

Interim Moratorium Ordinance

WHEREAS, this ordinance was considered at public meetings conducted by the Benton County Planning Commission on April 10, 1997, and public hearings conducted by the Benton County Board of Commissioners on June 17, 1997; and,

WHEREAS, notices of said public hearings were published in the official county newspaper on March 25 & May 27, 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 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 scattered residential development in agricultural areas 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 issuance of residential building permits in agriculturally-zoned areas, as well as the issuance of permits for communication towers, is necessary until such time as appropriate studies and amendments to the comprehensive plan can be completed;

NOW, THEREFORE, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS:

That, pursuant to Minn. Stat. §394.34, the Benton County Board of Commissioners hereby adopts an interim ordinance providing as follows:

1. That no conditional use permit or land use permit shall be issued permitting the construction or placement of communication towers, as defined in Section 3.32 of ordinance #185, the Benton County Development Code, in any area of the county governed by the Benton County Development Code.
2. That no conditional use permits shall be issued by the Benton County Planning Commission permitting the construction or placement of single-family dwellings in areas zoned A-1 or A-2.
3. That during the effective period of this ordinance, neither the zoning administrator nor any Department of Development employees may issue or approve land use permits contrary to this ordinance.
4. That the Planning Commission and Department of Development may process and approve, as provided by the Benton County Development Code, any applications for permits for single-family dwellings and communication towers, that have been completed and duly filed with the Benton County Department of Development prior to the adoption of this ordinance.
5. That this ordinance shall supersede any provisions of the Benton County Development Code that are not consistent with its terms.
6. 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

17 DAY OF June, 1997.

242730

Alice Trushenski

 Alice Trushenski, Chair

ATTEST:

Curtis Nordling

 Curtis Nordling, County Auditor

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

JUN 30 10 59 AM '97

ALICE J. SWILLEY
 COUNTY RECORDER

BY at DEPUTY

