

BENTON COUNTY ORDINANCE NO. 354

WHEREAS, the Benton County Department of Development instituted proceedings to amend the Benton County Ordinance 185; and,

WHEREAS, on December 24, 2002 Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspaper of the county; and,

WHEREAS, on January 9, 2003, the Benton County Planning Commission held a public hearing thereon and recommended same to the Benton County Board of Commissioners for approval and passage; and,

WHEREAS, on January 21, 2003, 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 Sections of the Benton County Ordinance 185 be amended as follows:

-Amend Sections 7.1.23, 7.2.20, 7.2A.20, 7.3.2, 7.4.2, 7.5.2, 7.6.2, 7.6A.2, 7.7.2, 7.8.2 to allow the following projects as conditional uses: 1) high voltage transmission lines of between 100 and 200 kilovolts according to Section 9.9; and 2) substations with a voltage designed for and capable of operations at a nominal voltage of 100 kilovolts or more according to Section 9.9.

-Amend Section 9.9.1

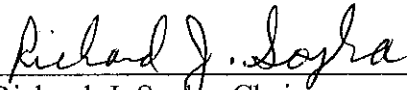
Essential Services that are not specifically listed as conditional uses are permitted uses in all zoning districts and are not subject to height, yard, setback requirements, or permits or certificates of any kind; subject only to the provisions of these sections 9.9.2 through 9.9.7.

-Add Section 9.9.8

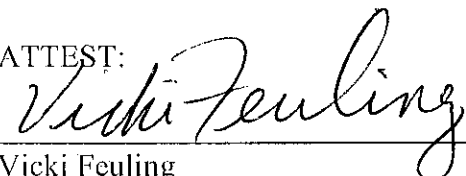
Prior to the issuance of a conditional use permit for a high voltage transmission line between 100 and 200 kilovolts or substation with a voltage designed for and capable of operations at a nominal voltage of 100 kilovolts or more an Environmental Assessment of the project must be completed as required by MN Statute 116C.575 Subd. 5.

This ordinance shall be effective upon publication.

Approved and adopted by the Benton County Board of Commissioners this 21st day of January in the year of 2003.


Richard J. Soyka, Chair
Benton County Board of Commissioners

ATTEST:


Vicki Feuling
County Clerk/Administrative Assistant

DOD

MARILYN J. NOVAK
COUNTY RECORDER
BY CK DEPUTY

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

294842

2003 JAN 31 A 11:20