



# Jackson County Missouri

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

File #: 3026, Version: 0

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

AN ORDINANCE approving a conditional use permit for the construction of a 120-foot monopole commercial communication tower.

**ORDINANCE 3026**, June 5, 2000

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

Section 1. A conditional use permit for 25 years for the construction of a 120-foot monopole commercial communication tower, subject to the conditions specified below, under the Unified Development Code, is hereby approved as to a certain tract of land described as follows:

A 10 ± acre tract of land generally located ½ mile north of Jim Owens Road on the west side of Outer Belt Road (Missouri H Highway) and specifically described as all that part of the Northeast Quarter of Section 29, Township 49, Range 29, beginning at the Northeast corner of Section 29, Township 49, Range 29, following on section line due West 1320 feet; thence South 330 feet; thence East 1320 feet to the line between Sections 28 and 29; thence North 330 feet to beginning; all being in Jackson County, Missouri except that part in Highway, aka 4302 S. Outer Belt Road.

#### Conditions of CUP:

1. The commercial communication monopole tower shall not exceed a height of 120 feet.
2. The monopole tower and appurtenances 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. 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 area.
5. 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.
6. The tower shall be structurally designed so that at least two additional 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.
7. The tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
8. The tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.
9. 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 2. The Legislature, pursuant to the application of Sprint PCS (CU-2000-045), requesting approval embodied in this ordinance and with notice that the Jackson County Planning Commission unanimously recommended approval of this application in a public hearing on May 18, 2000, 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 #3026 introduced on June 5, 2000, was duly passed on \_\_\_\_\_ June 26 \_\_\_\_\_, 2000 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_ 7 \_\_\_\_\_

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

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

Absent \_\_\_\_\_ 2 \_\_\_\_\_

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 #3026.

\_\_\_\_\_  
Date

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