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The Comprehensive Plan for Owensboro, Whitesville, and Daviess County, KY, recommends that the Owensboro Metropolitan Planning Commission work cooperatively with the service providers of cellular telecommunications services or personal communications services and use the following list of recommended criteria when evaluating the siting of service facilities.

◆ The OMPC will request submission of an “annual plan” covering the applicant’s present telecommunications towers, co-location sites, and next year network build-out of telecommunications facilities within Daviess County.

◆ Service providers should be required to co-locate or share towers/facilities with other providers in order to minimize the proliferation of towers/facilities.

◆ Wherever possible, service providers should be required to use existing structures or facilities that meet all of the requirements of the proposed installation. For example, water towers, radio and television towers, tall buildings, commercial signs, church steeples, etc., in order to minimize the proliferation of new towers/facilities.

◆ Potential sites that should be considered (in order from most-preferred to least-preferred) include street rights-of-way, existing utility towers, industrial zones, commercial zones, and government buildings.

◆ Ground-level compounds such as equipment shelters, backup generators, etc. should be heavily screened from view.

◆ Towers should be camouflaged or designed in such a manner to blend into the surrounding area. For example, changes in topography of the land may be used effectively to separate such facilities from adjacent residential uses.

◆ To provide for proper separation, adequate setbacks should be provided based upon adjacent land uses and character of affected areas.

◆ The type of tower (e.g., monopole, carillon, etc.) should be evaluated based upon adjacent land uses and character of affected areas.

◆ When the facility is no longer required, the owner should remove it and restore the land to its natural state.

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Application

Every utility or a company that is engaged in the business of providing the required infrastructure to a utility that proposes to construct an antenna tower for cellular telecommunications services or personal communications services within Daviess County, KY, shall submit a copy of the applicant's completed uniform application to the Owensboro Metropolitan Planning Commission to construct an antenna tower for cellular or personal telecommunications. The application contents shall include those specified in KRS 100.985 to 100.987, including a grid map that shows the location of all existing cellular antenna towers and that indicates the general position of proposed construction sites for new cellular antenna towers within an area that includes all of Daviess County, KY and a one-half (1/2) mile area outside of the boundaries of Daviess County, KY, if that area contains either existing or proposed construction sites for cellular antenna towers; shall include in any contract with an owner of property upon which a cellular antenna tower is to be constructed, a provision that specifies, in the case of abandonment, a method that the utility will follow in dismantling and removing a cellular antenna tower including a timetable for removal; and shall comply with any local ordinances concerning land use, subject to the limitations imposed by 47 U.S.C. 332(c), KRS 278.030, 278.040, and 278.280.

Confidentiality

All information contained in the application and any updates, **except for any map or other information that specifically identifies the proposed location of the cellular antenna tower** then being reviewed, shall be deemed confidential and proprietary within the meaning of KRS 61.878. The OMPC shall deny any public request for the inspection of this information, except when ordered to release the information by a court of competent jurisdiction, or when and to the extent that confidentiality is waived in writing by the applicant. **The OMPC will request that the applicant waive confidentiality on the contents of the application, with the exception of the contents of the utility's "annual plan" as discussed above.**

OMPC Review

The OMPC shall review the application in light of its agreement with the **Comprehensive Plan** (see above) and locally adopted zoning regulations; make its final decision to approve or disapprove the uniform application; and advise the applicant in writing of its final decision within sixty (60) days commencing from the date that the uniform application is submitted to the OMPC or within a date certain specified in a written agreement between the OMPC and the applicant. In regulating the placement of cellular antenna towers, the OMPC shall not regulate the placement of a cellular antenna tower on the basis of the environmental effects of radio frequency emissions to the extent that these facilities comply with

the regulations of the FCC concerning radio frequency emissions; shall not institute a moratorium upon the siting of cellular antenna towers; shall not regulate the placement of antennas or related equipment on an existing structure; or shall not require the submission of application materials in addition to those required by statute, unless agreed by both parties.

Co-location

The OMPC may require the applicant to make a reasonable attempt to co-locate additional transmitting or related equipment. The OMPC may provide the location of existing cellular antenna towers on which the OMPC deems the applicant can successfully co-locate its transmitting and related equipment. If the OMPC requires the applicant to attempt co-location, the applicant shall provide the OMPC with a statement indicating that the applicant has successfully attempted to co-locate on towers designed to host multiple wireless service providers' facilities or existing structures such as a telecommunications tower or another suitable structure capable of supporting the applicant's facilities, and that identifies the location of the tower or suitable structure on which the applying applicant will co-locate its transmission and related facilities; or, unsuccessfully attempted to co-locate on towers designed to host multiple wireless service provider's facilities or existing structures such as a telecommunications tower or another suitable structure capable of supporting the applicant's facilities and that identifies the location of the towers or other structures on which the applicant attempted to co-locate and lists the reasons why the co-location was unsuccessful in each instance. The OMPC may deny a uniform application to construct a cellular antenna tower based on an applicant's unwillingness to attempt to co-locate additional transmitting or related equipment on any new or existing towers or other structures. In the event of co-location, a utility shall be considered the primary user of the tower, if the utility is the owner of the antenna tower and if no other agreement exists that prescribes an alternate arrangement between the parties for use of the tower. Any other entity that co-locates transmission or related facilities on a cellular antenna tower shall do so in a manner that does not impose additional costs or operating restrictions on the primary user.

After OMPC Action

Upon the approval of an application for the construction of a cellular antenna tower by the OMPC, the applicant shall notify the Public Service Commission within ten (10) working days of the approval. If an applicant fails to file notice of an approved uniform application with the PSC, the applicant shall be prohibited from beginning construction on the cellular antenna tower until such notice has been made. A party aggrieved by a final action of the OMPC under the provisions of KRS 100.985 to 100.987 may bring an action for review in any court of competent jurisdiction.

Identified Telecommunications Towers within Daviess County

Site Address	Primary Service Provided	Latitude			Longitude			Ground Elevation (AMSL)	Tower Above Grade Elevation	Tower Type
		DEG	MIN	SEC	DEG	MIN	SEC			
Back Square Dr	?	37	43	6	87	7	52	392'	152'	?
2490 Barron Dr	Cellular								155'	Monopole
3420 Bartley Rd	Cellular	37	45	14.30	87	16	41.59	411'	275'	Guyed
4280 Ben Head Rd	Broadcast	37	41	51	86	59	26	525'	260'	Guyed
Ben Head Rd @ Ware Rd	?	37	42	4	86	59	8	440'	348'	?
94 Booth Field Rd	Cellular	37	47	8.9	87	10	48.5	525'	200'	Self
34 Booth Field Rd	?	37	46	53	87	10	52	431'	180'	Self
11650 Coleman Rd	Cellular								260'	Lattice
720 Cumberland St	Cellular	37	45	35.23	87	06	07.09	401.169'	130'	Monopole
3790 Earls Ln	Cellular	37	45	28.36	87	09	32.82	395'	161'	Self
811 E Parrish Av	?	37	45	58	87	6	6	420'	185'	Roof Top
2035 E Parrish Av	Cellular	37	45	44	87	4	48	480'	320'	Self
E Parrish Av	?	37	45	48	87	4	48	480'	310'	?
1517 E 9 th Street	Cellular	37	46	18.3	87	05	43.383	412.13'	132'	Monopole
3051 Fairview Dr	?	37	44	55	87	3	43	410'	350'	Guyed
3000 Fairview Dr (block)	?	37	45	23	87	3	38	422'	221'	Monopole
720 Frederica St	?	37	46	8	87	6	51	400'	248'	Self
1501 Frederica St	?	37	45	43	87	6	40	410'	214'	Self
3301 Frederica St	Broadcast	37	44	29	87	6	58	400'	430'	Self
701 Fulton Dr	?	37	43	25	87	7	19	390'	199'	Self
3560 Hayden Rd	Cellular	37	46	19.45	87	3	21.67	400'	199'	Monopole
9495 Herbert Rd	Cellular								195'	Monopole
2000 Highway 140 E (block)	Broadcast	37	36	29	87	3	15	440'	1,103'	Self
895 Highway 140 W	Cellular	37	36	11.24	87	07	48.08	479.47'	195'	Lattice
2900 Highway 142 (block)	?	37	41	46	87	0	6	550'	270'	Guyed
1230 Highway 279	Cellular	37	45	45.16	87	14	05.05	400'	305'	
2917 Highway 54	?	37	45	42	87	3	52	448'	300'	Self
9507 Highway 54	Cellular								150'	Lattice
9511 Highway 54	Cellular	37	41	14.4	86	53	15.5	656'	199'	Monopole
3815 Highway 554	Cellular								168'	Lattice
Highway 81	?	37	44	46	87	10	32	407'	65'	?
2401 Highway 1554	Cellular								195'	Monopole
2056 Hill Bridge Rd	?	37	41	25	87	3	46	449'	215'	Self
10945 Indian Hill Rd	Cellular								320'	Lattice
Indian Hill Rd	?	37	46	11	86	51	5	606'	304'	?
100 Industrial Dr	?	37	46	32	87	9	31	400'	205'	Self
100 Industrial Dr	?	37	46	32	87	9	31	400'	405'	Self
100 Industrial Dr	Broadcast	37	46	30	87	9	29	400'	353'	Guyed
5022 Jones Rd	Cellular	37	46	42.35	87	00	50.61	419'	275'	Self
11318 Kelly Cemetery Rd	Cellular	37	53	34	86	57	54	568'	180'	Self
2812 Kentronics Dr	?	37	47	2	87	8	56	398'	193'	Guyed
2516 Lancaster Av	?	37	45	51	87	8	26	395'	120'	Self
5734 Lee Rudy Rd	Cellular	37	46	25	87	12	21	472'	198'	Self
Leitchfield Rd	?	37	45	41	87	4	57	500'	140'	Guyed
Medley Rd	?	37	47	44	87	10	11	512'	195'	?
3400 New Hartford Rd (block)	?	37	44	10	87	5	20	450'	315'	?
2931 Newbolt Rd	Cellular	37	43	39	87	3	15	438'	385'	Guyed
1539 Norris Av	Cellular	37	45	48	87	5	19	472'	185'	Self
4021 Old Hartford Rd	Cellular	37	44	23.50	87	04	38.72	403'	175'	Lattice
9661 Old Hartford Rd	Cellular	37	37	29.93	86	59	32.47	451'	225'	Self Lattice
5031 Old Lyddane Bridge Rd	?	37	44	47	87	11	8	428'	42'	Self
Old State Rd	?	37	42	37	86	58	31	420'	365'	?
300 Overstreet Rd (block)	?	37	47	33	87	12	8	458'	308'	Guyed
300 Overstreet Rd (block)	?	37	47	33	87	12	3	458'	253'	?
Pleasant Valley Rd	?	37	46	41	87	4	20	404'	232'	?
10519 Possum Trot Rd	Cellular								195'	Monopole
10799 Pup Creek La	Cellular	37	48	11.26	86	52	50.33	505.562'	195'	Monopole
1409 Reid Rd	Cellular	37	47	18.24	87	02	20.78	409.9'	160'	Monopole

Exhibit Map: Telecommunications Facilities

