

Good afternoon President Stewart and Councilmembers,

I am opposed to ZTA 25-11 and ask that you reject it in its entirety. As introduced, it is overly broad, its standards are too weak, and it lacks reasonable protections for affected residents. In addition, this ZTA is problematic because it authorizes DPS to exercise discretionary reviews and approvals, functions that are beyond DPS's purview, and sets bad precedent for other ZTAs, too.

If you won't reject it outright, then amend it in these three ways:

- 1) Narrow eligibility reasons that only allow for only a Temporary Telecommunications Facility (Temporary Tower) that is immediately and truly necessary;
- 2) Establish robust setback and heights standards, especially in residential areas, and institute provisions for approving setback and height deviations from the amended standards that show fairness and respect to surrounding residents; and
- 3) Require reasonable notice, public comment processes; and independent DPS evaluations and decisions that are based upon all record information.

I will elaborate.

1 - Please narrow the reasons that qualify for processing and approval of a temporary tower so that a Temporary Tower is only for approval under the 25-11 standards when the applicant demonstrates the rare confluence of:

A) a natural or manmade disaster, County-declared emergency, peril, or other similar event; and

B) that event causes the destruction or impairment of telecommunications antenna facilities' support structure, and

C) there is no other existing structure available to support the antenna facilities, and therefore, the antenna facilities face imminent and certain displacement.

The other qualifying reasons should be deleted, including scheduled structure repairs and replacements, and other foreseeable industry needs and risks. Known or knowable reasons should not justify circumventing the standards and processes

for a monopole cell tower. In addition, a request for a Temporary Tower to *increase* communications for a government emergency should be managed by the County's Emergency systems and [Public Safety regulations](#).¹

2 - Please amend the setback and height standards to make them more aligned with the standards for monopole cell towers that are in Section 59-3.5.2.C.2.a, which are more respectful of surrounding properties and neighborhoods. No cell towers, whether temporary or otherwise, should be allowed in residential zones as a limited use.

3 - Please amend the ZTA with good government provisions: Require fundamental information, transparency, meaningful public input, and thoughtful review-agencies' decisions. As introduced, 25-11 merely requires inconsequential notice to residents after the Tower committee has already recommended it – and only for *some* Temporary Towers. For other Temporary Towers, the ZTA requires *no* notice at all and abbreviated application information. And residents never have recourse with any proposed Temporary Tower, under this ZTA. Amendments should:

A) require the applicant to electronically broadcast notice to the email addresses of all municipalities and civic and residents' associations;

B) require the Tower Committee to entertain public comments and maintain a record of the comments, and to consider those comments when voting to recommend a temporary tower; and then,

C) require DPS to consider comments received by the Tower Committee, and also to make an independent finding of need, when deciding whether to approve a reduced setback, an increased height, or the application itself.

ZTA 25-11 should be rejected. But, if you are not inclined to do that, then, please, amend it as set out above.

Thank you.

¹ Recent Presidential Orders that have declared an emergency demonstrate the importance of restricting authorizations for a TTF that is in preparation for or response to a disaster or other emergency to a Public Emergency that is declared by the CEX.