safety.

1. **Second Outside Legal Opinion Necessary:** Has the City retained a second outside law firm to review the draft ordinance? Residents would like information on which firm was retained and any additional steps the City is taking to obtain a second opinion and release its contents to the public.
2. **San Mateans Deserve Gap in Service Requirement in Ordinance:** Will City Council further amend the draft ordinance to protect San Mateans from needless, excess radiation?

We urge the Council to further amend the draft ordinance so that telecom vendors must provide information that a proposed cell tower is necessary to “close a substantial gap in service.” It is clearly in the public interest to minimize the number of cell towers near homes and schools. If there is no 4G coverage gap in cell phone connectivity, there is no public need for another tower. We need City Council to make a strong statement to protect the health and safety of our children and families.

Just look to our neighbor, Burlingame, whose wireless ordinance was adopted in 2012. Burlingame requires telecom applicants to provide a map of existing and planned coverage, as well as reasons why the particular facility is required to cover a gap in service, and the reason why the gap in service cannot

be covered with another location or another technology. We understand that Burlingame has successfully denied applications for cell towers near homes. It is a reasonable request for San Mateans to have the same strong protections in our law. See below for an excerpt from Burlingame's Wireless Ordinance §25.77.060.C.5-6, the following information is required in any cell tower permit application filed in Burlingame:

“A map identifying the applicant's existing and planned wireless communications facilities within city limits. The map shall include an illustration of the estimated coverage area (search area) for all existing and proposed wireless communication facility sites for the applicant and/or service provider and shall include an explanation of how the proposed wireless communication facility fits into the individual service provider's network of existing and proposed wireless communication facility sites within a tentative two (2) year plan.

An explanation of the wireless communication facility site selection process including information about other sites which were considered, the reasons for the rejection of other sites, the reason that this particular facility is required to cover a gap in service, and the reason why the gap in service cannot be covered with another location or another technology.”

3. **Strict, Defined Technical Standards Must be Required in the Ordinance:** Will City Council strengthen the draft ordinance to specifically limit the sizes of towers and equipment on poles and above-ground equipment boxes in order to strictly preserve neighborhood aesthetics?

The draft ordinance does not set absolute maximums for the size of equipment for any wireless facility. This means that large towers and cabinets can be approved. 17 cubic feet cabinets are the size of refrigerators, but that isn't even the limit. We don't want or need this near our homes.

Cell towers in residential areas are eyesores that will reduce property values and tax revenues. Research indicates that over 90% of home buyers and renters are less interested in properties near cell towers *and* would pay less for a property in close vicinity to cellular antennas. Property values near towers have been shown to drop up to 20%. Furthermore, overcrowded wooden utility poles are ugly and pose a real public safety danger, just look at the news headlines regarding the Wine Country Fires. In 2012, Verizon, AT&T and Sprint paid \$12M to settle wildfire claims as a result of the 2007 Malibu Canyon fires triggered by fallen utility poles.

Numerous cities have adopted firm limits in their laws such as, pole mounted equipment shall not exceed 6 cubic feet and above ground cabinets shall not exceed 14 cubic feet. San Mateans deserve the same protections in our law. Technical standards must be scrutinized and compared with other cities to ensure that San Mateo requires the smallest possible footprint for the equipment.

4. **Municipal Code is Law Not Design and Engineering Standards:** Will City Council ensure that our Municipal Code establishes clear directives and standards that can only be changed by Council?

The design and engineering standards should address only design and/or engineering. Any other requirements or information regarding meetings and notice, or non-design standards must be inserted directly into the Municipal Code to have the full force of the law. City Council must ensure that the

Code contains strict directives to protect the public health and safety and aesthetics of our community. It is nonsensical to include information about meetings and noticing in the design standards.

Finally, Public Works staff have been working on this matter for over a year. During that time, multiple applications for cell towers were approved without notification to impacted residents and businesses. This history proves that the design and engineering standards cannot be changed by Public Works alone. Residents must be given notice of any change and the opportunity to provide substantive input in the process. City Council should want to pay close attention to this issue because of the grave health concerns.

San Mateo taxpayers deserve the strict protections that other cities afford their residents. It is clear that the draft ordinance must be further amended. We need you, Councilmembers, to utilize all means possible to protect our health and safety, as well as the aesthetics of our community.

Best regards,



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cc: Various Concerned Citizens