

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** renewing a conditional use permit (CUP) in District AG (Agricultural) for a monopole communication tower subject to specified conditions, as to a .15 ± acre tract.

**ORDINANCE NO. 4987**, June 12, 2017

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit is hereby renewed for a monopole communication tower, as to an approximate .15 ± acre tract of land commonly known as 2120 N. Twyman Road, Independence, MO, and specifically described as follows:

**Description:** An 80 foot by 80 foot Tower Parcel, situated in the Northeast Quarter of the Northeast Quarter of Section 23, Township 50 North, Range 31, West in Jackson County, Missouri, more particularly described as follows:

Commencing at the Northwest Corner of the said Northeast Quarter of the Northeast Quarter (Fid. Axle); thence along the West line of said Quarter Quarter, South 00 degrees, 04 minutes, 16 seconds West, a distance of 145.08 feet; thence leaving said West line, North 90 degrees, 00, minutes, 00 seconds East, a distance of 310.48 feet to the Point of Beginning; thence continuing North 90 degrees, 00, minutes, 00 seconds East, a distance of 80.00 feet; thence South 00 degrees, 00 minutes, 00 seconds East, a distance of 80 feet; thence North 90 degrees, 00, minutes, 00 seconds West, a distance of 80.00 feet; thence North 00 degrees, 00 minutes, 00 seconds West, a distance of 80 feet to the point of Beginning. Containing 6,400 square feet (.015 acres).

Section 2. The conditional use permit renewed by this Ordinance is subject to the following conditions:

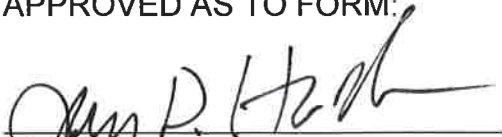
1. The commercial communication lattice tower shall not exceed a height of 160 feet as measured from ground level.
2. The lattice tower and appurtenance shall be installed according to manufacturer's specifications using sound engineering and safety practices.

3. The lattice tower shall be structurally designed so that at least four (4) other wireless co locators would be allowed space on the tower.
4. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The lattice tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
6. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such antenna/tower or property owner shall remove the antenna or tower within 90 days.

Section 3. The Legislature, pursuant to the application of Crown Castle (CU-2017-222), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 5 to 0 to recommend APPROVAL of this application in a public hearing on May 18, 2017, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 4987 introduced on June 12, 2017, was duly passed on June 27, 2017 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1


This Ordinance is hereby transmitted to the County Executive for his signature.

6.27.17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4987.

6/28/2017  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Frank White, Jr., County Executive