

## BENTON COUNTY ORDINANCE NO. 314

WHEREAS, the Benton County Board of Commissioners instituted proceedings to amend Benton County Ordinance 185; and,

WHEREAS, on March 14, 2000, Notice of Public Hearing and intent to amend Benton County Ordinance 185, Section 11.8.1 was published in the official newspaper of the county; and,

WHEREAS, on March 28, 2000, 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 April 4, 2000, 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 Benton County Ordinance 185, Section 11.8.1 be amended to read as follows:

### 11.8.1 Contemporaneous Rezoning and Platting

- (1) A property owner, or owners, requesting rezoning of property to R-1, R-2 or R-3 must also submit, contemporaneously with the rezoning request, a proposed preliminary plat (or plats) including the entire property to be rezoned. The plat must comply with the Subdivision Requirements in Section 10.
- (2) At least two public hearings shall be conducted during the rezoning process. At the first hearing, the Planning Commission and Board of Commissioners shall consider the rezoning request in conjunction with the proposed preliminary plat (or plats). If the Board of Commissioners disapproves the preliminary plat or the rezoning request at this stage, no further hearings need be conducted. Preliminary approval does not assure final approval of the plat or of the rezoning request.
- (3) If preliminary approval is given, a second public hearing will be conducted, at which the Planning Commission and the Board of Commissioners shall consider the rezoning request in conjunction with the final plat. The final plat shall comply with the Subdivision Requirements of Section 10.
- (4) Rezoning or zoning map amendments initiated by the Planning Commission or the Board of Commissioners will not require contemporaneous platting.

This Ordinance shall be effective upon publication.

APPROVED AND ADOPTED by the Benton County Board of Commissioners this 18<sup>th</sup>  
day of March in the year of 2000.



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Duane Walter, Chair  
Benton County Board of Commissioners

ATTEST:



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Rick Speak, Clerk of the Board

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

APR 6 11 01 AM '00

ALICE C. ENGELMEYER  
COUNTY RECORDER

BY mn DEPUTY