

BENTON COUNTY ORDINANCE NO. 485

WHEREAS, the Benton County Planning & Zoning Department instituted proceedings to amend the Benton County Ordinance 477; and,

WHEREAS, the purpose of the amendment is to provide clarification of the existing ordinance by removing reference to setbacks that do not occur in the County; and,

WHEREAS, the reference to "sewered" structures is intended for structures connected to a public sewer system; and,

WHEREAS, the County does not have properties under its jurisdiction that are connected to a public sewer system; and,

WHEREAS, on August 23, 2022 and August 27, 2022, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspapers of the county; and,

WHEREAS, on September 8, 2022, the Benton County Planning Commission held a public hearing; and,

WHEREAS, on September 26, 2022 the Benton County Board of Commissioners held a public hearing and approved the proposed ordinance amendment; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS:

That the following Sections of the Benton County Development Code be amended to read as follows:

Section 7.14: "S" Shoreland District

7.14.5 Zoning And Water Supply/Sanitary Provisions

(C) Placement of Structures on Lots

Benton Co. Planning & Zoning
no fee

9.27

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When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Structures shall be located as follows:

(1) Structure and On-site Sewage System Setbacks (in feet) from Ordinary High Water Level*.

Classes of Public Waters	Structure Setbacks*	Sewage Treatment System
Lakes		
Natural Environment	150	150 (For Septic/Lift Tank and System)
Recreational Development	100	100 (Septic System) 75 (Septic/Lift Tank)
Rivers		
Forested and Transition	150	150 (Septic System) 100 (Septic/Lift Tank)
Agriculture, Urban, and Tributary	100	75 (For Septic/Lift Tank and System)
*1 water-oriented accessory structure designed in accordance with subsection 7.14.5(D) may be set back a minimum distance of 10 feet from the ordinary high water level.		

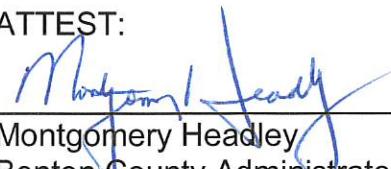
Approved and adopted by the Benton County Board of Commissioners this 26th day of September in the year of 2022.

This ordinance shall be effective upon publication.



Steven J. Heinen, Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator