



Testimony on SB 401
Senate Committee on Utilities
February 9, 2016

Chairman Olson and members of the Committee –

Good afternoon. I'm Scott Knebel with the Wichita-Sedgwick County Metropolitan Area Planning Department. I'm here on behalf of the City of Wichita to express our opposition to SB 401.

This bill is an overbroad, one-size-fits-all statewide approach for what is a uniquely local matter, and it would have an adverse effect on the City of Wichita.

In Wichita, a Master Wireless Communication Plan was jointly adopted by Sedgwick County and the City of Wichita and incorporated in the comprehensive plan and zoning code. The plan's approach has served as a blueprint for a successful collaboration among all the stakeholders in this process – the wireless communications industry, tower builders, landowners and the general public. This plan has facilitated development in the state's largest city for almost 20 years with no complaints from the industry. Over 100 wireless structures have been sited to support the growth of this technology, while balancing our community's needs.

This proposed legislation will conflict with the local comprehensive plan and zoning code. Local communities of all sizes are best suited to determine their own needs while they plan for future development. The provisions of this bill would unnecessarily threaten protection of our community's local character, historical neighborhoods, aesthetics and environmental beauty. The current plan encourages development by *not* treating towers as commercial structures, as this bill would do, giving providers more flexibility in siting towers. Over 95% of applications for towers or facilities have been approved under this plan, and we are able to save costs for providers by helping them plan optimal locations for either installation or co-location on existing facilities.

The City of Wichita would like the opportunity to meet with proponents of the bill in order to address what could be the unintended consequences of the bill in its current form. In addition to the planning and zoning issues already mentioned, there are likely safety factors, private property ownership interests, development and quality of life issues that must be carefully considered prior to adoption by this committee. I will be happy to answer any questions relating to my testimony this afternoon. Wichita's City Engineer, Gary Janzen, is also present and available for questions. Mr. Janzen has concerns about how this bill will affect the City of Wichita permitting process, whether traffic sightlines will be obstructed and the impact on private residences that may be unnecessarily encumbered by utility poles and boxes. These concerns do community that look to both locally elected officials and the state Legislature these issues.

SENATE UTILITIES COMMITTEE

DATE: 2-9-16

ATTACHMENT # 7