

## RESOLUTION 2024-18

WHEREAS, on March 21, 2024, the Buffalo County Planning and Zoning Commission held a public hearing for amendments to Buffalo County Zoning Regulations, Section 5.14, Permitted Special Uses of the Agriculture (AG) District; Section 5.24, Permitted Special Uses of the Rural Conservation (RC) District; Section 5.34, Permitted Special Uses of the Agricultural – Residential (AGR) District; Section 5.54, Permitted Special Uses of the Commercial District; Section 5.64, Permitted Special Uses of the Industrial (I) District with renumbering as necessary, regarding mineral extraction.

That Commission voted unanimously, with two absences and no abstentions, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on April 23, 2024, this Board conducted a public hearing concerning proposed amendments to Buffalo County's Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:


**Amend The Buffalo County Zoning Regulations, with renumbering as necessary, the following language:**

- Mineral extraction, which shall include the following: oil wells, sand, dirt and/or gravel extraction and quarries accomplished through the use of water and aggregate pumping machinery and/or earth moving surface equipment. (Resolution 3-24-09).

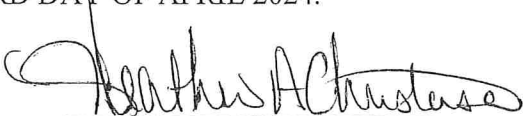
**in the following sections:**

- Section 5.14, Permitted Special Uses of the Agriculture (AG) District
- Section 5.24, Permitted Special Uses of the Rural Conservation (RC) District
- Section 5.34, Permitted Special Uses of the Agricultural – Residential (AGR) District
- Section 5.54, Permitted Special Uses of the Commercial District (**Addition**)
- Section 5.64, Permitted Special Uses of the Industrial (I) District

PASSED AND APPROVED THIS 23RD DAY OF APRIL 2024.

  
Ivan H. Klein, Chairperson  
Buffalo County Board of Commissioners

ATTEST:  
(SEAL)

  
Heather A. Christensen  
Buffalo County Clerk



## RESOLUTION 2024-19

WHEREAS, on March 21, 2024, the Buffalo County Planning and Zoning Commission held a public hearing for an amendment to Buffalo County Zoning Regulations, Section 9.42, with renumbering as necessary, regarding notice requirements and deadlines to schedule hearing.

That Commission voted unanimously, with two absences and no abstentions, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on April 23, 2024, this Board conducted a public hearing concerning proposed amendments to Buffalo County's Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:

9.42 ~~The Chairperson of the Board shall set a hearing within thirty (30) days of receipt of the appeal. The time, date, place of the hearing, and description of the request shall be published in a local newspaper of general circulation ten (10) days prior to the actual hearing. NOTICE~~ The Board shall also ~~notify~~ provide notice to the interested parties ten (10) days prior to the hearing date, in the case of which includes the hearing date, time and place of the hearing. The prescribed method of giving notice, unless otherwise specifically changed by the action being taken, shall be as follows:

**A. Adjoining landowners:** Notice(s) for any public hearing shall be sent to owners of record who have property three hundred (300) or less feet from outside borders of tract(s) and/or if streets or roads abut the property that is the subject of the action extending three hundred (300) feet from the street frontage of such opposite lots measured from the opposite side of the road, sought to be vacated at least ten (10) days before the Commission and County Board public hearing(s). Receipt of such notice is not mandatory or required as a condition precedent to any such public hearing.

**B. Publication** Notice of the public hearings shall also be given by publication of notice of said hearing one time at least ten (10) days prior to such hearing in a daily newspaper having a general circulation in the City of Kearney and Buffalo County.

**C. Property shall be described** For notices to adjoining landowners and by publication, the notice(s) for shall clearly describe the plat or portion thereof to be considered at the public hearing and state the time and place of the meetings of the Commission and The Board of Commissioners at which the consideration and adoption of the resolution will be voted upon.

**D. Posting on the property:** Notice of such hearing shall also be posted ten (10) days in advance of the public hearing(s) concerning the property in a conspicuous place on or near the property in sign form to seeking action in the public hearing.”

PASSED AND APPROVED THIS 23RD DAY OF APRIL 2024.



Ivan H. Klein, Chairperson  
Buffalo County Board of Commissioners

ATTEST:



Heather A. Christensen  
Buffalo County Clerk

(SEAL)

