



BOURBON COUNTY JOINT PLANNING OFFICE
525 High Street
Paris, KY, 40361
859.987.2150

May 8, 2017

RE: Proposed Text Amendment to Cell Tower Sections of Zoning Ordinances

Dear Planning Commissioner:

Please find enclosed proposed text amendment language to the Bourbon County, City of Millersburg, City of North Middletown, and City of Paris' Zoning Ordinances.

The proposed amendment is to place a time limitation of five (5) years to obtain a building permit before requiring a full application resubmittal.

Additionally, the Planning Office has contacted and received confirmation from the FCC that such zoning language would not be in violation with FCC standards.

If you have any questions, don't hesitate to get in touch with the Joint Planning Office.

Sincerely,

Andrea S. Pompei Lacy, AICP
Planning Administrator
alacy@paris.ky.gov
859.987.2150

Enclosures:

FCC Correspondence

Text Amendment Language

Case Id: HD0000002986248

Summary: Part 17 Questions

Solution Description: Dear Ms. Sosby:

You submitted the following questions to the FCC:

The local zoning authority wants to set a limit on tower construction timeframes when they issue the initial building permits. You would like to know if the county would be in violation of any FCC regulations if they were to write this type of zoning ordinance, and if they can set specific timeframes (3 yrs, 5 yrs., etc.) For example, they issued a building permit over 9 years ago for cell tower construction, but the tower has yet to be constructed. You want to know if the local zoning board can enforce deadlines in this situation? Could this be enforced going forward?

Per Aaron Goldschmidt, Wireless Telecommunications Bureau Attorney Advisor:

The county would not be in violation of any FCC regulations were it to write such a zoning ordinance, or set a build-out deadline within its building permits.

Should you have any further questions or need additional information, please submit a request for help at <https://esupport.fcc.gov/onlinerequest.htm> , or call the FCC Licensing Support Center at [1-877-480-3201](tel:1-877-480-3201).

Sincerely,

FCC Licensing Support Center

Bourbon County

6.2 TELLECOMMUNICATIONS TOWERS

I. Processing of Application

6. Upon approval of a cell tower application, a building permit shall be issued within five (5) years of Planning Commission approval of the site plan. From issuance of the building permit no more than two extensions may be obtained. Otherwise, the plan shall be deemed as disapproved by the Commission and the applicant must reapply.

City of Millersburg

WIRELESS COMMUNICATION FACILITIES

V. Application Process

D. Application Requirements

12. Upon approval of a cell tower application, a building permit shall be issued within five (5) years of Planning Commission approval of the site plan. From issuance of the building permit no more than two extensions may be obtained. Otherwise, the plan shall be deemed as disapproved by the Commission and the applicant must reapply.

City of North Middletown

WIRELESS COMMUNICATION FACILITIES

V. Application Process

D. Application Requirements

12. Upon approval of a cell tower application, a building permit shall be issued within five (5) years of Planning Commission approval of the site plan. From issuance of the building permit no more than two extensions may be obtained. Otherwise, the plan shall be deemed as disapproved by the Commission and the applicant must reapply.

City of Paris

80.207 CELLULAR ANTENNA TOWERS

J. Processing of Application

(f) Upon approval of a cell tower application, a building permit shall be issued within five (5) years of Planning Commission approval of the site plan. From issuance of the building permit no more than two extensions may be obtained. Otherwise, the plan shall be deemed as disapproved by the Commission and the applicant must reapply.