



Legislation Text

File #: 3150, Version: 0

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 Brogato, Clerk of Legislature

I hereby approve the attached Ordinance # 3150.

Date

Katheryn J. Shields, County Executive