

ORDINANCE NUMBER 255

BENTON COUNTY, MINNESOTA

WHEREAS, the Benton County Planning Commission on its own motion instituted proceedings to amend Ordinance Number 185 (Benton County Development Code), and any other ordinance, if any, amending Ordinance Number 185, and

WHEREAS, on July 25, 1995, Notice of Public Hearings to Consider Amending the Benton County Development Code was published in the official newspaper and mailed to the governing bodies of all towns and municipalities located within Benton County; and

WHEREAS, on August 10, 1995, the planning commission held a public hearing thereon and recommended to the Benton County Board of Commissioners that said amendment be approved; and

WHEREAS, on August 15, 1995, the Board of County Commissioners held a public hearing thereon and on August 18, 1995, approved the proposed amendment,

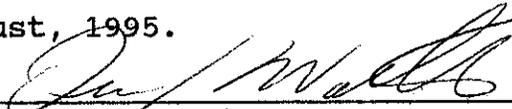
NOW, THEREFORE, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS: Amend Section 7.1.21(a) to read as follows:

7.1.21(a) It can be demonstrated that 75% of the soil is not "prime" or "good" farmland, but that it is "marginal" as defined in the Benton County Land Use Plan, Appendix I, the Soil Survey of Benton County, Minnesota, and Appendix II, Farmland Classification. This requirement may be waived if it is determined by the planning commission, after an on-site inspection, that one of the following conditions exist on at least 75% of the proposed parcel:

1. Soil & Water Conservation District (SWCD) information indicates that the land has not been seeded crop land for at least ten years; or
2. The proposed site is a wooded area with mature trees; or
3. An unusual amount of granite or rock outcroppings make the proposed site virtually impracticable to farm; or

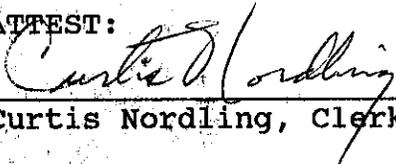
4. SWCD information identifies the proposed site with soils that are considered highly erodible (HEL) and/or potentially highly erodible (PHEL) according to the Benton Soil and Water Conservation District Technical Guide.

APPROVED AND ADOPTED by the Benton County Board of Commissioners this 18th day of August, 1995.



Duane Walter, Chairman
Benton County Board of Commissioners

ATTEST:



Curtis Nordling, Clerk

230155

CLERK OF COURT
BENTON COUNTY RECORDER
BENTON COUNTY, NH
CERTIFIED TO BE FILED
AND FOR RECORD ON

AUG 22 9 25 AM '95

ALICE B. [unclear]
COUNTY CLERK

BY  CLERK