



# Jackson County Missouri

Jackson County Courthouse  
415 E. 12th Street, 2nd floor  
Kansas City, Missouri 64106  
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## Legislation Details (With Text)

**File #:** 3150      **Version:** 0      **Name:** Communication tower amendment to permit.  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/30/2001      **In control:** Land Use Committee  
**On agenda:**      **Final action:** 6/11/2001  
**Title:** AN ORDINANCE approving an amendment to an existing conditional use permit to operate a child day -care center as to a certain 5 ± acre tract.  
**Sponsors:**  
**Indexes:** USE PERMIT  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
6/11/2001	0	Land Use Committee		
6/11/2001	0	County Legislature	Consent Agenda	
6/11/2001	0	County Legislature	perfect	Pass
6/11/2001	0	County Legislature	suspend the rules to consider final passage	Pass
6/11/2001	0	County Legislature	Consent Agenda	Pass
6/11/2001	0	County Legislature	adopt	Pass
6/5/2001	0	County Legislature	Go To 2nd Perfection	Pass
5/31/2001	0	County Legislature	Go To 1st Perfection	Pass
5/30/2001	0	County Legislature	assign to committee	Pass

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

**AN ORDINANCE** approving an amendment to an existing conditional use permit to operate a 147-foot monopole commercial communication tower, as to a certain 0.08 ± acre tract.

#### **ORDINANCE 3150**, May 30, 2001

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

Section 1. An amendment to an existing conditional use permit, to expire July 6, 2024, to operate a 147-foot monopole commercial communication tower, subject to restrictions specified, under the Unified Development Code, is hereby approved as to a certain tract of land described as follows:

Description: The monopole commercial communication tower is located on a 0.08 acre tract of land generally located north of Stark Avenue on the west side of Blue Ridge Blvd. lying in the southeast quarter of Section 6, Township 49, Range 32 in Jackson

County, Missouri and more specifically described in Attachment to RLA.

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

1. The commercial monopole tower shall not exceed a height of 150 feet.
2. The monopole tower and appurtenance shall be installed according to manufacturers specifications using sound engineering and safety practices.
3. The building permit application shall include an engineering report specifying the following information:
  - a. Detailed structural plans for the tower signed and sealed by a Missouri Registered Engineer; and
  - b. Engineer's certification that anticipated levels of electro magnetic radiation to be generated by facilities on the site, including the effective radiated power (ERP) on the antenna shall be within the guidelines established by the Federal Communications Commission (FCC).
4. The access driveway to compound area will need to be concrete surface 8 inches thick within right-of-way and 4 inches thick outside of right-of-way (property line to compound area).
5. An evergreen pine with a minimum three inches caliber at three feet (3') above the grade shall be planted on 10 foot centers along the perimeter of the chain link fence for the tower compound
6. A Notice of Proposed Construction or Alteration of Objects that may effect the Navigable Airspace must be filed with the Federal Aviation Agency (FAA). Information regarding the disposition of the FAA Notice will be submitted subsequent to application for a building permit.
7. The tower shall be structurally designed so that at least four users would be allowed space on the tower. The applicant shall make a good faith effort to offer space to emergency services such as the Jackson County Sheriff's department. The County Legislature shall have the right to revoke the conditional use permit if such offering is not made.
8. The tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
9. The tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.
10. 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 Selective Site Consultant, Inc., (CU-2001-155), requesting approval embodied in this ordinance and with notice that the Jackson County Planning Commission, by a 4 to 3 vote, failed to recommend approval of this application in a public hearing on May 17, 2001, 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:

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

I hereby certify that the attached Ordinance, Ordinance # 3150 introduced on May 30, 2001, was duly passed on \_\_\_\_\_ June 11 \_\_\_\_\_, 2001 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_ 9 \_\_\_\_\_

Nays \_\_\_\_\_ 0 \_\_\_\_\_

Abstaining \_\_\_\_\_ 0 \_\_\_\_\_

Absent \_\_\_\_\_ 0 \_\_\_\_\_

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

\_\_\_\_\_  
Date

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

I hereby approve the attached Ordinance # 3150.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Katheryn J. Shields, County Executive