



Jackson County Missouri

Jackson County Courthouse
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Legislation Details (With Text)

File #: 3898 **Version:** 0 **Name:** 195 ft. monopole tower for wireless communications
Type: Ordinance **Status:** Passed
File created: 5/7/2007 **In control:** Land Use Committee
On agenda: 5/7/2007 **Final action:** 6/4/2007

Title: AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of fifteen years to construct a 195-ft. monopole tower for wireless communications on a 10,000 square feet area within a 23 acre lot.

Sponsors:

Indexes: USE PERMIT, WIRELESS COMMUNICATIONS

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/4/2007	0	Land Use Committee		
6/4/2007	0	County Legislature	Consent Agenda	
6/4/2007	0	County Legislature	perfect	Pass
6/4/2007	0	County Legislature	suspend the rules to consider final passage	Pass
6/4/2007	0	County Legislature	adopt	Pass
5/23/2007	0	Land Use Committee		
5/22/2007	0	County Legislature	Go To 3rd Perfection	Pass
5/21/2007	0	Land Use Committee		
5/18/2007	0	County Legislature	Go To 2nd Perfection	Pass
5/14/2007	0	Land Use Committee		
5/11/2007	0	County Legislature	Go To 1st Perfection	Pass
5/7/2007	0	County Legislature	assign to committee	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of fifteen years to construct a 195-ft. monopole tower for wireless communications on a 10,000 square feet area within a 23 acre lot.

ORDINANCE # 3898, May 7, 2007

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

Section 1. A conditional use permit is hereby granted for a period of fifteen (15) years to construct a 195-ft. monopole tower for wireless communications on a 10,000 square feet area within a 23 acre lot, described as follows:

The 10,000 sq. ft. area is within a 23 acre lot that is located at the northwest corner of Route BB and Hanna Road and is legally described as Lot 2, Vanarsdall Ridge, a subdivision lying in the northeast quarter of Section 27, Township 50, Range 30 in Jackson County, Missouri aka 1018 N. Buckner Tarsney Road.

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

1. The commercial communication monopole shall not exceed a height of 195 feet as measured
2. From ground level.
- 1) The monopole and appurtenance shall be installed according to manufacturer's specifications using sound engineering and safety practices.
- 2) The building permit application shall include an engineering report specifying the following information:
 - a. Detailed structural plans for the monopole tower signed and sealed by a Missouri Registered Engineer; and
 - b. An engineer's certification that anticipated levels of electric magnetic radiation to be generated by facilities on site, including the effective radiated power (ERP) of the antenna, shall be within the guidelines established by the Federal Communications Commission (FCC).
- 3) Six-ft. tall white pine trees shall be planted and maintained on 10 ft. centers along the perimeter of the vinyl coated chain link fence for the tower compound area.
- 4) The monopole tower shall be structurally designed so that at least four (4) other wireless collocators would be allowed space on the tower.
6. The applicant shall make a good faith effort to offer collocator space to emergency service providers. The County Legislature shall have the right to revoke the Conditional Use Permit if such offering is not made.
7. The monopole tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
8. The monopole shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
9. Any antenna or monopole 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 T-Mobile Central LLC, d/b/a T-Mobile (CU-2007-196), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted unanimously to recommend approval of this application in a public hearing on April 19, 2007, 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 # 3898 introduced on May 7, 2007, was duly passed on June 4, 2007 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 1

Abstaining 0

Excused 1

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance # 3898.

Date

Michael D. Sanders, County Executive