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Cheryl L Kantor

County Recorder

Benton County MN

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BENTON COUNTY ORDINANCE NO. 491

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

WHEREAS, on January 23, 2024 and January 27, 2024, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspapers of the county; and,

WHEREAS, on February 8, 2024, the Benton County Planning Commission held a public hearing; and,

WHEREAS, on February 20, 2024 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 3: Definitions

3.16.3 Open Storage: Seasonal or temporary storage of boats, vehicles, recreational vehicles, trailers, or other similar items which are not the personal property of the property owner on which it is stored. Open storage shall not be used for the placement of storage or shipping containers for any reason, or for the storage of inoperable or unlicensed motor vehicles and/or semi-trailers.

Items 3.16.4 – 3.16.9 shall be renumbered to allow for the insertion of Open Storage.

3.18.10 Retreat Center: A facility consisting of a building or buildings whose purpose is to offer hospitality, education, crafting, enlightenment, contemplation, renewal, solitude, or passive recreation (non-motorized) and may offer temporary lodging (not exceeding two weeks). Excludes Program Facilities (residential and nonresidential) as defined by Minn. Stat. § 245A, as may be amended which are

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licensed by the Minnesota Commissioner of Human Services pursuant to Minn. Stat. § 245A, as may be amended.

Items 3.18.11 – 3.18.15 shall be renumbered to allow for the insertion of Retreat Center.

Section 7.2: “A” Agricultural District

7.2.3 Permitted Accessory Use:

- (M) Open Storage of up to 9 total items on parcels greater than 5.1 acres and in compliance with Section 8.6

7.2.4 Conditional Uses:

- (RR) Retreat Center in accordance with Section 9.26

7.2.5 Interim Uses:

- (I) Open Storage of 10 total items or more on parcels of 5.1 acres or more or any open storage on parcels up to 5.0 acres and in compliance with Section 8.6

Section 7.3: “R-A” Rural Agricultural District

7.3.3 Permitted Accessory Use:

- (M) Open Storage of up to 9 total items on parcels greater than 5.1 acres and in compliance with Section 8.6

7.3.4 Conditional Uses:

- (LL) Retreat Center in accordance with Section 9.26

7.3.5 Interim Uses:

- (I) Open Storage of 10 total items or more on parcels of 5.1 acres or more or any open storage on parcels up to 5.0 acres and in compliance with Section 8.6

Section 7.7: “R-S” Rural Service District

7.7.4 Conditional Uses:

- (KK) Retreat Center in accordance with Section 9.26

7.7.5 Interim Uses:

- (F) Open Storage in compliance with Section 8.6

Section 7.8: “B-1” Business District

7.8.5 Interim Uses:

- (D) Open Storage in compliance with Section 8.6

Section 7.9: “B-2” Business Enterprise District

7.9.5 Interim Uses:

- (E) Open Storage in compliance with Section 8.6

Section 7.10: “I-1” Light Industrial District

7.10.5 Interim Uses:

- (E) Open Storage in compliance with Section 8.6

Section 7.11: “I-2” Heavy Industrial District

7.11.5 Interim Uses:

- (F) Open Storage in compliance with Section 8.6

Section 8.1: Signs

8.1.7 Billboard Signs

- (C) All Billboards must be in conformance with the following standards:
 - (1) Maximum sign area shall be 300 square feet per side with no more than 2 sides.
 - (2) The minimum ground clearance shall be 12 feet.
 - (3) The maximum height of a billboard shall be 60 feet.
 - (4) No part of the billboard structure shall be built upon or over the public right-of-way.
 - (5) The minimum distance from other billboards on the same side of a road shall be 1,000 feet.
 - (6) The minimum distance from street intersection shall be 300 feet as measured from the edge of the right of way to the base of the billboard.

- (7) Billboards shall be located a minimum of 20 feet from the side and rear property line and 10 feet from the right-of-way along Federal or State Roads, and 50 feet from the right-of-way along all other roads.

Section 9: Special Provisions

9.26 Retreat Center

9.26.1 Retreat Center, where allowed in the Ordinance, shall be subject to the following standards:

- (A) When lodging is provided, kitchen and dining facilities shall be located in a single centrally located building or buildings.
- (B) The center may not be utilized by the general public for meals or overnight accommodations.
- (C) A temporary lodging stay shall not exceed two weeks.
- (D) The owner, operator or director must reside on the property.
- (E) Adequate off-street parking for employees and customers shall be provided on site and shall meet parking standards of Section 8.2.
- (F) Applicable State and Federal licenses must be obtained prior to operation of the Retreat Center, to include food, beverage and lodging licenses. A copy of the license(s) shall be provided to the Planning and Zoning Office.
- (G) Proof of sufficient sanitary facilities and waste disposal shall be provided through the submittal of documentation from a septic designer or other qualified individual as determined by the Zoning Administrator.
- (H) Any outdoor lighting shall be arranged so as to reflect the light away from adjoining property and right-of-way.
- (I) All structures, including temporary structures, shall meet the minimum setback requirements of the district in which it is located.
- (J) Amplified noises shall be limited to 8 A.M. to 10 P.M.

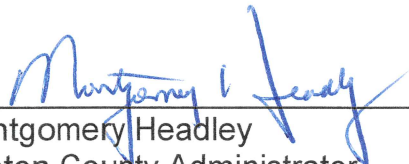
Approved and adopted by the Benton County Board of Commissioners this 20th day of February in the year of 2024.

This ordinance shall be effective upon publication.



Jared Gapinski, Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator