



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, December 10, 2025 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Keller
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Matthew Rothstein

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Val Decker
Commissioner Mathew Rothstein

ABSENT

Commissioner Mike Schwab
Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve as presented.

Motion made by Commissioner Decker, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Rothstein

2. MINUTES

A. NOVEMBER 12TH 2025 MINUTES

Motion to approve as presented.

Correction to Minutes is noted by Commissioner Franchuk: Item 3, Franchuk voted Nay. Haugen voted Aye.

Motion to approve with corrections made by Vice Chairman Bullinger, Seconded by Commissioner Johansen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Rothstein

B. NOVEMBER 24TH 2025 MINUTES

Motion to approve as presented.

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Haugen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Rothstein

3. REGULAR AGENDA:

A. SPECIAL USE PERMIT (SUP-005-2025) - Presented by City Planner, Natalie Birchak

To consider a Special Use Permit for a home-based flower arranging business located at 1896 1st Street West on a property legally described as the E73' W77' of Lot 21, Block 29 of the State Addition Subdivision, located in the NE ¼ of the SE ¼ of Section 5, Township 139 North, Range 96 West, in the City of Dickinson. The lot is zoned High Density Residential (R-3). The site consists of +/- 0.25 acres.

Ms. Birchak presents the SUP request. The property is zoned high-density residential. Staff has received public comments from a larger-scale flower shop in town questioning why different requirements apply. Ms. Birchak notes that, because this is a home-based business, the applicable requirements differ. Staff recommends approval with the conditions listed in the staff report as follows:

- Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m. Mondays through Saturdays.
- Operation of the home-based business/home occupation shall be as described in this staff report as well as in the material found in Attachment A.
- The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.
- Operation of the home-based business/home occupation shall comply with all applicable City, County, State and Federal regulations.

Chairman Fridrich asks if customers are allowed to come to the property for pickup. The business is allowed to have a small sign, one employee who does not live at the property, and pickup orders limited to four to five per day. Commissioner Rothstein asks if the applicant would need to return for approval on a yearly basis; staff confirms they would not.

Melissa Sheppard, owner, is present. She states that most sales occur through their website. She notes that customer pickups are occasional and are generally discouraged. She mentions that the business frequently makes donations within the community. Deliveries are received once per week. She states that they do not plan to ever have high traffic associated with the business.

Chairman Fridrich opens the public hearing. There being no comments, the hearing is closed.

Motion to approve made by Commissioner Johansen, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Rothstein

B. REZONING (REZ-011-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from General Commercial (GC) to Medium Density Residential (R-2) for Lot 1 of Block 6 of the West Ridge 2nd Addition Subdivision, located in the SE ¼ of Section 36, Township 140 North, Range 97 West, in the City of Dickinson. The site consists of +/- 2.23 acres.

Ms. Birchak presents the rezone request. The purpose of the rezone is to allow the applicant to combine the properties into one larger lot, which would reduce some of the tax burden on the property owner. The properties would be considered agricultural for property tax purposes until the platted adjacent 50th Avenue West is constructed. Staff has not received any public comments and recommends approval.

Fridrich asks if the plat is being vacated. Ms. Birchak responds that it is not; the properties will be replatted. She explains how the properties will be eligible to be taxed as agricultural, based on the requirements listed in the North Dakota Century Code. Comments received via email from the Assessing Department clarified these requirements. The properties are currently taxed as individual commercial properties and will be replatted into two lots.

Jeremy Easum, Civil Science, representing the applicant, is present. He states that everything west of 50th Avenue West would be taxed as agricultural, which is the purpose of the rezone and replat. He notes that the next item would combine those lots. He explains that multiple options were considered, including vacating and deannexing, and this proposal was determined to work best for the applicant. He adds that the costs associated with developing these lots would be very high, and the owner does not have interest at this time in taking that on.

Chairman Fridrich opens the public hearing. There being no comments, the hearing is closed.

Motion to approve made by Commissioner Haugen, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk,

Commissioner Johansen, Commissioner Haugen, Commissioner Decker,
Commissioner Rothstein

C. FINAL MINOR PLAT (FLP-014-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the West Ridge 4th Addition Subdivision, being a replat of All of Block 6, All of Block 7, All of Block 8, All of Block 9, All of Block 10, All of Block 11, All of Block 12, All of Block 13, All of Block 14, and All of Block 15 of the West Ridge 2nd Addition Subdivision, located in the SE ¼ of Section 36, Township 140 North, Range 97 West, in the City of Dickinson. The site is zoned Medium Density Residential (R-2) and General Commercial (GC). The site consists of +/- 86.49 acres.

Ms. Birchak presents the minor plat. This item coincides with the previous rezone request. As such, the discussion held for the previous agenda item also applies for the proposed plat. Staff has not received any public comments and recommends approval.

Chairman Fridrich opens the public hearing. There being no comments, the hearing is closed.

Motion to approve made by Commissioner Decker, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Rothstein

4. PUBLIC COMMENT

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. INDUSTRIAL OFF-STREET PARKING ORDINANCE

Ms. Birchak presents the proposed Industrial Off-Street Parking Ordinance amendments and reviews a PowerPoint presentation outlining changes to MC 62-592.

The proposed amendments clarify acceptable paving and surfacing materials for off-street parking facilities, with specific allowances for rear-yard vehicular circulation areas in LI and GI districts. The changes remove dirt and scoria as permitted finished surfaces, require a paved transition area between public rights-of-way and unpaved circulation areas, and reinforce design standards intended to reduce dust, sediment, and maintenance impacts on adjacent properties and public rights-of-way.

No commissioners raise concerns or objections. Ms. Birchak notes that the ordinance amendments will be presented at the January Planning and Zoning Commission meeting.

B. SECTION 62-56 (e)(1)(c) REMOVAL

Ms. Birchak presents the proposed changes to Section 62-56 related to Special Use Permit and Zoning Map Amendment notice requirements and reviews a PowerPoint presentation outlining the proposed amendments

The presentation explains existing notice requirements, identifies concerns with the current petition requirement in Section 62-56(e)(1)(c), and compares the City's notification process with those used in other North Dakota communities. Ms. Birchak notes that the petition requirement can be overly restrictive, inconsistently applied, and may prevent otherwise supported applications from advancing due to factors outside an applicant's control.

Fridrich asks what the minimum notice requirements are under Century Code and states that he believes the City's requirements should align with those standards. City Attorney Wenko explains the applicable Century Code requirements and agrees with Ms. Birchak's assessment, noting that the City's current practices are consistent with those requirements.

Commissioners indicate agreement with the proposed changes.

C. SHORT-TERM RENTAL ORDINANCE

Ms. Birchak presents the first draft of the proposed Short-Term Rental zoning text amendment and reviews a PowerPoint presentation outlining proposed changes to MC 62-133 and MC 62-469.

The presentation includes a proposed definition for short-term rentals, outlines licensing requirements, and establishes operational standards, including owner-occupancy requirements, annual licensing and renewal, disclosure of financial stakeholders, emergency planning requirements, and limits on the number of licenses an individual or entity may hold.

Discussion includes the proposed limitation of a maximum of two short-term rental licenses per individual or entity. Ms. Birchak notes that many communities have adopted similar limitations, which is why disclosure of stakeholders and financial interests is required.

Commissioners indicate agreement with the proposed changes, with no opposition expressed.

7. ADJOURNMENT

Motion made by Commissioner Decker, Seconded by Commissioner Johansen.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Rothstein

Link for viewing Planning and Zoning Commission Meeting:
<https://youtube.com/live/ZckqIQImYbs>