

**STATEMENT ON  
LOCAL CONTROL OF 4G AND 5G WIRELESS TECHNOLOGY**

The Federal Government has effectively removed the ability of local governments to review or condition 5G towers, including small cell facilities in a discretionary manner and requires that Land Use Regulation agencies provide an expedited administrative review process.

The following link will direct you to the Federal Communications Commission's (FCC) informational page on Wireless Infrastructure Deployment for 5G. The page contains the Declaratory Ruling, Media Release, and statements by the FCC Commissioners. This federal order mandates local governments to provide a streamlined review without a discretionary hearing or process for the deployment of wireless infrastructure for 5G. The local government does not have an option to deny a 5G tower for any reason as long as it meets all development standards.

<https://www.fcc.gov/document/fcc-facilitates-wireless-infrastructure-deployment-5g>

These regulations apply only to the newer 5G towers, which are smaller and are usually integrated into existing utility poles. 4G towers are still eligible for discretionary review and approval, but such 4G towers are largely built out and there are now fewer applications for new ones as 5G technology is now the preferred option for providers. However, both new and existing 4G towers may still require a conditional use permit every 15 years to continue operations. Whenever a discretionary project, such as a Conditional Use Permit for a 4G tower, in a specific community is scheduled for public hearing, notifications are sent out to surrounding property owners and people on the Project Courtesy List, which gives them the opportunity to submit any concerns they may have about the project, verbally or in writing, to the Planning Commission or Hearing Officer for their consideration.

Regarding concerns specifically questioning the health impacts of these wireless facilities for both 4G and 5G, the Federal Telecommunications Act of 1996 prohibits local governments from taking into consideration any potential health effects when approving telecommunications infrastructure, including wireless facilities. The Act also mandates that carriers be allowed to fill coverage gaps through the placement of infrastructure where needed, including in residential neighborhoods. The reasoning provided is that the FCC has previously analyzed the health impacts on these facilities and have ruled that radio frequency (RF) emissions are within acceptable standards and do not need to be analyzed again. Below is a link to the FCC's page regarding the Federal Telecommunications Act for your reference.

<https://www.fcc.gov/general/telecommunications-act-1996>

The ability of the local government to address constituents' concerns are limited and is dictated by federal law. Any concerns about wireless technology or deployments should be directed to the FCC or your congressional representatives.

Thank you.