

BENTON COUNTY ORDINANCE NO. 281

Interim Moratorium Ordinance

WHEREAS, this ordinance was considered at public meetings conducted by the Benton County Planning Commission on January 8, 1998, and public hearings conducted by the Benton County Board of Commissioners on January 20, 1998; and,

WHEREAS, notices of said public hearings were published in the official county newspaper on December 23, 1997; and

WHEREAS, the Benton County Board of Commissioners is concerned with the orderly development of the unincorporated areas of Benton County, and seeks to promote residential growth and harmony with the preservation of agricultural land in appropriate areas; and,

WHEREAS, the Benton County Board of Commissioners finds that increasing growth and population, particularly near the cities of St. Cloud, Sauk Rapids and Sartell, has raised pressure for residential development in the unincorporated areas of the county, which at times conflicts with established agricultural uses; and,

WHEREAS, the Benton County Board of Commissioners finds that the current zoning regulations contained in the Benton County Development Code, many of which were adopted in the 1970's, may provide insufficient protection to the citizens of the community by failing to prevent scattered residential growth in unsewered and inappropriate areas; and,

WHEREAS, the Benton County Board of Commissioners finds that large scale residential development utilizing individual septic systems may have a harmful effect upon water quality, wetlands and geologically sensitive areas; and,

WHEREAS, the Benton County Board of Commissioners is currently engaged in the process of reassessing and updating the county comprehensive land use plan, which will assist the Benton County Board and the Benton County Planning Commission in determining the appropriate means of regulating development in the county; and,

WHEREAS, the Benton County Board of Commissioners finds that until the completion of said study, continued development of subdivision plats under the terms of the existing ordinance may injure the health, safety and welfare of the citizens of Benton County through inefficient allocation of resources and services; and,

WHEREAS, the Benton County Board of Commissioners has determined that the temporary cessation of the approval or processing of residential plats in the residential area is necessary until such time as appropriate studies and amendments to the comprehensive plan and ordinances can be completed; now, therefore,


THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS that, pursuant to Minn. Stat. §394.34, the following is hereby adopted:

1. That no subdivision, multiple unit development, open space development, or planned unit development, as defined and described in Sections 3.179, 10, 7S8, 7S7, 13 and 9.5 of the Benton County Development Code, shall be accepted, processed or approved by the Benton County Department of Development, the Benton County Planning Commission or the Benton County Board of Commissioners.
2. That the terms of this ordinance shall not apply to small subdivisions, as described in Section 10.10 of the Benton County Development Code.
3. That the Department of Development and the Benton County Planning Commission may process and approve, as provided by the Benton County Development Code, any applications for subdivisions that have received preliminary plat approval from the Benton County Board of Commissioners prior to the effective date of this ordinance.
4. That this ordinance shall supersede any provisions of the Benton County Development Code that are not consistent with its terms.
5. That this ordinance shall be effective upon publication and shall remain in effect until May 1, 1998, unless rescinded or amended by the Benton County Board of Commissioners prior to that date.

APPROVED BY THE BENTON COUNTY BOARD OF COMMISSIONERS THIS January 20th, 1998.

  
Al Seppelt, Chair

ATTEST:

  
Curtis Nordling, County Auditor



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OFFICE OF  
BENTON COUNTY RECORDER  
BENTON COUNTY, MN  
CERTIFIED TO BE FILED  
AND/OR RECORDED ON

JAN 20 3 38 PM '98

ALICE C. ENGELMEYER  
COUNTY RECORDER

BY At DEPUTY