

Resolution BB: Ownership of Open Space expanded

Proposed Zoning Ordinance Changes to Stearns Ordinance 7.14.8
Open Space Ownership Requirements

WHEREAS the purpose of the Open Space Ownership Requirements in 7.14.8 is to provide mechanisms to assure that Open Space will meet the design standard of 7.14.10 C (3):

“The required open space shall be undivided and restricted from further development with a permanent conservation easement.” And

WHEREAS the existing language is very restrictive about who can own the Open Space land after the easement is applied; and

WHEREAS allowing the current landowner to apply the required easement and keep possession and/or transfer title of the Open Space land will allow landowners to keep the majority of their land while earning some income; and

WHEREAS allowing landowners to transfer title of Open Space with the easement will help assure a stable land base available at a reasonable cost to farmers and other land users;

Therefore,

BE IT RESOLVED that the Avon Hills Initiative recommends the following concept to Stearns County for adoption as a new provision in the zoning ordinance:

7.14.8 C. The open space land may be retained by the landowner and/or the developer and may be sold to any subsequent landowner provided:

- a) The open space land is surveyed or legally described;
- b) The required open space shall be undivided and restricted from further development with a permanent conservation easement;
- c) The conservation easement is recorded with the county.

Action taken:

Recommended by vote of the Executive Committee for adoption by the full group:

Motion passed executive committee
Chris Schellinger, Chair

Date: _8 December 2004_

The concepts of these resolutions had been previously passed at the November 18th, 2004 Avon Hills Meeting. The full group gave the Government Operations committee the freedom to make any necessary adjustments to the resolutions before presenting them to the county.

This resolution was presented to the Stearns County Commissioners board at their December 14th, 2004 meeting by Alan Davisson, Chris Schellinger, Leroy Gondringer, and Tom Kroll. The Board acknowledged the work of the Avon Hills Initiative and advised the group that a revision of the County Comprehensive plan was to begin soon and these concepts should be considered in that process.