

Recorded: 1/28/2015 at 9:45 AM

**RESOLUTION ADOPTING
A COMPREHENSIVE PLAN FOR BENSON COUNTY**

The intent is to:

Promote the health, safety, moral and general welfare of the residents and the orderly development of lands within the County;

Preserve and maintain agricultural lands for farm use;

Preserve the quality and supply of surface and ground water;

Encourage non-farm growth to locate within existing communities or community-served districts;

Promote a healthy and visually attractive environment;

Promote the development and utility corridors that utilize the least productive agricultural land;

Discourage development that places an excessive financial burden on County government.

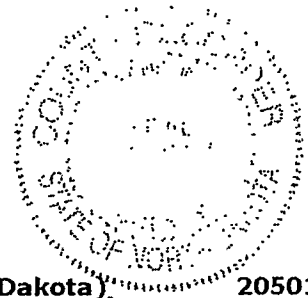
THIS COMPREHENSIVE PLAN IS HEREBY ADOPTED EFFECTIVE THIS 2nd DAY OF December, 2003.

Barb Cox
Chairman of the Board
Benson County Commissioners

Edward B. Pejlic
Board Member
Benson County Commissioners

Dwain Brown

Lute Horner



State of North Dakota) 205018
County of Benson)
I hereby certify that the within instrument was filed for record in this office 1/28/2015 at 9:45 AM and is recorded as Document No. 205018
Rhoda Pfeiffer Benson County Recorder

By Rhoda Pfeiffer
Fee: \$0.00 Returned: BENSON COUNTY AUDITOR
PO BOX 206

- MINNEWAUKAN ND 58351

This Resolution Adopting a Comprehensive Plan for Benson County is being re-recorded to include the Benson County Comprehensive Plan which was adopted through the Resolution. The Original Resolution Adopting a Comprehensive Plan for Benson County was recorded as document number 193015 on June 6, 2005 in the Office of the Benson County Recorder.

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BENSON COUNTY COMPREHENSIVE PLAN**SECTION I****Introduction**

This Comprehensive Plan has been prepared by the Benson County Planning Commission and reflects the values and desires of the County residents. The purpose of this plan is to promote the health, safety, morals, public convenience, general prosperity, and public welfare in Benson County.

A Comprehensive Plan is a statement of public policy concerned with future land use, transportation, and public facilities. It established plans and policies to achieve the goals and objectives that County residents have for the future.

ORGANIZATION

This plan is organized into five sections. Section I is the introduction designed to explain the purpose, format, use, and implementation of the plan. Section II lists the goals and objectives of the plan, providing the basis for the plan elements. Section III is the plan for future land use in the County. Section IV is the plan for the future transportation system in the County. Section V is the plan for future public facilities in the County.

USE OF PLAN

This plan is designed to be used by the elected and appointed officials of Benson County when they are making decisions affecting land use, transportation and public facilities. These decisions include land use regulations, road construction and maintenance, and provision of other public services.

As conditions in the County change, this plan should be reviewed and updated. Reasons for updating the plan is shifts in the needs and the values of the County

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residents, changes in the local economy, or the onset of problems that need to be addressed

PLAN IMPLEMENTATION

Benson County can implement this plan in several ways. Zoning regulations can be developed to control the location of different land uses. Subdivision regulations can be to regulate the location and type of subdivisions in the County. Public expenditures on roads and other public facilities should be made in accordance with this plan. Also, Benson County can support and encourage other activities which would lead to the implementation of this plan.

LEGAL AUTHORITY

The legal authority for County governments to create a planning commission, and to develop and adopt a comprehensive plan is contained in Chapter 11-33 of the North Dakota Century Code.

SECTION II

Goals and Objectives

This section lists the goals and objectives of the Benson County Comprehensive Plan. The goals and objectives provide a description of what the County is trying to achieve. Therefore these goals and objectives represent the basis for the land use plan, the transportation plan, and the public facility plan that are in the following sections.

The goals are generalized statements of commonly held values of County residents. The objectives are similar to the goals; however, they are more specific and further describe the goals. These goals and objectives should not be viewed as regulations or commitments of public expenditures.

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Because of the general nature of the goals and objectives, it is common to have goals/objectives that appear to conflict with each other. It is also difficult to describe the exact meaning of each goal/objective. However, it was necessary to reach agreement on general goals/objectives before specific plans and policies could be developed in the following sections.

The specific plans and policies in the land use plan, transportation plan and public facility plan are based on achieving the goals and objectives in this section. The plans are also based on the existing characteristics of Benson County that are described in the next section.

NATURAL RESOURCES

Goal - Develop a land use plan that encourages the utilization, conservation and protection of agricultural, mineral, water, and wildlife resources that contribute to the economic base and aesthetic quality of the County.

Objectives

1. Protect the County's productive agricultural land from encroachment of nonagricultural activities.
2. Encourage the development of mineral resources in a way that will not impair the long-term value of other resources.
3. Protect wildlife and habitat resources in the County.
4. Maintain the quality and quantity of groundwater and surface water resources.
5. Protect agricultural operations from nonagricultural activities that would hinder farm operations.
6. Reduce the loss of soil erosion and prevent the spread of noxious weeds.

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7. Reduce soil erosion and flooding caused by man-made and natural drainage patterns.

TRANSPORTATION

Goal - Develop a transportation system that will support and serve future land uses and residents of the County.

Objectives

1. Provide a road system that efficiently and economically serves the needs of County residents.
2. Develop a land use plan that utilizes the existing road system to serve new development.
3. Develop standards of design and construction for new roads and bridges constructed in the County.
4. Discourage development in areas where the costs of providing or maintaining roads is excessive.
5. Replace unsafe bridges according to their importance to the overall transportation system.
6. Identify roads that are not needed and consider discontinuing maintenance on them.

ECONOMIC DEVELOPMENT

Goal - Develop a plan that will encourage and accommodate economic growth in the County.

Objectives

1. Provide an environment that is conducive to maintain existing employment and creating new employment and business opportunities.

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2. Provide areas for industrial land uses that will have a minimal effect on agricultural or other land uses.
3. Provide adequate transportation and public facilities to serve the needs of business.
4. Provide support for activities that encourage economic development in the County.

COMMUNITY DEVELOPMENT

Goal - Develop land use patterns which preserve and improve that aesthetic character of communities.

Objectives

1. Provide adequate land for residential, commercial, industrial, recreational, and other land uses.
2. Minimize conflicts between different land uses.
3. Encourage the maintenance, conservation, and rehabilitation of existing structures.
4. Maintain and improve the aesthetic quality of residential areas.
5. Protect residential areas from heavy through traffic.

PUBLIC FACILITIES

Goal - Provide adequate public services and facilities for residents of the County.

Objectives

1. Stabilize the costs of providing public services by guiding future development to areas that can be served in a cost effective manner.
2. Assure that adequate water, sewer and solid waste facilities are available prior to new development occurring.
3. Develop adequate recreational facilities for County residents.

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4. Encourage land use patters that can be served with public facilities and services in a cost effective manner.

HUMAN SERVICES

Goal - Provide County residents with basic services that are necessary to maintain decent standards of health, safety, education, and welfare.

Objectives

1. Improve and maintain availability of medical, education and social services in the County.
2. Provide services to elderly, handicapped and low-income- residents needing special assistance.
3. Deliver human services in a cost effective manner.

SECTION III

Future Land Use Plan

This land use plan describes the existing land use conditions in Benson County and what the future land use patterns should be like. It also describes how the plan should be implemented.

EXISTING LAND USE

Existing land use in Benson County is primarily agricultural or other natural land uses. Other rural land uses in the County include recreation areas, commercial businesses, and rural residences. Most of the agricultural and other natural land uses are unaffected by other land uses in the County.

FUTURE LAND USE

Agricultural and other natural resources in Benson County are very important to the economic base and quality of life in the County. Because of this they should be maintained and protected from land uses which would have an adverse affect on

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them. There is sufficient land in more developed areas of the County that can provide for the residential, commercial, and industrial needs that will likely occur in the future. These more developed areas include industrial parks, commercial areas in existing cities, residential areas in and adjacent to existing cities, and existing rural subdivisions. Also, these areas can be served with public facilities and services at lower costs than less developed rural areas.

While more future land use needs should be able to be accommodated in the more developed areas of the County, there will be a need to allow some special land uses in the rural areas. These include agricultural processing or other facilities with a need for large sites, certain transportation facilities, or need to be located adjacent to certain natural resources. It would also include special land uses best located in undeveloped areas that may have an adverse effect on adjacent land uses such as landfills, although the effect of these on adjacent land should be minimized as much as possible.

Other special land uses appropriate for rural areas are recreation land uses that are located next to lakes or other natural resources. These would include lake residences, campgrounds, parks, recreation facilities, and businesses that serve people using these recreation areas.

When development is being considered in the rural area of the County these are some things that should be considered. Development should not occur in areas where the development could be damaged by flooding. Development should not result in inadequate drainage, severe soil erosion, groundwater pollution, or other adverse effects on the environment or adjacent land uses.

Development in rural areas should also occur in locations where the cost of providing public facilities and services will be of least burden to the County. The

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development should occur on an existing road, and in areas where other facilities and services can be provided at a lower cost. In addition, developers in rural areas should provided money to pay for any new public facilities needed to serve them.

IMPLEMENTATION

Implementation of this land use plan can be accomplished in several ways. These include zoning regulations, subdivision regulations, and capital expenditures.

Zoning regulations should be developed to implement this plan. These regulations would restrict the type of development that could occur in different areas of the County.

Subdivision regulations should also be developed to regulate the subdivision of land in the County. The regulations would be to prevent subdivisions from being poorly designed and prevent subdivisions from occurring in the poor locations.

In addition to these regulations, the County should not help finance roads or other public facilities that would encourage the development of land uses that are not in conformance with this plan.

SECTION IV

Future Transportation Plan

This rural transportation plan describes the existing road system and provides a plan for future roads in the County.

EXISTING ROAD SYSTEM

The existing road system in the County includes state highways and county roads. The County farm to market road system also is an important part of the County road system. These highways are primarily gravel surfaced and provide access to the Federal/State highway system for rural county residents from the County road system. These roads receive state and federal financial support.

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FUTURE ROAD SYSTEM

Benson County is fortunate to have good north-south and east-west roadways throughout the County. These roads should be viewed as the primary road system in the County for travel within the County and travel outside of the County.

IMPLEMENTATION

It is important to educate residents of the choices that must be made between maintaining a small road system in good condition or maintaining the existing size system in a poorer condition.

When considering the designation of minimum maintenance roads, the County must also look at liability concerns and the affect it would have on state and federal aid the County receives.

If there is a need or desire to expand the County road system, the new land uses served should be the ones responsible to finance that expansion. The County should only expand its road system if it is clearly evident that there would be increased tax revenue to the County, which greatly exceeds the cost of construction and maintenance of the new road.

SECTION V

Future Public Facilities Plan

This section serves as the public facilities plan for Benson County. Many of the public facilities provided to County residents are provided by other units of governments such as the cities, school districts, fire districts, and park districts.

EXISTING PUBLIC FACILITIES

Benson County provides law enforcement, road maintenance, and general government for County residents. The courthouse is located in Minnewaukan. Road maintenance equipment is kept in county shops throughout the county.

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Education, fire protection, water and sewer service are provided to County residents by other units of government. Fire protection is provided by the rural fire district. The cities within the county provide parks and recreation facilities for residents of the County.

FUTURE PUBLIC FACILITIES

The public facilities now serving the County are adequate at this time. There has been a decline in population of the County and if the trend continues, there will not be a need to expand public facilities. The emphasis should be on maintenance of existing facilities.

If development does occur in the County, it would be best if the development occurs in or adjacent to cities that have existing public facilities. This way the existing public facilities would be readily available to serve the development and there would not be the high costs of building new public facilities in other areas of the County.