

Testimony Opposing ZTA 22-01 from Colleen Cordes, Takoma Park Resident:

The County Council should resist a false rationale being offered for why ZTA 22-01 is no big deal and why it can be quietly rushed through, before residents even know what's happening: The false claim that it's "just" a "technical fix" of ZTA 19-07, the resident-unfriendly zoning change the Council passed in July, 2021.

That's wrong on two counts:

First, there's ample evidence that there was no accidental "technical" oversight made in the final language of ZTA 19-07, by either Council staff or by Councilmember Hans Riemer -- its main sponsor and the only sponsor of ZTA 22-01 -- that would be "fixed" by ZTA 22-01. In fact, as early as January, 2020, the Council's own senior legislative analyst, Jeffrey Zyontz, told the PHED Committee, which Mr. Riemer chairs, in [a written memo all residents can easily review on line](#), that ZTA 19-07 would NOT change the part of County zoning code that this new ZTA 22-01 deals with. (See pp. 11-12 of that memo.) *Council staff repeatedly included that information in memos they prepared for both Mr. Riemer's committee and for the full Council.* And County Executive Marc Elrich also, in written communication to the Council in June, 2021, noted this fact for the Council. So Mr. Riemer and the rest of the Council were several times informed of this fact. ZTA 22-01 cannot be honestly characterized as "correcting" an accidental oversight in a law passed earlier. This is an entirely new proposal.

Second, the changes embodied in ZTA 22-01 are not "just" a small matter. It's a big deal for the huge number of residents who don't want wireless facilities on utility or light poles 30 feet from their bedroom window, as ZTA 22-01 would allow. In fact, it would be a major change in the County's zoning law for the regulation of wireless facilities.

There's no way the outgoing Council should rush to pass such a significant zoning change just before current Council terms end. Instead, I urge you to cancel all action on the proposed ZTA immediately and instead encourage the new Council that will follow you to thoroughly review zoning law and administrative regulation of wireless facilities in Montgomery County.

Thank you.

**Testimony in Opposition to ZTA 22-01
On Behalf of Community Vision for Takoma, by Colleen Cordes**

Please resist a false rationale being offered for why ZTA 22-01 is no big deal, why it can be quietly rushed through: No. It's not "just" a "technical fix" of ZTA 19-07.

First, evidence shows there was no accidental "technical" mistake in the final language of ZTA 19-07. As early as January, 2020, the Council's own senior legislative analyst told the PHED Committee, which Councilmember Riemer chairs, in [a memo](#), that ZTA 19-07 would NOT change the part of County zoning code that governs existing utility poles – the part of code that ZTA 22-01 deals with. *Council staff repeatedly included that fact in memos to Mr. Riemer's committee and the full Council.* The County Executive, in written comments to you, a month before you passed ZTA 19-07, also noted it. So Mr. Riemer and the full Council were informed several times over the year and a half before you passed ZTA 19-07.

ZTA 22-01 cannot be honestly characterized as "correcting" an accidental oversight in that law. This is an entirely new proposal.

Second, what ZTA 22-01 proposes is not a minor change. It's a big deal for the huge number of residents who don't want cell towers on poles 30 feet from their bedroom windows.

In fact, it would be a major change in County zoning law – not something the outgoing Council should rush to pass just before your terms end.

We urge you to cancel all action on ZTA 22-01. Encourage the incoming Council to thoroughly review all zoning and regulation of wireless facilities. One priority: Correct the out-of-control situation with rooftop antennas on multi-family residential buildings.

Many, if not most, of these rental buildings are in residential zones affected by this proposed ZTA. If passed, residents in these buildings may find new pole antennas beaming into their windows, in addition to the ones over their heads. No one will monitor any of them. Why is no one making sure residents are not being illegally exposed to radiation levels that exceed federal safety limits? That's the kind of fix we need – not ZTA 22-01. Thank you.