



PLANNING AND ZONING MEETING AGENDA

Wednesday, August 12, 2026 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 Jahner
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Mathew Rothstein

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. JULY 8TH, 2026 MINUTES

3. REGULAR AGENDA

A. OATH OF OFFICE FOR ZACH JAHNER

B. PRELIMINARY MAJOR PLAT (PLP-004-2026) - Presented by City Planner, Natalie Birchak

To consider a Preliminary Major Subdivision Plat for the Taplands Addition Subdivision, being the replat of a portion of Lot 1, Block 1 of the Green Acres Addition Subdivision, located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. The site is zoned Limited Commercial (LC). The site consists of +/- 2.28 acres.

C. PRELIMINARY MAJOR PLAT (PLP-005-2026) - Presented by City Planner, Natalie Birchak

To consider a Preliminary Major Subdivision Plat for the Zowie Heights Subdivision, being a portion of the SE $\frac{1}{4}$ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-

Territorial Zone (ETZ). The site is zoned Agricultural (AG). The site consists of +/- 40.006 acres.

D. ZONING TEXT AMENDMENT (ZTA-007-2026) - Presented by Engineer/Community Development Director, Joshua Skluzacek

To consider a text amendment to repeal Article III. – “Stormwater Management”, of Chapter 16 – Environment, and to add Article VI. – “Stormwater Management”, to Chapter 60 – Utilities, of the City of Dickinson Municipal Code regarding updates to the City’s stormwater management requirements and the establishment of a stormwater design manual (SWDM).

4. **PUBLIC COMMENT**
5. **ITEMS NOT ON AGENDA**
6. **WORK SESSION**
7. **ADJOURNMENT**

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/OPyiODU7M0>

This link will not be live until approximately 7:05 AM MT on August 12, 2026.

Teams Meeting: <https://tinyurl.com/PZC08122026>

Teams Meeting ID: 269 208 308 083 37

Meeting Passcode: 4s8i929A

Teams Phone #: 1-701-506-0320

Phone Conference ID: 509 492 613#

Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator at (701) 456-7744 by the Friday preceding the meeting.



PLANNING AND ZONING MEETING MINUTES

Wednesday, July 08, 2026 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

Mathew Rothstein

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich

Commissioner Dean Franchuk

Commissioner Aaron Johansen

Commissioner Richard Haugen

Commissioner Val Decker

ABSENT

Vice Chairman Scott Bullinger

Commissioner Mike Schwab

Commissioner Zach Keller

Commissioner Mathew Rothstein

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve as presented.

Motion made by Commissioner Decker, Seconded by Commissioner Johansen.

Voting Yea: Chairman Fridrich, Commissioner Franchuk, Commissioner Johansen,
Commissioner Haugen, Commissioner Decker

2. MINUTES

A. JUNE 10TH, 2026 MINUTES

Motion to approve as presented.

Motion made by Commissioner Johansen, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker

3. REGULAR AGENDA

A. FINAL MINOR PLAT (FLP-005-2026) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the Country Oaks Estates Fourth Addition Subdivision, being the replat of All of Lots 1, 2, & 3 of Block 10 of the Country Oaks Estates Addition Subdivision, located in the SE ¼ of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. The site is zoned Medium-Density Residential (R-2). The site consists of +/- 0.73 acres.

Ms. Birchak presents the minor plat request. She explains the purpose of this plat is to divide the lots to construct four single family detached homes. Staff recommends approval.

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

Motion to approve made by Commissioner Johansen, Seconded by Commissioner Decker.

Voting Yea: Chairman Fridrich, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Motion made by Commissioner Haugen, Seconded by Commissioner Johansen.

Voting Yea: Chairman Fridrich, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker

Link for viewing Planning and Zoning Commission Meeting:

<https://www.youtube.com/live/OWak1hIfTao>

Natalie Birchak

From: Jotform <noreply@jotform.com>
Sent: Wednesday, July 1, 2026 3:28 PM
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak; Kylee Zastoupil
Subject: Re: Unified Development Application



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [Taplands Pre-Application Letter.pdf](#)

Type of Development **Major Subdivision Preliminary Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **A portion of Lot 1, Block 1, Green Acres Addition**

Name **Beau Sneed**

Company **701 Taplands, LLC**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Applicant Representative (if applicable) **Andrew Schrank**

Applicant Representative Company	Highlands Engineering
Applicant Representative Email	[REDACTED]
Applicant Representative Phone #	[REDACTED]
Owner Name	701 Taplands, LLC
Owner Address	[REDACTED]
Owner Email	[REDACTED]
Owner Phone #	[REDACTED]
Is the owner present to Sign	No
Owner Signature Upload	261980_Owner Signature_2026-06-30.pdf
Will this application require any other action to complete the development?	Yes
Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS)	A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 1 OF GREEN ACRES ADDITION TO THE CITY OF DICKINSON, STARK COUNTY, ND, BEING LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION NINE (9) BEING A FOUND BLM BRASS CAP; THENCE N 00°07'14" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW1/4), A DISTANCE OF 118.38 FEET TO THE POINT OF BEGINNING AT THE CENTER OF THE HEART RIVER; THENCE CONTINUING N 00°07'14" W ALONG SAID WEST LINE, A DISTANCE OF 613.94 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 89°52'46" E A DISTANCE OF 33.00 FEET TO A SET REBAR AND CAP LS-5466 ON THE WEST RIGHT-OF-WAY LINE OF STATE AVENUE ALSO BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 994.80 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL

ANGLE OF 24°06'59", A DISTANCE OF 418.72 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 43°44'48" W CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO A SET REBAR AND CAP LS-5466 AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1014.80 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 5°43'31", A DISTANCE OF 101.40 FEET TO A POINT ON THE CENTERLINE OF THE HEART RIVER; THENCE ALONG SAID RIVER CENTERLINE S 59°59'59" W, A DISTANCE OF 378.86 FEET TO THE POINT OF BEGINNING.

SAID PARCEL DESCRIBED CONTAINS 2.28 ACRES, MORE OR LESS, IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, SURVEYS. SAID PARCEL INCLUDES NAVIGABLE WATER BODY SOVEREIGN LANDS OWNED BY THE STATE OF NORTH DAKOTA WITHIN THE ORDINARY HIGH WATER MARK IN ACCORDANCE WITH NORTH DAKOTA CENTURY CODE §61-33.

	1/4 Section	Township	Range
Description	SW1/4NW1/4 Section 9	T139N	R96W

Property Address /
General Project Location418 S State Avenue

Total Square Footage or
Acreage of Subject
Property2.28 acres

Transmittal Letter
(Explanation of Request &
Proposed Operations)[261980 Transmittal-PRELIM PLAT 2026-07-01.pdf](#)

Rezone Calc Multiplier0

Minor Platting Multiplier0

Prelim Platting Multiplier1

Major Platting Multiplier0

Name of Preliminary PlatTaplands Addition

Preliminary Number Lots1 to 10 Lots

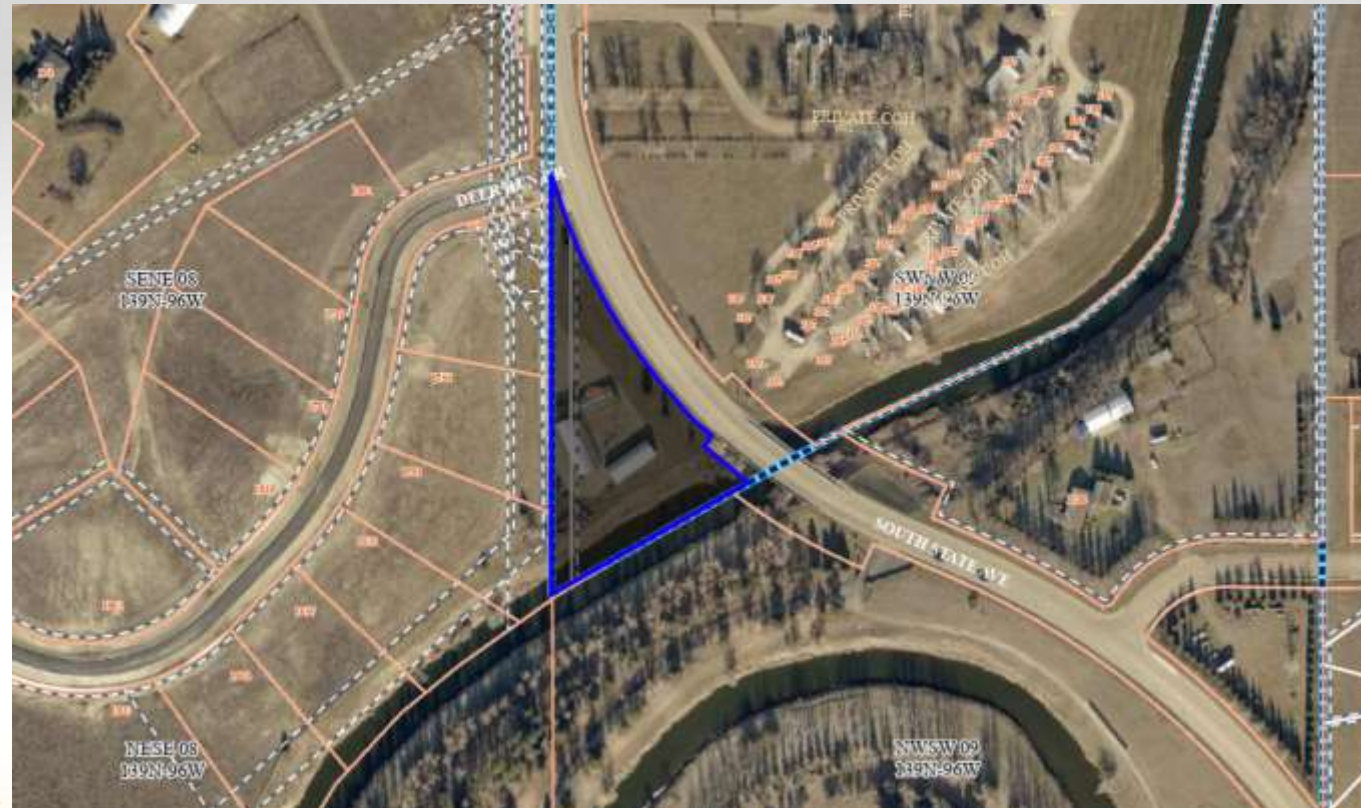
Preliminary Number of Block(s)	1								
	0								
Application Calc	500								
Required Documentation Upload	261980 Zoning Map 2026-06-24.pdf 261980 Utility Map 2026-06-24.pdf 261980 Parcel Map 2026-06-24.pdf 261980 X-Site-2 2026-04-08.pdf 261980 FIRMETTE 2026-03-06.pdf 261980 PLAT-PRELIM 2026-06-24.pdf 261980 PLAT-FINAL 2026-06-24.pdf								
Deed for Property	3183201 Contract for Deed.pdf								
Application Fees	<table><tr><td>Applicable Fees</td><td>500.00 USD</td></tr><tr><td colspan="2"> </td></tr><tr><td>Total:</td><td>\$500.00</td></tr><tr><td colspan="2">Transaction ID: mk5zq0wk</td></tr></table>	Applicable Fees	500.00 USD			Total:	\$500.00	Transaction ID: mk5zq0wk	
Applicable Fees	500.00 USD								
Total:	\$500.00								
Transaction ID: mk5zq0wk									
Payment Information									
First Name:	Andrew								
Last Name:	Schrank								
E-Mail									
Applicant Signature									
Date	07-01-2026								

You can [edit this submission](#) and [view all your submissions](#) easily.

Attachments: Because the total size is more than 5MB the uploads are not attached.

TAPLANDS ADDITION PRELIMINARY MAJOR SUBDIVISION (PLP-004-2026)

Section 3. Item B.



TAPLANDS ADDITION PRELIMINARY MAJOR SUBDIVISION (PLP-004-2026)

Section 3. Item B.





Transmittal Letter

To: Natalie Birchak – City Planner
City of Dickinson
38 1st Street West
Dickinson, ND 58601

From: Andrew Schrank, PE
Highlands Engineering
319 24th Street East
Dickinson, ND 58601
701.483.2444
schrank@highlandseng.com

Date: July 1, 2026

Re: Major Preliminary Plat Application – Taplands Addition

Message: Enclosed you will find the following Major Preliminary Plat application documents for the above-referenced project being submitted for consideration:

- Pre-Submittal Meeting Letter
- Written Statement (included, below)
- Deed for the Property
- Parcel Map of the site location from the City's GIS page
- Zoning Map of the site location from the City's GIS page
- Utility Map of the site location from the City's GIS page
- FEMA FIRMette of the site
- Preliminary Plat Drawing with aerial image showing current site conditions
- Potential Site Concept of the current development plan (subject to change)
- Proposed Final Plat Drawing
- Signed Vacation Petitions

Written Statement

This proposed plat of Taplands Addition is the replat of a portion of Lot 1, Block 1 of Green Acres Addition located within the corporate limits of the City of Dickinson. This replat will create a single lot totaling ±2.28-acres for commercial development. A potential layout depicting how this site may develop is included with this application.

The currently platted Lot 1, Block 1 of Green Acres Addition was split into two parcels by the construction of State Avenue. This proposed replat for Taplands Addition includes the portion of said Lot 1 that lies west of State Avenue. This property is currently zoned Limited Commercial (LC), which allows all proposed commercial uses, so no zone change is proposed as part of this development.

Right-of-way was previously dedicated along the west edge of this parcel by the Green Acres Addition plat, and a 10-foot-wide utility easement was platted just east of this right-of-way. Since Green Acres Addition was platted, State Avenue was constructed through this subdivision providing a different access location than this previously dedicated right-of-way that followed the section line on the west side of this property. Therefore, the right-of-way along the west edge of this proposed subdivision, as well as the adjacent utility easement that is not used for public utilities, are proposed to be vacated by this plat application. The signed vacation petition documents are included with this application indicating that all utilities companies are agreeable to this vacation request.

Access to the lot will be provided by a new driveway from State Avenue along the east edge of this subdivision. The exact driveway location will be determined during project design and will be subject to approval by City Staff. A second access point onto Deer Run Dive may be explored if allowed by City Staff.

An existing City water main is located near this property on the east side of State Avenue. Water service will be extended to this site from this existing main by the developer. An existing City sanitary sewer forcemain also currently extends through this property. The developer plans to construct a private lift station within this site to pump sanitary waste into this existing forcemain, if allowed by City Staff. If this forcemain connection is not allowed, a private septic system will be constructed on this site since no other existing City sanitary sewer lines are located near this site that can be connected to by gravity lines.

Since this site currently contains existing impervious surfaces and the total site area is less than 5-acres, we do not anticipate that stormwater detention will be necessary since this increase in runoff will not be significant. The southern edge of this property does

lie within a FEMA Special Flood Hazard Area, However, this area is limited to the Heart River and its bank that is not developable, and it leaves sufficient buildable area to the north within this site. All planned development is located outside this Special Flood Hazard Area.

The applicant does not own or intend to purchase any additional surrounding land. To the best of our knowledge, neighboring property owners have not been informed of this plan to date, and this application has been prepared in accordance with local, state, and federal regulations.

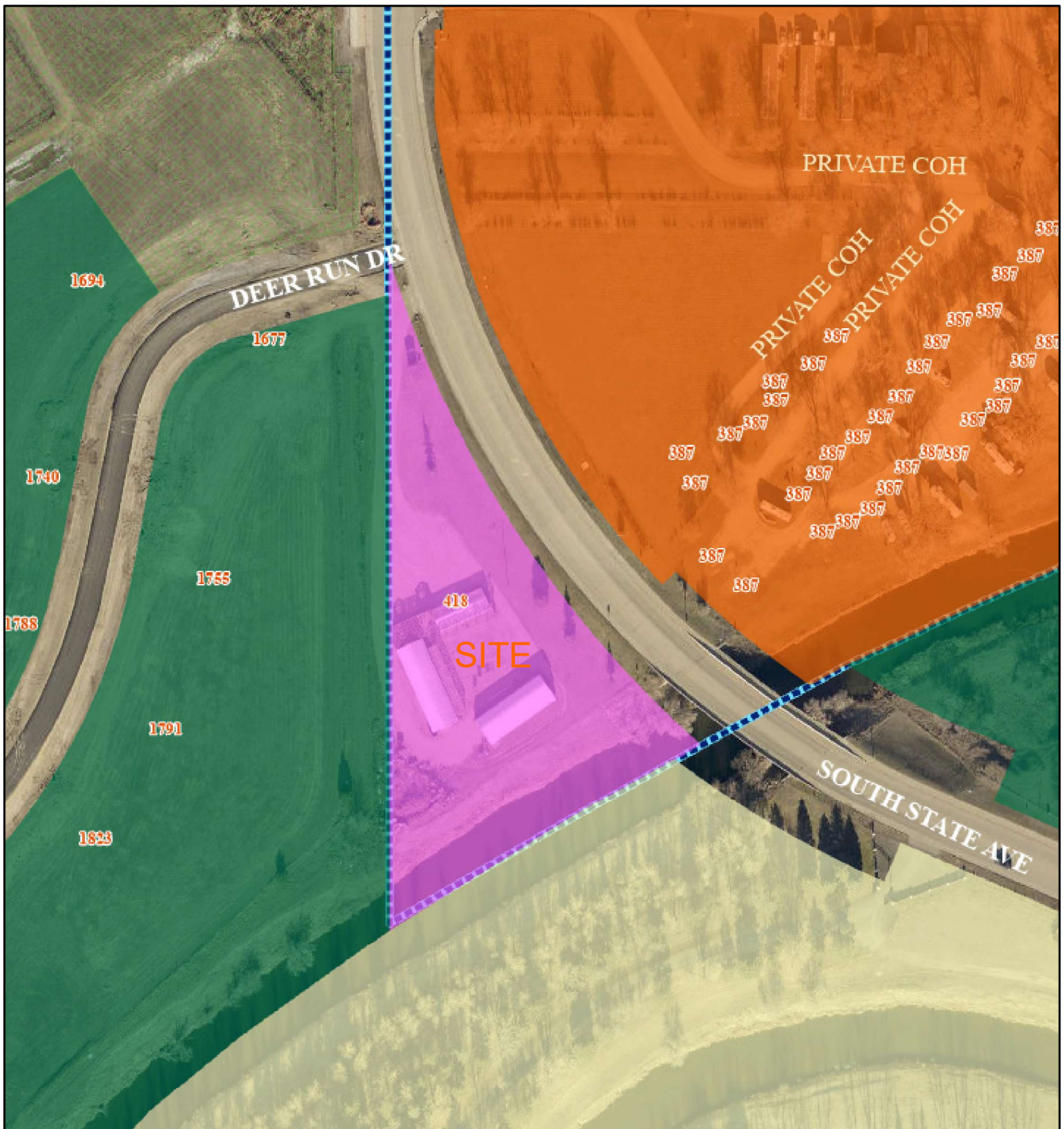
Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!



Andrew Schrank, PE, CFM
Highlands Engineering

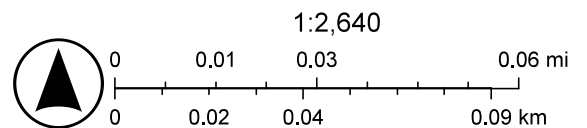
Dickinson Zoning Information Map

Section 3. Item B.



6/24/2026

- | | |
|---|--|
| Public Street Names 8K |  Agricultural - AG |
| Private Street Names |  Extra Territorial Boundary |
| Dickinson Zoning | High Resolution 60cm Imagery |
|  Limited Commercial - LC | High Resolution 30cm Imagery |
|  Low Density Residential - R1 | Citations |
|  Rural Residential - RR | 60cm Resolution Metadata |
|  Mobile Home - MH | |



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Microsoft, Vantor

TAPLANDS ADDITION

BEING THE REPLAT OF A PORTION OF LOT 1, BLOCK 1 OF GREEN ACRES ADDITION
IN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 9, T139N, R96W, OF THE 5TH PRINCIPAL MERIDIAN
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 1 OF GREEN ACRES ADDITION TO THE CITY OF DICKINSON, STARK COUNTY, ND, BEING LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW $\frac{1}{4}$ NW $\frac{1}{4}$) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SAID SECTION NINE (9) BEING A FOUND BLM BRASS CAP; THENCE N 00°07'14" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW $\frac{1}{4}$), A DISTANCE OF 118.38 FEET TO THE POINT OF BEGINNING AT THE CENTER OF THE HEART RIVER; THENCE CONTINUING N 00°07'14" W ALONG SAID WEST LINE, A DISTANCE OF 613.94 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 89°52'46" E A DISTANCE OF 33.00 FEET TO A SET REBAR AND CAP LS-5466 ON THE WEST RIGHT-OF-WAY LINE OF STATE AVENUE ALSO BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 994.80 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°06'59", A DISTANCE OF 418.72 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 43°44'48" W CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO A SET REBAR AND CAP LS-5466 AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1014.80 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 5°43'31", A DISTANCE OF 101.40 FEET TO A POINT ON THE CENTERLINE OF THE HEART RIVER; THENCE ALONG SAID RIVER CENTERLINE S 59°59'59" W, A DISTANCE OF 378.86 FEET TO THE POINT OF BEGINNING.

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SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE TAPLANDS ADDITION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

PROPRIETOR'S CERTIFICATE

WE, 701 TAPLANDS, LLC, WHOSE ADDRESS IS 1261 47TH AVE W, DICKINSON, ND 58601, OWNERS AND PROPRIETORS OF THE PROPERTY DESCRIBED BY THIS PLAT DOCUMENT, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AS SHOWN TO PUBLIC USE FOREVER AND DESIRE TO VACATE PUBLIC RIGHT OF WAY AND EASEMENTS AS DESCRIBED BY THIS PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

SIGNATURE: _____
BEAU SNEED - TREASURER

STATE OF _____ } SS

COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BEAU SNEED, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RESIDING AT COUNTY OF _____

STATE OF _____

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

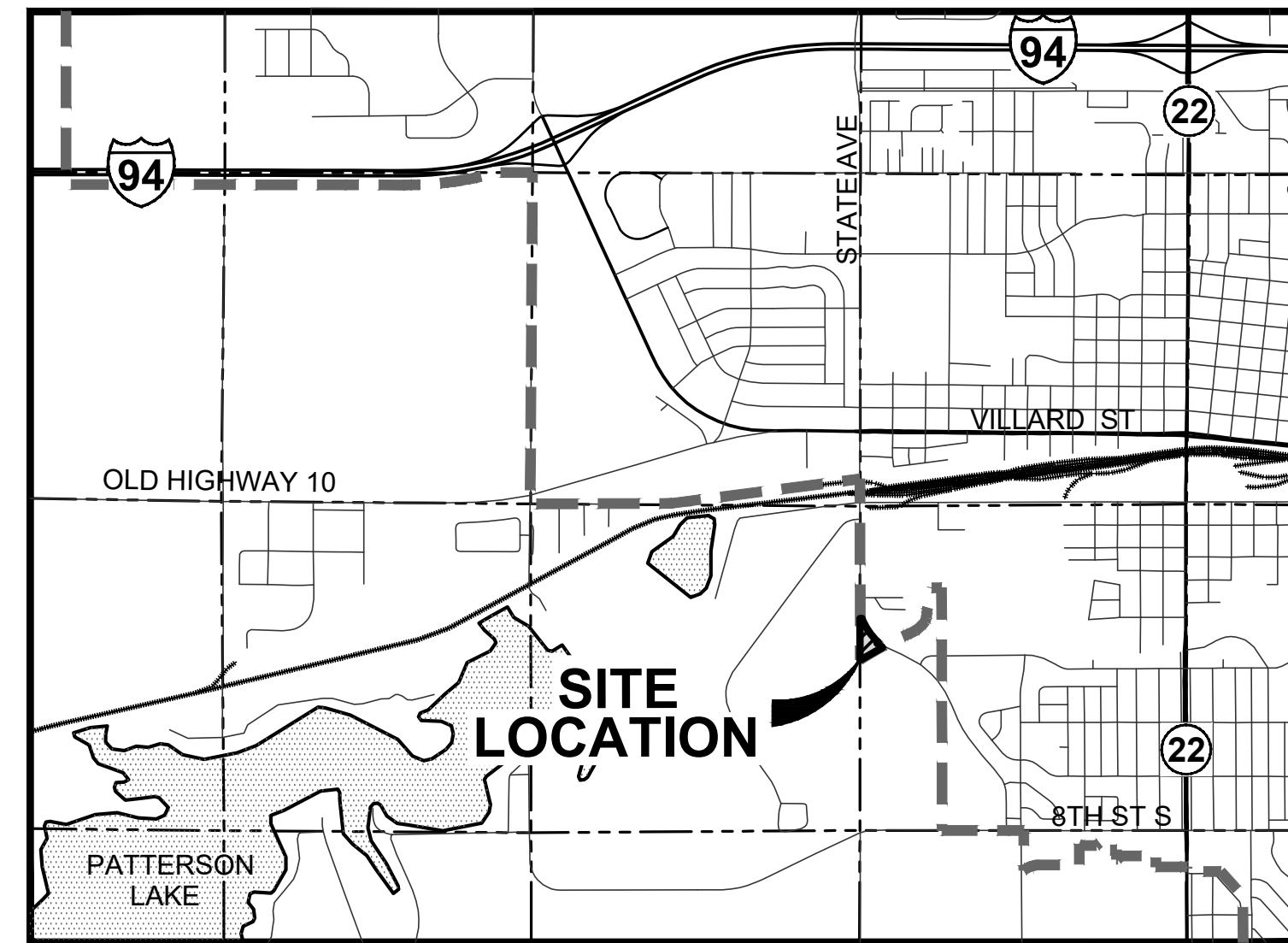
PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____



VICINITY MAP

(1" = 1/2 MILE)

PLAT NOTES

- 1) A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOOD AREA AS DEPICTED BY ZONE 'AE' OF THE EFFECTIVE FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, SURVEYED IN A LOCAL COORDINATE SYSTEM HAVING A CENTRAL MERIDIAN DERIVED FROM A REBAR AND CAP WITH LATITUDE: 46°51'42.38098" / LONGITUDE: 102°47'24.24924" AND ELEVATION 2426.93'. BEARINGS ARE BASED ON TRUE NORTH AT THIS LOCATION.
- 2) VERTICAL DATUM: NAVD 88, GEOID 03
- 3) DATE OF FIELD WORK: MARCH, 2026

LEGEND

	SUBDIVISION BOUNDARY
	EXISTING LOT LINES
	SECTION LINE
	QUARTER LINE
	EXISTING EASEMENT LINES
	PROPOSED PUBLIC UTILITY EASEMENT
	EXISTING R.O.W. CENTERLINE
	FOUND MONUMENT
	SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
	UNMONUMENTED REFERENCE POINT
	5' MAJOR CONTOURS
	1' MINOR CONTOURS
	SPECIAL FLOOD HAZARD AREA REGULATORY FLOODWAY
	SPECIAL FLOOD HAZARD AREA 'ZONE AE' 100-YEAR FLOODPLAIN
	WATER BODY
	RIGHT-OF-WAY VACATED BY THIS PLAT
	PUBLIC UTILITY EASEMENT VACATED BY THIS PLAT

ABBREVIATIONS

R.O.W.	RIGHT-OF-WAY
AC.	ACRE
(M)	MEASURED DISTANCE
(R)	RECORDED DISTANCE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING

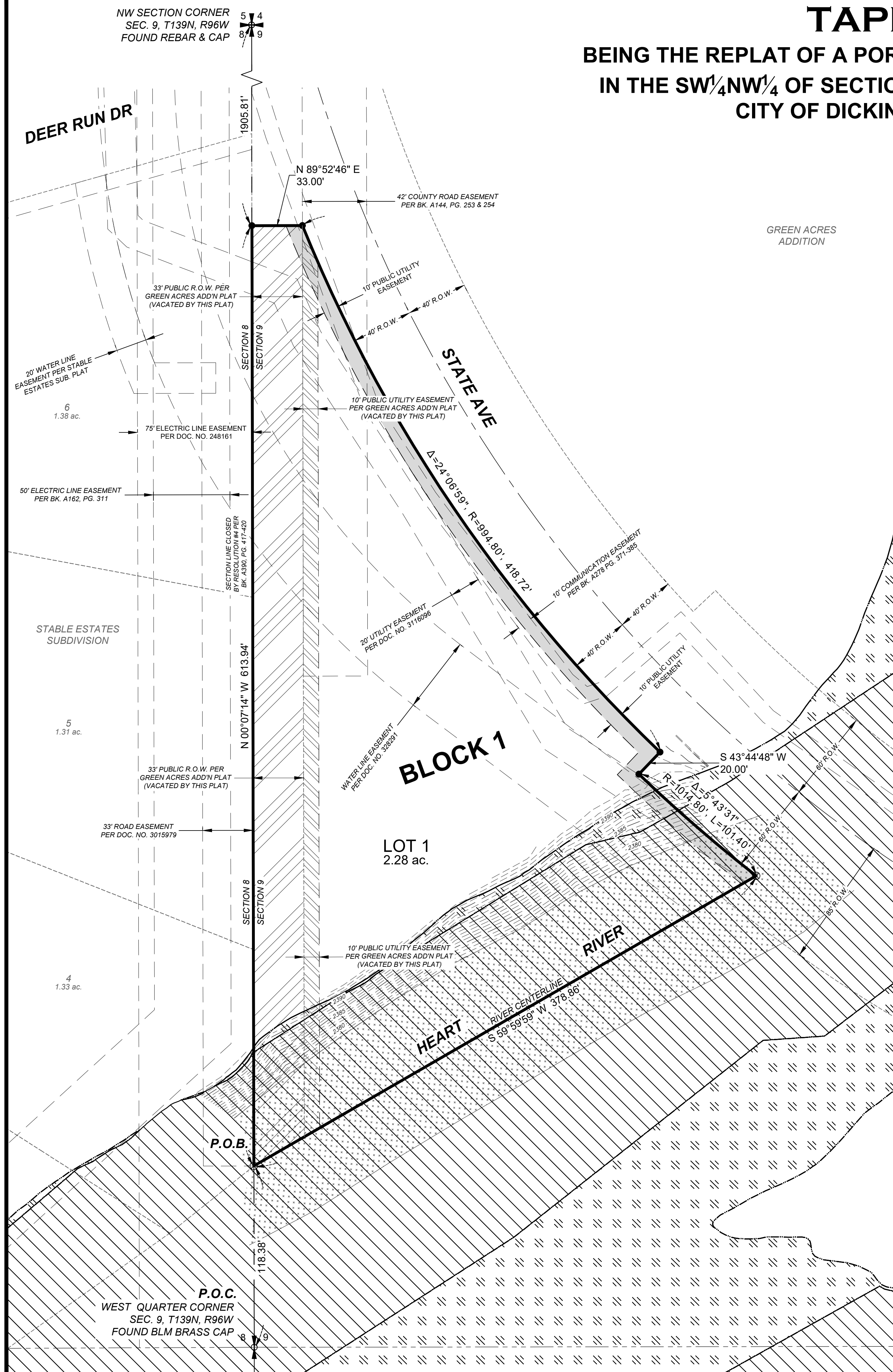


0 40' 80'
SCALE: 1" = 40'



319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER: 261980	SCALE: 1"=40'
DRAWN BY: AWS	DATE: 06/24/26

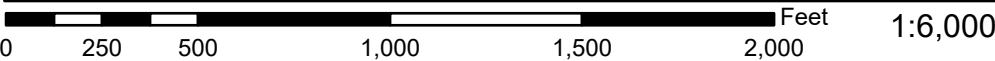


AREA RESERVED FOR RECORDER'S OFFICE

National Flood Hazard Layer FIRMette



102°48'56"W 46°52'24"N



Basemap Imagery Source: USGS National Map 2023

Legend

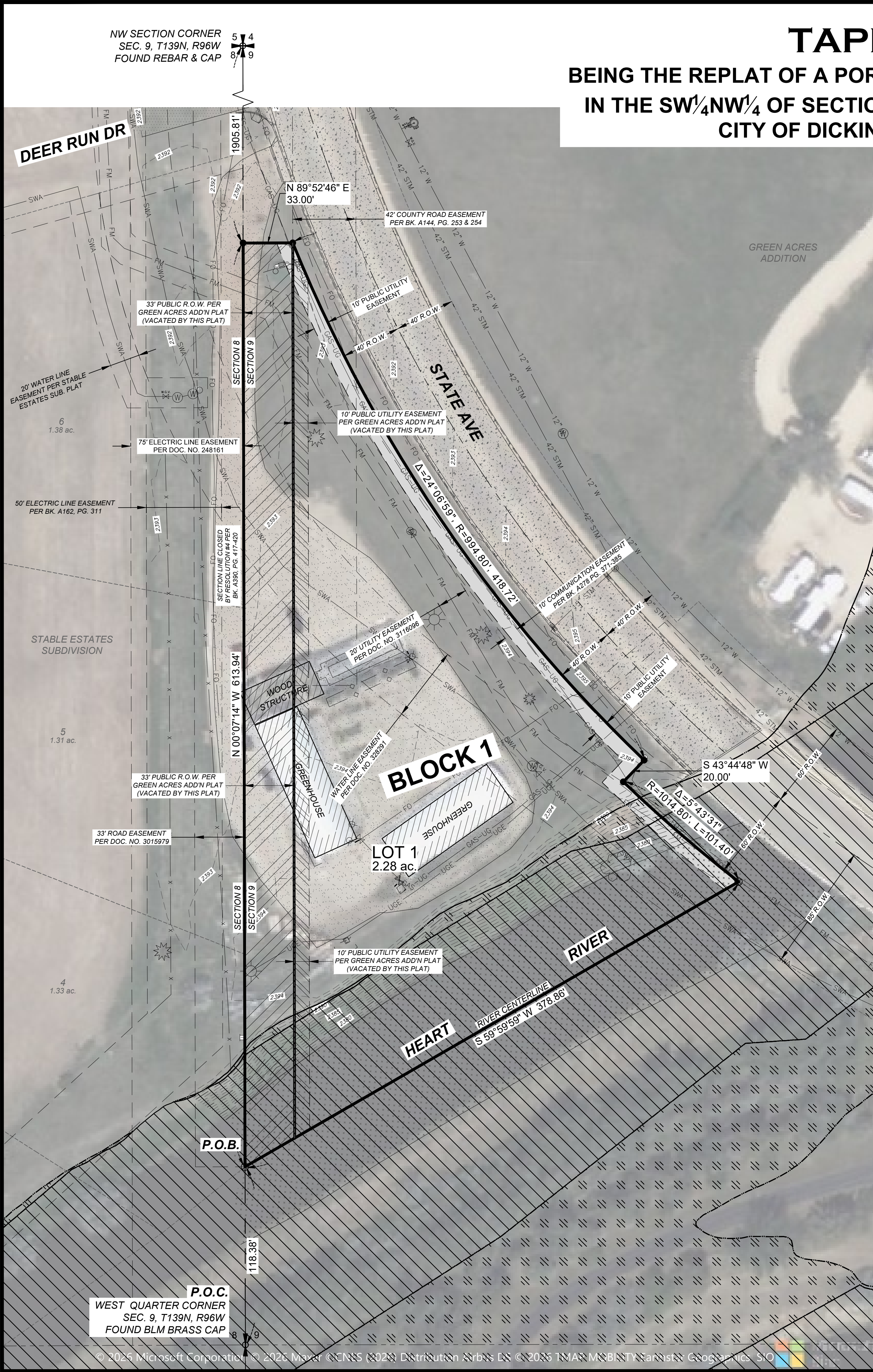
Section 3. Item B.

- SEE FIS REPORT FOR DETAILED LEGEND AND INFORMATION
- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE)
Zone A, V, A99
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
 - Area with Flood Risk due to Levee Zone D
- OTHER AREAS**
- NO SCREEN Area of Minimal Flood Hazard Zone X
 - Effective LOMRs
 - Area of Undetermined Flood Hazard Zone D
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall
- OTHER FEATURES**
- Cross Sections with 1% Annual Chance Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
- MAP PANELS**
- Digital Data Available
 - No Digital Data Available
 - Unmapped
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

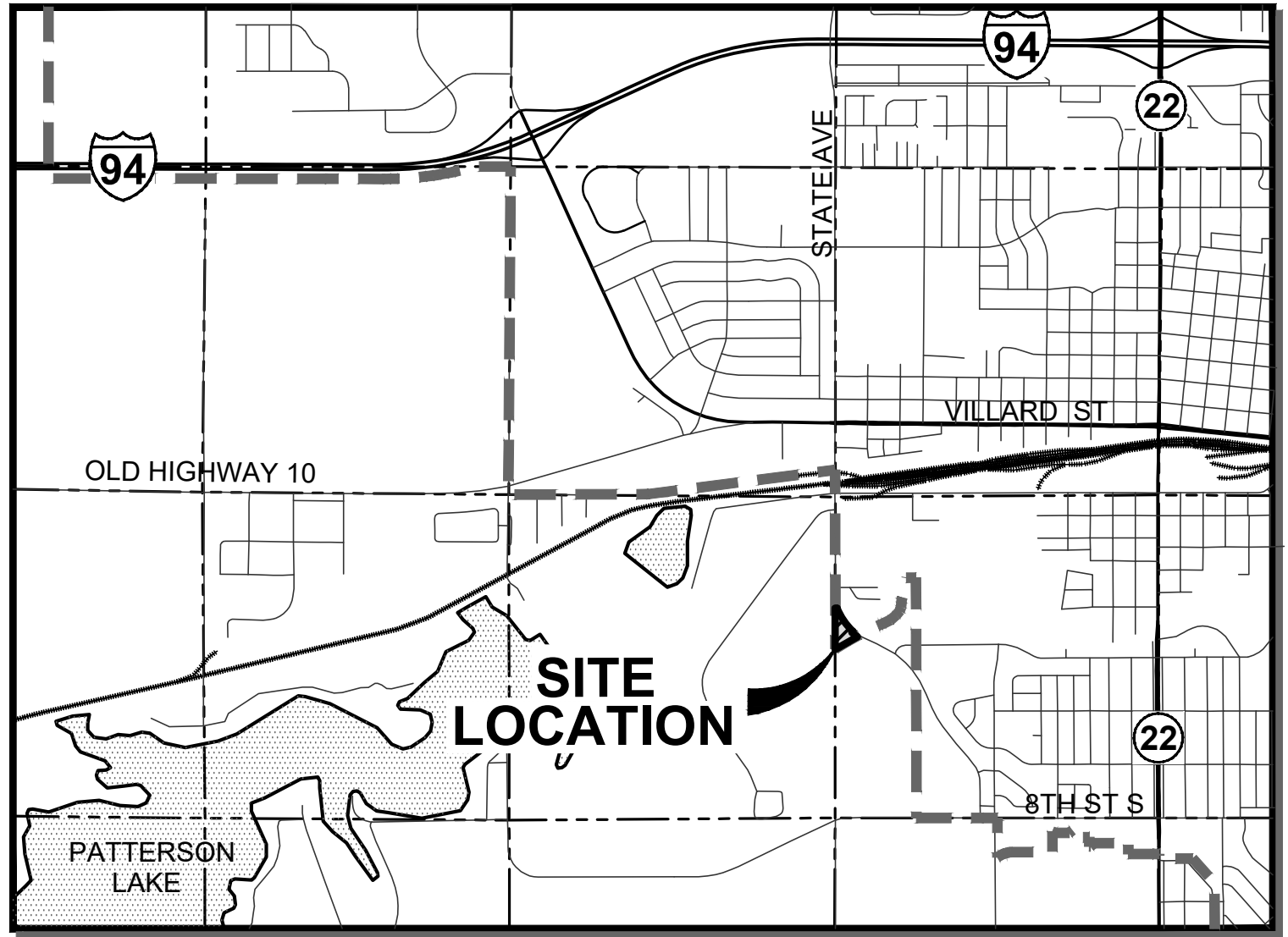
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/6/2026 at 5:46 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map information in unmapped and unmodernized areas cannot be used for regulatory purposes.



TAPLANDS ADDITION
BEING THE REPLAT OF A PORTION OF LOT 1, BLOCK 1 OF GREEN ACRES ADDITION
IN THE SW¹/₄NW¹/₄ OF SECTION 9, T139N, R96W, OF THE 5TH PRINCIPAL MERIDIAN
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



VICINITY MAP
(1" = 1/2 MILE)

LEGEND

	PROPERTY BOUNDARY		DECIDUOUS TREE
	EXISTING LOT LINES		EVERGREEN TREE
	SECTION LINE		SIGN
	QUARTER LINE		BUILDINGS
	EXISTING EASEMENT LINE		CONCRETE
	PROPOSED PUBLIC UTILITY EASEMENT		ASPHALT
	FOUND MONUMENT		GRAVEL
	SURVEY CONTROL POINT		WATER
	5' MAJOR CONTOURS		SPECIAL FLOOD HAZARD AREA REGULATORY FLOODWAY
	1' MINOR CONTOURS		SPECIAL FLOOD HAZARD AREA 'ZONE AE' 100-YEAR FLOODPLAIN
	R.O.W. CENTERLINE		RIGHT-OF-WAY VACATED BY THIS PLAT
	WOOD FENCE		PUBLIC UTILITY EASEMENT VACATED BY THIS PLAT
	BARB WIRE FENCE		
	SANITARY SEWER FORCEMAIN		
	SANITARY SEWER MANHOLE		
	WATER MAIN		
	SW WATER MAIN		
	WATER MANHOLE		
	FIRE HYDRANT		
	WATER GATE VALVE		
	YARD HYDRANT		
	STORM SEWER		
	STORM MANHOLE		
	STORM INLET		
	UNDERGROUND COMMUNICATION LINE		
	TELEPHONE PEDESTAL		
	UNDERGROUND ELECTRIC		
	ELECTRICAL TRANSFORMER		
	ELECTRIC OUTLET POST		
	LIGHT POLE		
	UNDERGROUND NATURAL GAS		

ABBREVIATIONS

R.O.W.	RIGHT-OF-WAY
AC.	ACRE
(M)	MEASURED DISTANCE
(R)	RECORDED DISTANCE

NOTES

1) A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "AE" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.

SURVEY NOTES

- DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM HAVING A CENTRAL MERIDIAN OF LATITUDE: 46°51'42.38098" / LONGITUDE: 102°47'24.24924". BEARINGS ARE BASED ON TRUE NORTH AT THIS LOCATION.
- VERTICAL DATUM: NAVD 88, GEOID 03
- DATE OF LATEST FIELD WORK: OCTOBER 2, 2025



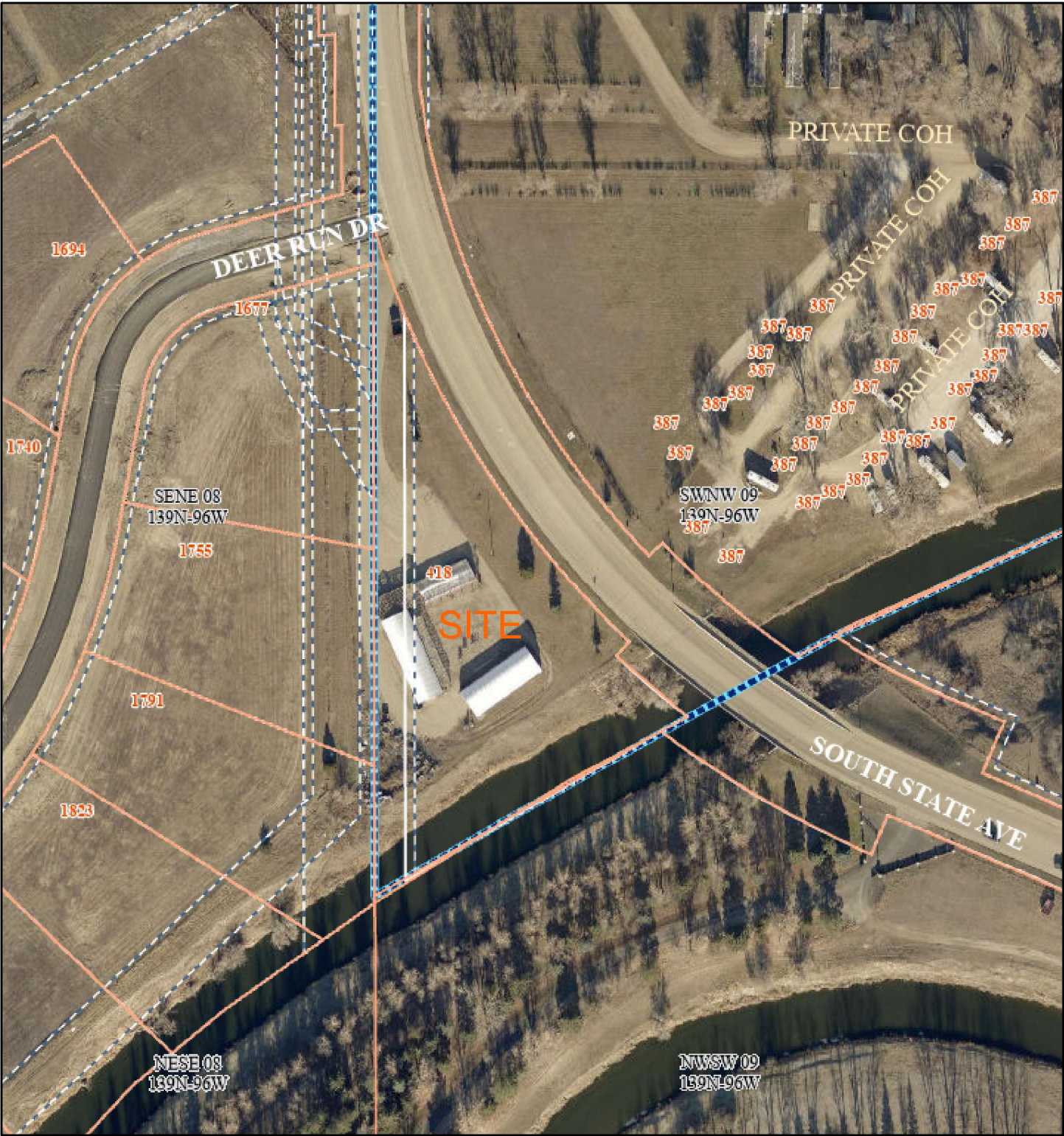
**HIGHLANDS
ENGINEERING**

319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER:	261980	SCALE:	1"=40'
DRAWN BY:	AWS	DATE:	06/24/26

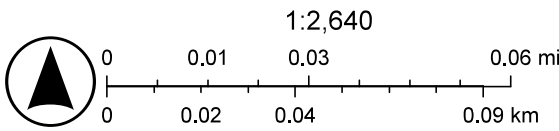
Dickinson Land Information Map

Section 3. Item B.



6/24/2026

- | | |
|------------------------|------------------------------|
| Public Street Names 8K | Easement Lines |
| Private Street Names | Extra Territorial Boundary |
| PLSS Description 12k | High Resolution 60cm Imagery |
| Dickinson Tax Parcels | High Resolution 30cm Imagery |
| Stark Parcels | Citations |
| Platted Lot Lines | 60cm Resolution Metadata |



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Microsoft, Vantor

PRELIMINARY SITE PLAN
THAT PORTION OF LOT 1, BLOCK 1 OF GREEN ACRES ADDITION LYING WEST OF STATE AVE
IN THE SW¼NW¼ OF SECTION 9, T139N, R96W, OF THE 5TH P.M.
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

EXISTING LEGEND

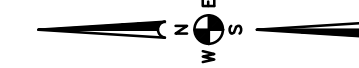
	PROPERTY BOUNDARY		DECIDUOUS TREE
	EXISTING LOT LINES		EVERGREEN TREE
	SECTION LINE		SIGN
	QUARTER LINE		BUILDINGS
	EASEMENT LINE		CONCRETE
	FOUND MONUMENT		ASPHALT
	SURVEY CONTROL POINT		GRAVEL
	5' MAJOR CONTOURS		WATER
	1' MINOR CONTOURS		SPECIAL FLOOD HAZARD AREA REGULATORY FLOODWAY
	R.O.W. CENTERLINE		SPECIAL FLOOD HAZARD AREA 'ZONE AE' 100-YEAR FLOODPLAIN
	WOOD FENCE		
	BARB WIRE FENCE		
	SANITARY SEWER FORCEMAIN		
	SANITARY SEWER MANHOLE		
	WATER MAIN		
	SW WATER MAIN		
	WATER MANHOLE		
	FIRE HYDRANT		
	WATER GATE VALVE		
	YARD HYDRANT		
	STORM SEWER		
	STORM MANHOLE		
	STORM INLET		
	UNDERGROUND COMMUNICATION LINE		
	TELEPHONE PEDESTAL		
	UNDERGROUND ELECTRIC		
	ELECTRICAL TRANSFORMER		
	ELECTRIC OUTLET POST		
	LIGHT POLE		
	UNDERGROUND NATURAL GAS		

FLOODPLAIN NOTES

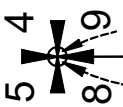
- 1) A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOOD AREA AS DEPICTED BY ZONE "AE" OF THE EFFECTIVE FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.
- 2) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F WITH AN EFFECTIVE DATE OF AUGUST 28, 2024, THE BASE FLOOD ELEVATION THROUGH THIS SITE IS 42391'. THIS ELEVATION VARIES SOMEWHAT ACROSS THE SITE AND SHALL BE VERIFIED PRIOR TO ANY DEVELOPMENT OF THIS SITE.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM. SAID PROJECT HAS A CENTRAL MERIDIAN OF LATITUDE: 46°51'42.38098" / LONGITUDE: 102°47'24.24924". BEARINGS ARE BASED ON TRUE NORTH AT THIS LOCATION.
- 2) VERTICAL DATUM: NAVD88, GEOID 03.
- 3) DATE OF LATEST FIELD WORK: MARCH 3, 2026



NW SECTION CORNER
SEC. 9, T139N, R96W
FOUND REBAR & CAP



WEST ¼ CORNER
SEC. 9, T139N, R96W
FOUND BLM BRASS CAP

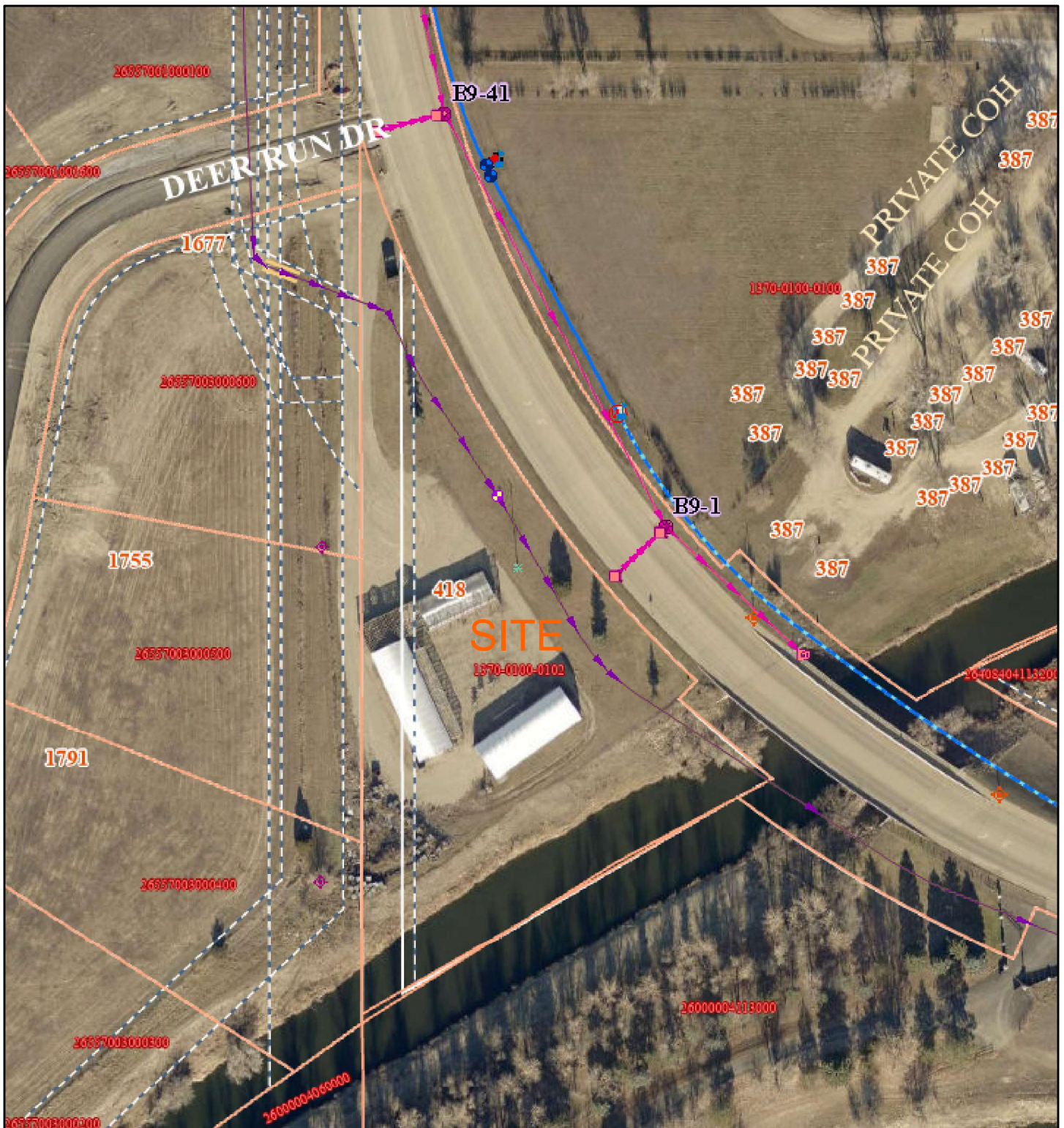


319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER: 261980 SCALE: 1"=30'
DRAWN BY: AWS DATE: 04/08/26

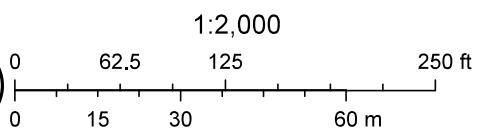
Dickinson Utility Information Map

Section 3. Item B.



6/24/2026

Public Street Names 8K	Water Main Lines	Poles
Private Street Names	Fusible Polyvinyl Chloride - From 8 to 12 in	Streetlight, Montana Dakota Utilities
Dickinson Tax Parcel ID	Polyvinyl Chloride - From 8 to 12 in	General Lighting, Private
Stark Tax Parcel ID	Sanitary Control Valve	<all other values>
Water Tracer Wire Station	Sanitary Pressurized Mains	Dickinson Tax Parcels
Water System Valve	Sanitary Casings	Stark Parcels
Normal Operation	Storm Inlets	Platted Lot Lines
Water Hydrant	Storm Discharge	Easement Lines
City of Dickinson	Storm Manholes	High Resolution 60cm Imagery
Water Manhole	Storm Gravity Mains	High Resolution 30cm Imagery
Water Lateral Lines		Citations
Hydrant		



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Microsoft, Vantor



Taplands Addition Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: August 5, 2026
 Re: PLP-004-2026 Taplands Addition Preliminary Major Subdivision

APPLICANT

Beau Sneed
 701 Taplands, LLC
 1261 47th Avenue West
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

Andrew Schrank
 Highlands Engineering
 319 24th Street East
 Dickinson ND 58601

Public Hearing	August 12, 2026	Planning and Zoning Commission
Public Hearing	September 9, 2026	Planning and Zoning Commission
Final Consideration	September 15, 2026	City Commission

The applicant is requesting approval of the Taplands Addition preliminary major subdivision, being a replat of a portion of Lot 1 of Block 1 of the Green Acres Addition Subdivision, located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9, Township 139 North, Range 96 West, in the City of Dickinson. According to the applicant, the purpose of this subdivision is to dedicate a portion of property as right-of-way and vacate existing right-of-way. The site is zoned Limited Commercial (LC). The site consists of +/- 2.28 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision.

LOCATION

The property is generally located to the south of South State Avenue and is currently legally described as a portion of Lot 1 of Block 1 of the Green Acres Addition Subdivision, located in the SW ¼ of the NW ¼ of Section 9, Township 139 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson.

CURRENT ZONING	LC
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	+/- 2.28 acres
LOTS PROPOSED	1

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	MH, AG	Mobile home park; stables
East	MH, RR	Mobile home park; single-family residential
South	R-1	Undeveloped
West	RR	Undeveloped

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 38089-C0431F, effective August 28, 2026, a portion of the proposed subdivision appears to be located within the National Flood Insurance Program's (NFIP) Special Flood Hazard Area (SFHA). According to the proposed plat, no development is proposed within the SFHA.

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility and Compliance with The Municipal Code

A major subdivision plat is defined in Section 52-1 of the City Subdivision chapter as a subdivision that does not meet at least one of the following requirements:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;
- Does not land-lock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;
- Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and

- Consists of four lots or less.

The proposed Taplands Addition Subdivision consists of one lot and involves the dedication of right-of-way at the intersection of South State Avenue and Deer Run Drive. Therefore, the proposed subdivision does not meet the above requirements and is classified as a major subdivision.

The site is located in the Limited Commercial (LC) zoning district. According to Table 62-162-3b: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for the LC zoning district is 5,000 square feet. The proposed lot is 2.28 acres.

A portion of the proposed subdivision plat is located within the NFIP SFHA. That area falls within the City's Floodplain/Floodway (FP/FW) Overlay District. Currently, no new development is proposed within the FP/FW Overlay District. Redevelopment within the proposed subdivision that includes the area within the SFHA would need to adhere to both FP/FW Overlay District and NFIP requirements.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of PLP-004-2026.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-004-2026: The Taplands Addition Preliminary Major Subdivision** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **PLP-004-2026: The Taplands Addition Preliminary Major Subdivision** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak; Kylee Zastoupil
Subject: Re: Unified Development Application
Date: Thursday, July 2, 2026 3:06:20 PM



Unified Development Application

Have you met with Planning Staff regarding your application? Yes

Please upload the letter or counseling form you received following your pre-application meeting: [146_Tormaschy Pre-Application Letter_5875.pdf](#)

Type of Development Major Subdivision Preliminary Plat

Is this a Replat No

Name Jason Tormaschy

Applicant Email [REDACTED]

Applicant Phone # [REDACTED]

Applicant Representative (if applicable) Nick Jensen

Applicant Representative Company Western Edge Surveying, PLLC

Applicant Representative Email [REDACTED]

Applicant Representative Phone # [REDACTED]

Owner Name Jason Tormaschy

Owner Address [REDACTED]

Owner Email [REDACTED]

Owner Phone #

Is the owner present to Sign

Yes

Signature

Will this application require any other action to complete the development?

Yes

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS)

A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN,STARK COUNTY, NORTH DAKOTA AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF THE ABOVE SAID SECTION 27, THE POINT OF BEGINNING, THENCE ON A BEARING OF NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST ON AND ALONG THE 1/4 LINE A DISTANCE OF 2033.7 FEET, THENCE ON A BEARING OF SOUTH ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 155.6 FEET, THENCE ON A BEARING OF EAST ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 600 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 27, THENCE ON A BEARING OF SOUTH ON AND ALONG THE EAST LINE OF SAID SECTION 27 A DISTANCE OF 541 FEET, THENCE ON A BEARING OF SOUTH 89 DEGREES 57 MINUTES 10 SECONDS WEST A DISTANCE OF 2634.2 FEET TO A POINT ON THE 1/4 LINE, THENCE ON A BEARING OF NORTH ON AND ALONG THE 1/4 LINE A DISTANCE OF 697 FEET TO THE POINT OF BEGINNING.

	1/4 Section	Township	Range
Description	SE 1/4 Sec. 27	140	96

Property Address / General Project Location2845 10TH AVE E DICKINSON ND 58601

Total Square Footage or Acreage of Subject Property40.006

Transmittal Letter (Explanation of Request & Proposed Operations)[26-008_Tormaschy_Transmittal.pdf](#)

Rezone Calc Multiplier0

Minor Platting Multiplier0

Prelim Platting Multiplier	1								
Major Platting Multiplier	0								
Name of Preliminary Plat	Zowie Heights Subdivision								
Preliminary Number Lots	1 to 10 Lots								
Preliminary Number of Block(s)	1								
	1								
Application Calc	500								
Required Documentation Upload	City Parcel Map.pdf City Utility Information Map.pdf City Zoning Map.pdf FEMA Mapping.pdf Septic Layout.pdf Tormaschy Pre-Application Letter.pdf 26-008 Tormaschy_Prelim_Submittal.pdf 26-008 Tormaschy_Prelim_Submittal_Image.pdf								
Deed for Property	3157672.pdf 328562.pdf								
Application Fees	<table><tr><td>Applicable Fees</td><td>500.00 USD</td></tr><tr><td colspan="2"> </td></tr><tr><td>Total:</td><td>\$500.00</td></tr><tr><td colspan="2">Transaction ID: 9jjcgbeg</td></tr></table>	Applicable Fees	500.00 USD			Total:	\$500.00	Transaction ID: 9jjcgbeg	
Applicable Fees	500.00 USD								
Total:	\$500.00								
Transaction ID: 9jjcgbeg									
	Payment Information First Name: Nicholas Last Name: Jensen E-Mail:								
Applicant Signature									
Date	07-02-2026								

You can [edit this submission](#) and [view all your submissions](#) easily.

Attachments: Because the total size is more than 5MB the uploads are not attached.

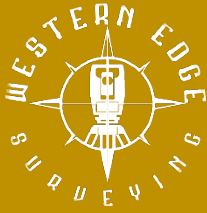
Section 3. Item C.



ZOWIE HEIGHTS PRELIMINARY MAJOR SUBDIVISION (PLP-005-2026)

Section 3. Item C.





Western Edge Surveying, PLLC
P.O. BOX 168
Dickinson, ND 58601

Phone: (701) 505-8209
Email: nick.jensen@westernedgesurveying.com
Website: www.westernedgesurveying.com

To: Natalie Birchak – City Planner
City of Dickinson
38 1st Street West
Dickinson, ND

Subject: Major Plat Preliminary Application – Zowie Heights Subdivision

Attached to the application form you will find the following Major Plat documents for Zowie Heights Subdivision, submitted for your consideration:

- Pre-Application Response Letter
- Project Scope (see below)
- Legal Description
- Warranty Deed(s)
- Preliminary Plat Drawing
- Preliminary Plat Drawing – with image, showing current land usage
- Sketch of Private Septic System
- City Parcel Map (ETZ)
- City Utility Map (ETZ)
- City Zoning Map (ETZ)
- FEMA Floodplain Map

PROJECT SCOPE:

The applicant is submitting this Major Subdivision Plat request as part of a pending sale of 30 acres. The parcel falls within the City of Dickinson ETZ. Per our pre-application meeting with the City and the attached response letter, the easements previously recorded along 4th Avenue East and 10th Avenue East are now being dedicated to public use. Also noted are various utilities, including a sanitary sewer line crossing the subject property, as well as a 300-foot non-habitable structure buffer around an active oil and gas well located off the property to the south.

ZONING:

The applicant is not requesting a rezone; both lots will remain zoned Agricultural (AG). The applicant acknowledges that Lot 2 (8.745 acres) is below the 10-acre minimum lot size for the AG district. Because the FEMA floodplain renders most of Lot 2 unbuildable, and the existing development on the lot is complete with no further development proposed, the applicant is requesting a variance through the Board of Adjustment for the lot area requirement.

FLOOD / DRAINAGE EASEMENT INFORMATION:

The proposed drainage easement encompasses the FEMA Zone AE (Special Flood Hazard Area) and the adjacent Zone X area as mapped on the plat. The plat also depicts the Regulatory Floodway per FEMA mapping.

Thank you for your time and consideration of this application. We appreciate any feedback you can provide during the review process.

Thanks,
Nicholas Jensen, PLS
Western Edge Surveying, PLLC

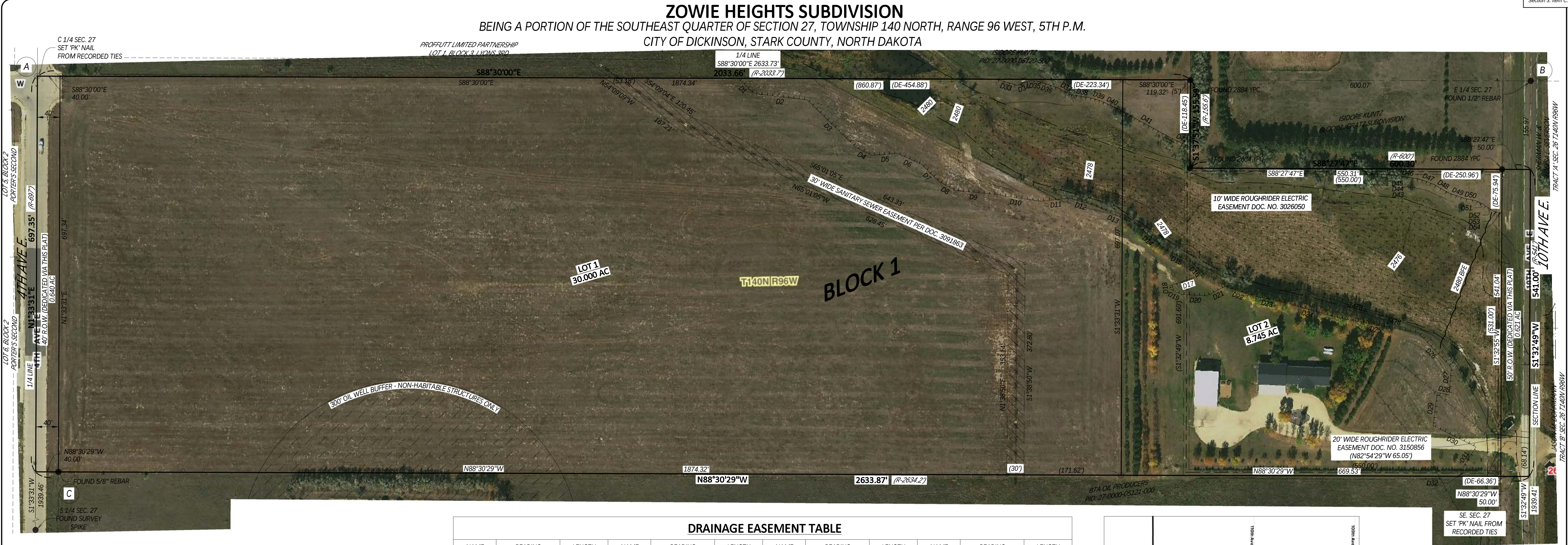
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 140 NORTH, RANGE 96 WEST, 5TH P.M.
PARTNERSHIP CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA AS DESCRIBED AS FOLLOWS:

PRELIMINARY

RESIDING AT THE COUNTY OF _____, STATE OF _____



BOUNDARY DESCRIPTION:

PER WARRANTY DEED RECORDED IN BOOK 237, PAGE 97, AND CHECKED AGAINST DOCUMENT NO. 3157672 STARK COUNTY, NORTH DAKOTA

A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF THE ABOVE SAID SECTION 27, THE POINT OF BEGINNING, THENCE ON A BEARING OF NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST ON AND ALONG THE 1/4 LINE A DISTANCE OF 2033.7 FEET, THENCE ON A BEARING OF SOUTH ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 155.6 FEET, THENCE ON A BEARING OF EAST ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 600 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 27, THENCE ON A BEARING OF SOUTH ON AND ALONG THE EAST LINE OF SAID SECTION 27 A DISTANCE OF 541 FEET, THENCE ON A BEARING OF SOUTH 89 DEGREES 57 MINUTES 10 SECONDS WEST A DISTANCE OF 2634.2 FEET TO A POINT ON THE 1/4 LINE, THENCE ON A BEARING OF NORTH ON AND ALONG THE 1/4 LINE A DISTANCE OF 697 FEET TO THE POINT OF BEGINNING.

SAID TRACT NOW PLATTED AS ZOWIE HEIGHTS SUBDIVISION CONTAINS 40.006 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS AGREEMENTS, EASEMENTS, CONVEYANCES, AND SURVEYS.

BASIS OF BEARINGS:

SURVEY BASED ON NORTH DAKOTA SOUTH ZONE NAD1983 (2011), INTERNATIONAL FOOT. BEARINGS ARE GRID, DISTANCES ARE GROUND, USING A SCALE FACTOR OF 1.0001799774. COORDINATES ARE GRID. VERTICAL DATUM IS NAVD88 (GEOID18).

SURVEYOR'S CERTIFICATE:

I, NICHOLAS R. JENSEN, REGISTERED LAND SURVEYOR, N.D. NO. 29362 DO HEREBY CERTIFY THAT ZOWIE HEIGHTS SUBDIVISION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

NICHOLAS R. JENSEN R.L.S. 29362

SUBDIVISION NOTES:

- 1) A 40' STRIP LYING EAST OF THE WEST BOUNDARY LINE WAS PREVIOUSLY GRANTED PER EASEMENT DOCUMENT NO. 3091864.
- 2) A 50' STRIP LYING WEST OF THE EAST BOUNDARY LINE WAS PREVIOUSLY GRANTED PER EASEMENT DOCUMENT NO. 189001.
- 3) A PORTION OF ZOWIE HEIGHTS SUBDIVISION FALLS WITHIN SPECIAL FLOOD HAZARD AREAS AS SHOWN. PER FEMA FIRM NO. 38089C0102F DATED AUGUST 28TH, 2024. DRAINAGE EASEMENT FOLLOWS THE MAPPED AREA FOR ZONE X & ZONE AE AS INDICATED PER SAID FEMA FIRM.
- 4) OIL AND GAS WELL INFORMATION PER NORTH DAKOTA INDUSTRIAL COMMISSION:
OPERATOR: SCOUT ENERGY MANAGEMENT
WELL NAME: 9403 JV-P RASHKO 1
FILE NO.: 13692
LOCATION OF WELL HEAD WAS DOCUMENTED AT TIME OF THIS SURVEY TO REFLECT 300' NON-HABITABLE STRUCTURE BUFFER.

SURVEY NOTES:

- 1) UTILITIES DEPICTED ARE THE RESULT OF AN 811 CALL TICKET #26023437 AND WERE EITHER MARKED OR ELECTRONICALLY SUBMITTED TO THE SURVEYOR. SURVEYOR MAKES NO GUARANTEES TO THE PHYSICAL LOCATION OF UTILITIES.
- 2) DATE OF LATEST FIELD WORK: XXXXXXXXXX

DRAINAGE EASEMENT TABLE

NAME	BEARING	LENGTH	NAME	BEARING	LENGTH	NAME	BEARING	LENGTH	NAME	BEARING	LENGTH
D1	S44°51'10"E	38.45'	D17	S72°29'57"W	63.90'	D33	S72°55'14"E	39.43'	D49	S69°03'17"E	27.62'
D2	S81°51'39"E	94.29'	D18	S7°40'30"E	5.68'	D34	N70°25'10"E	23.54'	D50	S77°54'06"E	20.99'
D3	S44°33'01"E	119.30'	D19	S63°15'04"E	22.06'	D35	S84°23'02"E	13.68'	D51	S63°46'52"E	15.00'
D4	S61°37'27"E	32.20'	D20	S85°46'27"E	45.31'	D36	S70°13'02"E	38.35'	D52	S54°01'34"E	21.01'
D5	N86°40'38"E	44.81'	D21	N64°00'46"E	35.76'	D37	S58°08'06"E	22.00'	D53	S69°13'47"E	9.96'
D6	S64°14'12"E	47.70'	D22	S70°21'51"E	53.38'	D38	S79°05'14"E	42.86'	D54	N86°03'41"E	6.25'
D7	S44°10'36"E	42.66'	D23	S77°11'59"E	50.47'	D39	S69°58'35"E	15.62'			
D8	S60°11'59"E	33.24'	D24	S72°36'56"E	97.09'	D40	S63°28'09"E	33.67'			
D9	S83°06'27"E	64.28'	D25	S77°56'37"E	149.59'	D41	S59°58'56"E	102.50'			
D10	S80°17'28"E	87.22'	D26	S42°35'42"E	84.51'	D42	S63°00'26"E	39.60'			
D11	N85°01'53"E	51.57'	D27	S5°56'54"W	48.71'	D43	S67°41'44"E	17.24'			
D12	S72°22'02"E	43.86'	D28	N78°08'23"W	21.31'	D44	S74°14'31"E	10.45'			
D13	S64°14'01"E	82.71'	D29	S8°37'16"W	58.68'	D45	S84°15'49"E	34.57'			
D14	S47°25'59"E	67.19'	D30	S62°20'11"E	84.55'	D46	S80°14'23"E	46.87'			
D15	S63°32'45"E	52.93'	D31	S33°49'19"W	51.77'	D47	S67°49'56"E	23.76'			
D16	S43°21'11"E	29.13'	D32	S31°57'21"E	9.59'	D48	S59°18'43"E	32.42'			

AREA TABLE	
LOT 1 ACREAGE	30.000 AC ±
+ DEDICATED ACREAGE	0.640 AC ±
TOTAL	30.640 AC ±
LOT 2 ACREAGE	8.745 AC ±
+ DEDICATED ACREAGE	0.621 AC ±
TOTAL	9.366 AC ±
DEDICATED AREA TOTAL	1.261 AC ±
SUBDIVISION TOTAL	40.006 AC ±

LEGEND:

- FOUND MONUMENT (AS DESCRIBED)
- ⊙ SET MONUMENT 5/8X24" REBAR W/2" ALUM CAP STAMPED "WES 29362" (UNLESS NOTED OTHERWISE)
- CALCULATED POINT (NOT SET)
- BOUNDARY LINE
- LOT LINE
- UTILITY EASEMENT EDGE
- DRAINAGE EASEMENT BOUNDARY
- (R-100.00) RECORD DISTANCE
- (100.00) EASEMENT TIE DISTANCE
- (DE-100.00) DRAINAGE EASEMENT TIE DISTANCE
- + + + + + FEMA "REGULATORY FLOODWAY"
- — — — — ELECTRIC LINE
- SAN — SAN — SAN — SANITARY SEWER LINE
- W — — W — — WATER LINE

PROPRIETORS CERTIFICATE:

WE, JASON H. TORMASCHY AND LISA TORMASCHY, OWNERS AND PROPRIETORS OF ZOWIE HEIGHTS SUBDIVISION TO CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC STREET RIGHT-OF-WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SUBSCRIBED OUR NAMES:

BY: JASON H. TORMASCHY BY: LISA TORMASCHY

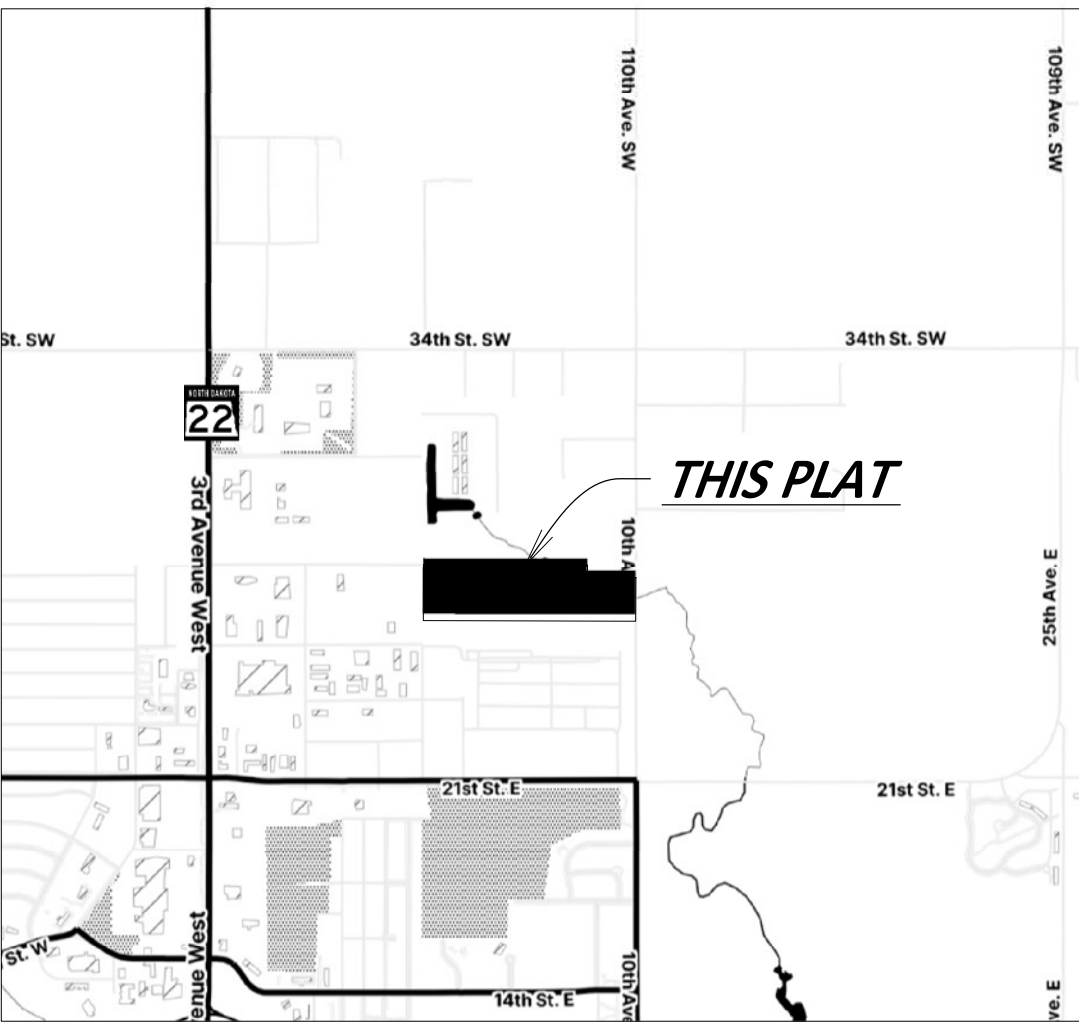
STATE OF _____ SS
COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND OF SAID COUNTY AND STATE, PERSONALLY APPEARED JASON H. TORMASCHY AND LISA TORMASCHY, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

RESIDING AT THE COUNTY OF _____, STATE OF _____



VICINITY MAP

SCALE: NTS

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

STARK COUNTY COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

COORDINATE TABLE		
NAME	NORTHING	EASTING
A	462508.85	1398967.13
B	462439.92	1401599.48
C	461810.85	1398988.15

SCALE 1" = 80'

80' 0' 80' 160'

COORDINATE TABLE		
NAME	NORTHING	EASTING
A	462508.85	1398967.13
B	462439.92	1401599.48
C	461810.85	1398988.15

NAME	NORTHING	EASTING
A	462508.85	1398967.13
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B	462439.92	1401599.48
C	461810.85	1398988.15

SOUTHWESTERN DISTRICT HEALTH UNIT

2869 3rd Ave. West
DICKINSON, ND 58601
225-0171

Section 3. Item C.

APPLICATION FOR SEWAGE & WATER FACILITIES

General Information: Legal Description TWP-R96 SECTION 21 SE 1/4
Lot Size 40 ACRES Lot _____, Block _____
Number of Bedrooms 4 Baths 3
Owner SYDNEY & JILL MESSMER, Address RT 3. BOX 200

Sewer & Water System Information:

Percolation test results or soil type SANDY LOAM
SEPTIC TANK: (1000 gal. minimum)

Size, (gallons) 1250 Material CONCRETE

Distance from foundation 38'-0" (minimum of 10 ft.)

Distance from well 101'-0" (minimum of 50 ft.)

LIFT PUMP: yes _____ no X, Chamber diameter _____

DRAINFIELD:

Distance From: Well 140'-0", Septic tank 20 FT
(min. 50ft.) (min. 10ft.)

Stream, lake, drainage area, 200 FT²+ (minimum of 100 ft.)

Property line 200 FT²+ (minimum of 10 ft.)

Length of perforated pipe 186 FT

Width of trench 30"

Depth of perforated from surface 36" (30-36 inches is maximum)

Depth of absorption material under perforated 18" to 20"

Type of absorption material CRUSHED ROCK

Total amount of absorption area (bottom of trench) length X width
in square feet 465 sq. ft.

WATER WELL:

Type of well, drilled X, dug _____, bored _____

Depth of well 117 FT, Diameter 4 1/2"

Distance from, sewer 101'-0", foundation 36'-0"

property line 200 FT²+, buried tanks X

I hereby submit the above information to be correct as to present or proposed installation: Use other side of this form for drawing. (required)

Signature of: Well driller: (SEE ATTACHED FORM)

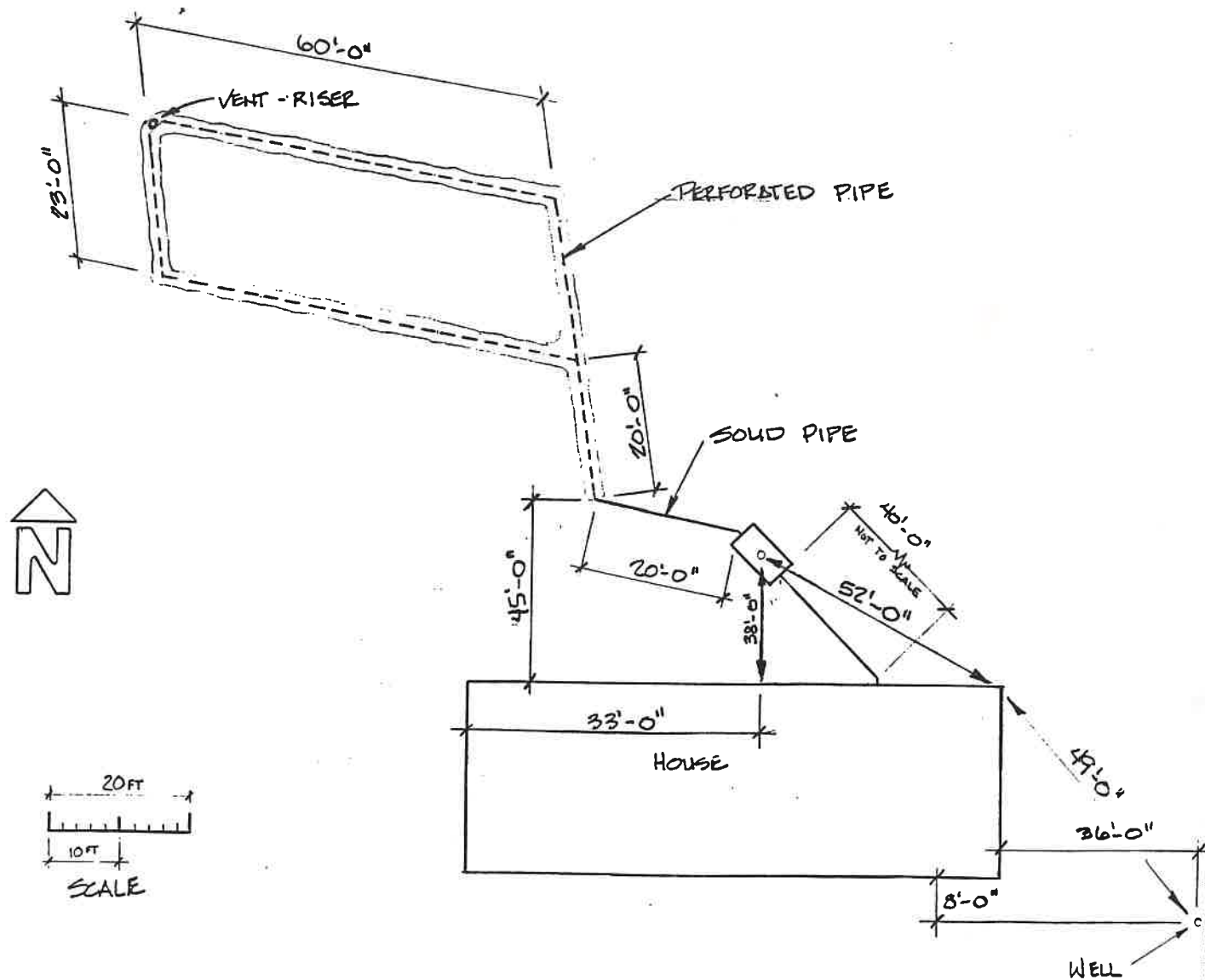
Sewer system installer: Sydney & Messmer PUMP SYSTEMS

Owner: Sydney & Messmer

Draw a diagram of proposed or existing sewer and water system. Please make the drawing as accurate as possible. Needed are locations of: House, septic tank, lift pump, drainfield, sources of contamination. * see notes.

Section 3. Item C.

NORTH



* Please note some of the minimum & maximum distances listed on the front.

The proposed sewer and/or water system is hereby approved and subject to an onsite inspection before covering.

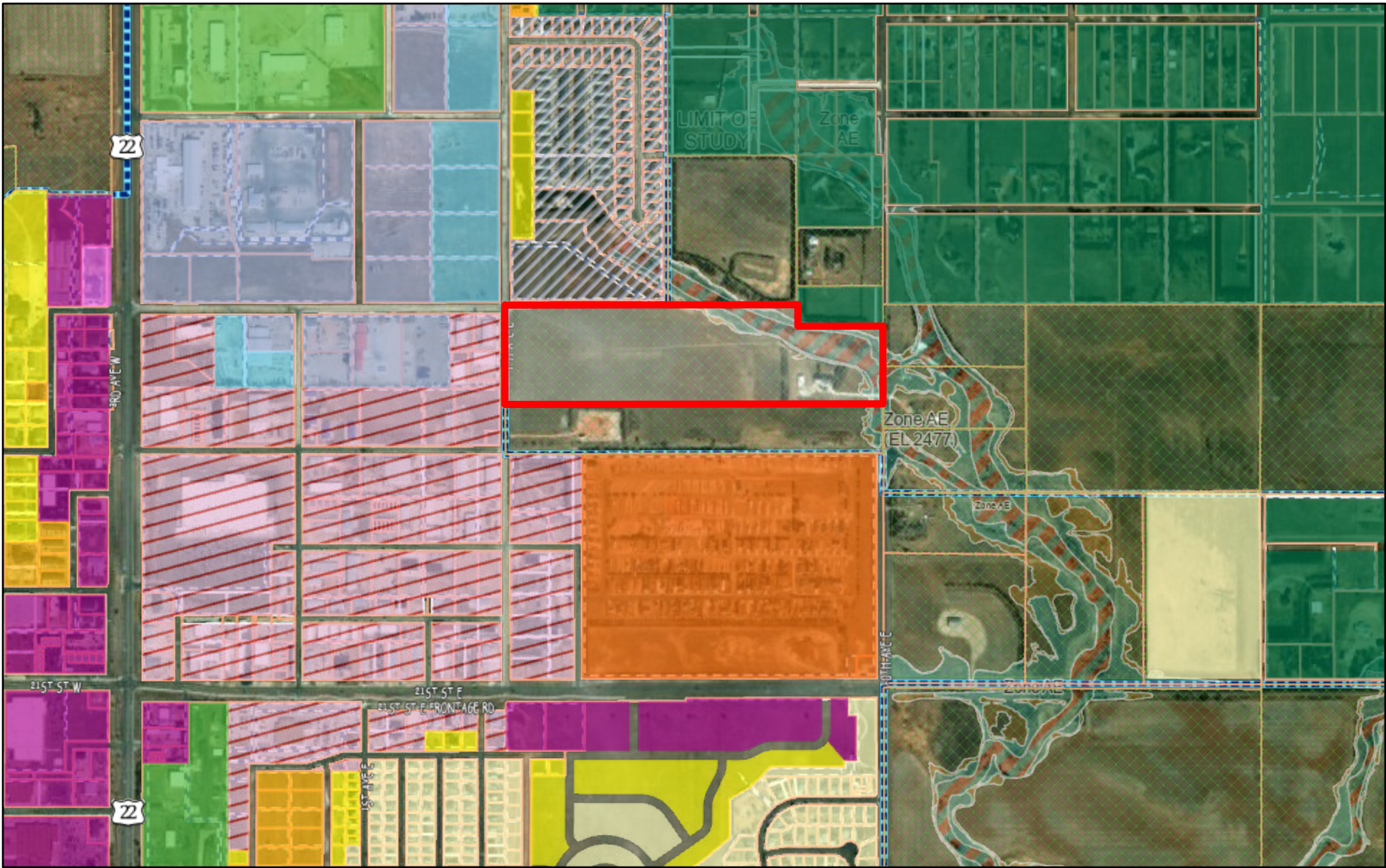
[Handwritten Signature]

(EMP signature)

Conditions:

City Zoning Map (ETZ)

Section 3. Item C.



6/29/2026

Street Markers 45k

Highway 22

Public Street Names 25K

Dickinson Zoning

Planned Unit Development - PUD

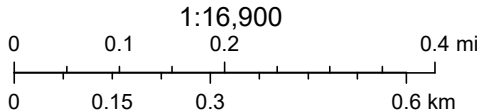
Community Commercial - CC
General Commercial - GC
Limited Commercial - LC
General Industrial - GI
Limited Industrial - LI
Low Density Residential - R1

Medium Density Residential - R2
High Density Residential - R3
Rural Residential - RR
Mobile Home - MH
Public - P
Agricultural - AG

Dickinson Tax Parcels
Stark Parcels
Platted Lot Lines
Easement Lines
Flood Hazard Boundaries
Limit Lines

SFHA / Flood Zone Boundary
Flood Hazard Zones
1% Annual Chance Flood Hazard
Regulatory Floodway
0.2% Annual Chance Flood Hazard
Municipal Boundary

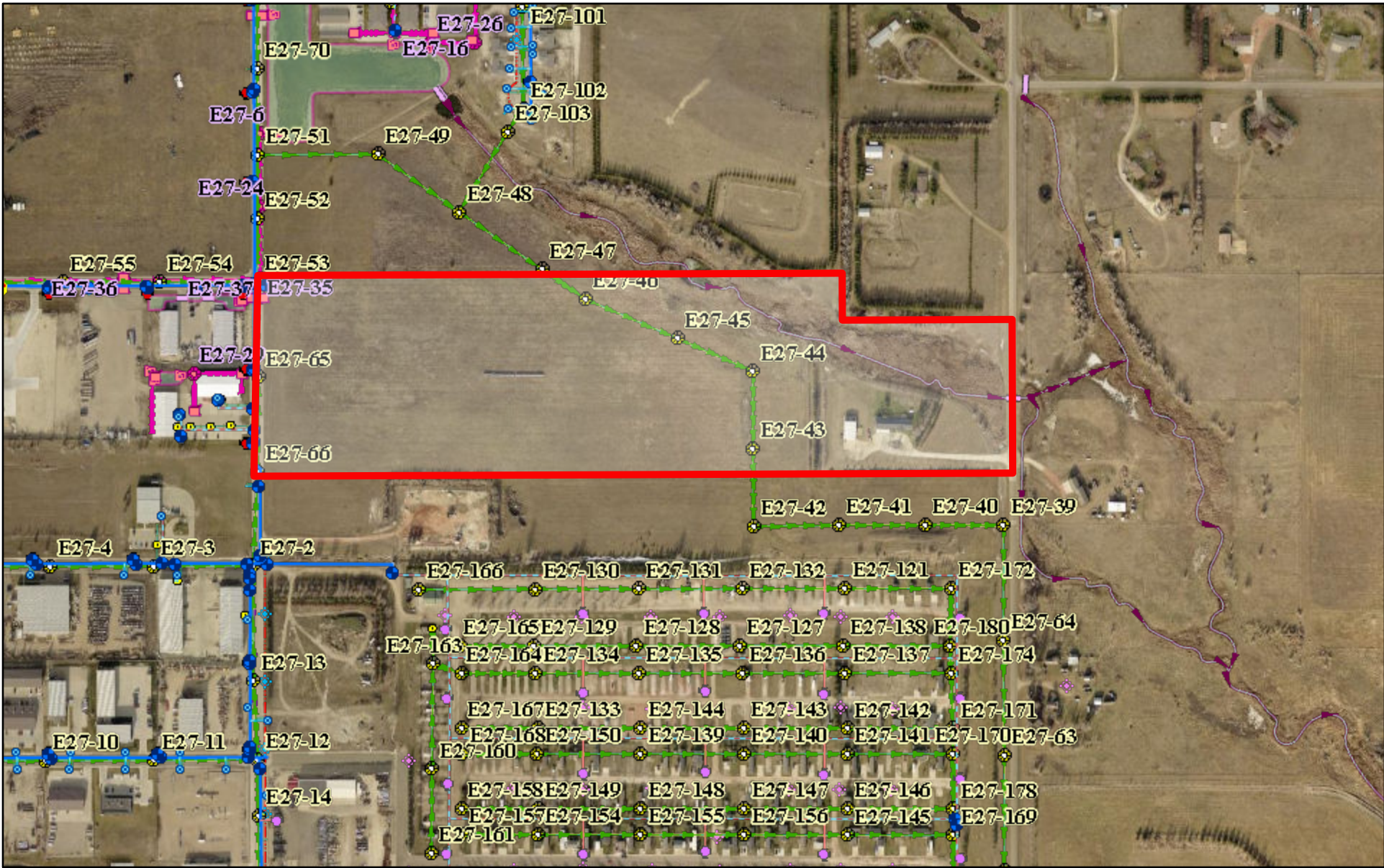
Extra Territorial Boundary
World Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor

Dickinson Utility Information Map

Section 3. Item C.



6/29/2026

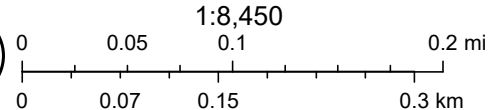
- Water Curb Stop Valve
- Water System Valve
- Normally Closed
- Normal Operation
- Water Hydrant
- City of Dickinson
- Private or Other
- Water Lateral Lines
- Fire
- Hydrant
- Service
- Water Main Lines
- Polyvinyl Chloride - From 8 to 12 in

- Polyvinyl Chloride - Under 8 in
- Sanitary Clean Outs
- Sanitary Manhole
- Sanitary Lateral Lines
- Sanitary Gravity Mains
- Sanitary Pressurized Mains

- Storm Inlets
- Storm Discharge
- Storm Manholes
- Storm Gravity Mains
- Storm Culverts
- Storm Open Drains

- Storm Detention Structures
- Poles
- Streetlight, City of Dickinson
- Streetlight, Roughrider Electric
- Wire Access Points
- Electric-Service

- Wire Lines
- Streetlight
- World Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



Dickinson Engineering Department, Pictometry International, Eagleview, City of Dickinson, Vantor

FEMA Mapping

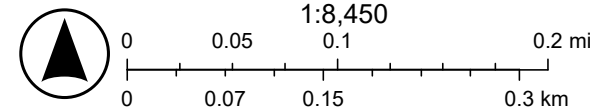
Section 3. Item C.



6/29/2026

- | | | |
|-----------------------|-------------------------------|---------------------------------|
| PLSS Description 12k | Flood Hazard Boundaries | Regulatory Floodway |
| Dickinson Tax Parcels | Limit Lines | 0.2% Annual Chance Flood Hazard |
| Stark Parcels | SFHA / Flood Zone Boundary | Municipal Boundary |
| Platted Lot Lines | Flood Hazard Zones | Extra Territorial Boundary |
| Easement Lines | 1% Annual Chance Flood Hazard | World Imagery |

High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor

City Parcel Map (ETZ)

Section 3. Item C.



6/29/2026

Street Markers 45k



Highway 22

Public Street Names 25K

- Dickinson Tax Parcels
- Stark Parcels
- Platted Lot Lines

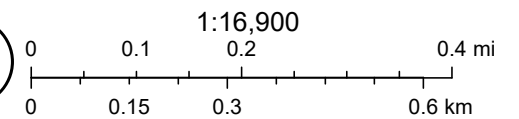
Easement Lines

- Municipal Boundary
- Extra Territorial Boundary
- World Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor



Zowie Heights Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: August 5, 2026
 Re: PLP-005-2026 Zowie Heights Preliminary Major Subdivision

APPLICANT

Jason Tormaschy
 2845 10th Avenue East
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

Nick Jensen
 Western Edge Surveying, PLLC
 1175 Lincoln Street
 Dickinson ND 58601

Public Hearing	August 12, 2026	Planning and Zoning Commission
Public Hearing	September 9, 2026	Planning and Zoning Commission
Final Consideration	September 15, 2026	City Commission

The applicant is requesting approval of the Zowie Heights preliminary major subdivision, being a portion of the SE ¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). According to the applicant, the purpose of this subdivision is to dedicate portions of the lot as right-of-way for 4th Avenue East and 10th Avenue East, as well as to establish a one 8.745-acre lot to the east that would continue to be utilized as a primary residence as well as one 30-acre lot to the west to be further subdivided by a future developer. The site is zoned Agricultural (AG). The site consists of +/- 40.01 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision contingent on the property owner obtaining a minimum lot size variance for the proposed 8.745-acre lot (Lot 2, Block 1) from the City's Board of Adjustment.

LOCATION

The property is generally located to the east of 4th Avenue East and is currently legally described as a portion of the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson’s Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	RURAL RESERVE
GROSS SITE ACREAGE	+/- 40.01 acres
LOTS PROPOSED	2

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	PUD, AG, RR	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG, MH, GC	Undeveloped; mobile home park
West	GC	Commercial

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility and Compliance with The Municipal Code

A major subdivision plat is defined in Section 52-1 of the City Subdivision chapter as a subdivision that does not meet at least one of the following requirements:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;
- Does not land-lock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;
- Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and
- Consists of four lots or less.

The proposed Zowie Heights Subdivision consists of two lots and involves the dedication of right-of-way along 4th Avenue East and 10th Avenue East. Therefore, the proposed subdivision does not meet the above requirements and is classified as a major subdivision.

The site is located in the Agricultural (AG) zoning district. The proposed subdivision divides the existing parcel into one 30-acre parcel (Lot 1, Block 1) to the west, and one 8.745-acre parcel to the east (Lot 2, Block 1). According to Table 62-162-3a: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for the AG zoning district is 10 acres. The proposed Lot 2 of Block 1 does not meet the 10-acre lot size minimum. The property owner has applied for a variance at the August 10th, 2026 Board of Adjustment (BOA) meeting to permit the minimum lot size reduction. Should the BOA grant the requested variance, the final major plat will be scheduled for public hearing at the September Planning and Zoning Commission meeting.

The site is located in the Rural Reserve category of the future land use map (FLUM). The Rural Reserve category does not allow for lots to rezone into either the AG or Rural Residential (RR) zoning districts.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of PLP-005-2026 contingent on the property owner obtaining a minimum lot size variance from the Board of Adjustment.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-005-2026: The Zowie Heights Preliminary Major Subdivision** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

*(AND) the following additional requirements **(IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):***

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **PLP-005-2026: The Zowie Heights Preliminary Major Subdivision** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

ORDINANCE NO. 2026

**AN ORDINANCE REPEALING ARTICLE III OF CHAPTER 16, AND
ENACTING ARTICLE VI OF CHAPTER 60, RELATING TO THE
STORMWATER ORDINANCE**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
DICKINSON, NORTH DAKOTA, AS FOLLOWS:

SECTION 1: Article III. – Stormwater Management, containing Section 16-84 through Section 16-111 of Chapter 16. – Environment, is hereby repealed.

SECTION 2: Article VI. – Stormwater Management, containing Section 60-150 through Section 60-166, of Chapter 62 of the Municipal Code of the City of Dickinson, is hereby enacted as follows:

ARTICLE VI. - STORMWATER MANAGEMENT

Sec. 60-150. – Purpose and policy.

This title sets forth uniform requirements for stormwater management systems within city limits and areas of the City’s extraterritorial jurisdiction as outlined in the Stormwater Design Manual (SWDM). It is the intent of the Board of City Commissioners that the requirements and standards contained in this ordinance comply with all applicable state and federal laws. In the event of any conflict between the provisions of this ordinance and the provisions of an erosion control, or floodplain ordinance, or other regulations adopted by the City, County, State or Federal authorities, the more restrictive standard prevails.

The objectives of this title are:

1. To promote, preserve, and enhance the natural resources within the City of Dickinson, its extraterritorial jurisdiction and watersheds;
2. To protect and promote the health, safety, and welfare of the people and property through effective stormwater management practices;
3. To protect the City’s natural resources from adverse impacts caused by development or other activities;
4. To allow for land development, land disturbing, or other activities that may adversely and potentially irreversibly impact stormwater quality and environmentally sensitive lands related to property within the City of Dickinson, the extraterritorial jurisdiction and watersheds while controlling runoff and protecting property;
5. To regulate land development, land disturbing, or other activities that may have an adverse impact to stormwater quality and quantity;
6. To minimize conflicts and encourage compatibility between land disturbing and development activities and environmentally sensitive issues (i.e. land, water, habitat, etc.);

7. To require detailed review standards and procedures for land development activities proposed throughout the City, and its extraterritorial jurisdiction, thereby achieving a balance between urban growth and development, and the protection of water quality; and
8. To provide for adequate stormwater system analysis and appropriate stormwater system design as necessary to protect public and private property, water quality, and existing natural resources. This title establishes and provides for the following stormwater management criteria:
 - a. The regulation of development through the issuance of stormwater management permits and through the enforcement of general stormwater drainage requirements throughout the City as they relate to managing stormwater volumes, rates of runoff, flow duration, and their subsequent impacts to downstream property and stormwater management facilities.
 - b. The regulation of, and the establishment of criteria for, existing public underground storm sewers, existing artificial and natural open channel drainage systems, existing stormwater detention and retention ponds, and existing private stormwater drainage systems discharging into the public system.
 - c. Penalties for violating the provisions of this ordinance, and the orders, rules, regulations and permits issued hereunder. (Ord. No. 1282 § 2.)

Sec. 60-151. – Definitions.

For the purpose of this ordinance and title, the following terms, phrases, and words, and their derivatives, shall have the meaning as stated in this section. Words used in the present tense include the future tense. Words in plural number include the singular number, and words in the singular number include the plural number. The word “shall” is mandatory and the word “may” is permissive.

Agricultural land use means the use of land for planting, growing, cultivating and harvesting crops for human or livestock consumption and pasturing or yarding of livestock.

Applicant means any person wishing to obtain a building permit, special use permit, zoning change, or subdivision approval, that requires a mandatory stormwater management permit.

Approval means recognition that the project has addressed the applicable requirements to be issued a mandatory stormwater management permit.

Best management practice means a schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce increases in runoff rates and/or the pollution of downstream waters.

Catchment means the area of a development or redevelopment project that collects stormwater to a discrete Point of Discharge or Point of Analysis.

Certification Report means the required analysis documenting that the facilities identified in an approved Stormwater Management Plan have been constructed and function as intended. A Certification Report is a required submittal prior to project closeout.

City means the Board of City Commissioners, the City Administrator, and any designees.

Common plan of development or sale means a contiguous area where multiple separate and distinct construction activities are planned to occur at different times on different schedules under one plan, e.g., a housing development of five ¼ - acre lots (40 CFR 122.26(b)(15)(i)).

Conditional approval means the issuance of a mandatory stormwater permit on the stipulation that additional materials and/or actions occur in the future to document and confirm the submitted and reviewed application materials.

Control measure means a practice or combination of practices to control erosion and attendant pollution.

Construction means any site under development which lacks vegetative or permanent cover.

Construction activities are as defined in 40 CFR part 122.26(b)(14)(x) and (b)(15). This includes a disturbance to the land that results in a change in topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling and excavating. Construction activity includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility

Construction plans mean engineered drawings detailing the size and character of post-construction stormwater management facilities and site development.

Construction stormwater management means the implementation of appropriate temporary BMPs to minimize soil sediment or pollutants carried in runoff from construction activities. Also included is the management of run-on and runoff of stormwater from the construction activities.

Conveyance structure means a pipe, open channel, or other facility that transports runoff from one location to another.

Detention facility means a natural or manmade structure, including constructed stormwater wetlands, for the temporary storage of runoff which may contain a pool of water, or may be dry during times of no runoff.

Developer means a person, firm, corporation, sole proprietorship, partnership, federal or state agency or political subdivision thereof engaged in a land disturbance and/or land development activity.

Development means any of the following activities:

- a. Structural development, including construction of a new building or other structure;
- b. Expansion or alteration of an existing structure that results in an increase in the ground surface dimensions of the building or structure;
- c. Land disturbing activities that result in land disturbance of one or more acres; or
- d. Creation or expansion of impervious surfaces (such as pouring new concrete parking lots, driveways, or roadways) that alter the natural flow of stormwater runoff.

EPA means the United States Environmental Protection Agency.

Erosion means any process that wears away at the surface of the land by the action of water, wind, ice, or gravity. Erosion can be accelerated by the activities of man and nature.

Erosion and Sediment Control Plan means a written description and site map containing best management practices designed to meet the requirements of this ordinance. A plan that conforms to the State of North Dakota Stormwater Pollution and Prevention Plan Permit requirements can also be used.

Extra-Territorial Jurisdiction means the zoning or subdivision jurisdiction of the City, but outside its corporate limits.

Excavation means any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or spread and shall include the resulting conditions.

Fill means any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved to a new location and shall include the resulting conditions.

Hydric soils mean soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part.

Illicit discharge means any discharge to, or seepage into the City's MS4 that is not composed entirely of stormwater or uncontaminated groundwater except discharges pursuant to an NDPDES permit. Examples include, and are not limited to, construction material discharges, discharging of sanitary sewers and runoff of spilled chemicals, fuels or lubricants. Exceptions to illicit discharges are included in the City's MS4 General Permit.

Impervious surface means any land cover that prevents rain, or melting snow, from soaking into the ground, such as roofs (including overhangs), streets, sidewalks, patios, driveways, and parking lots. For the purposes of this SWDSM, all road, driveway or parking surfaces, shall be considered impervious. Any surface with a curve number greater than or equal to 95 are to be considered as impervious surfaces.

Land disturbing activities means any land alterations or disturbances that may result in soil erosion, sedimentation, or change in runoff including, but not limited to, removal of ground cover,

grading, excavating, and filling of land, but not including agricultural land uses such as planting, growing, cultivating and harvesting of crops, growing and tending of gardens, and harvesting trees.

Landowner means any person holding title to or having an ownership interest in land.

Land user means any person operating, leasing, renting, or having made other arrangements with a landowner by which the landowner authorizes use of their land.

Municipal Separate Storm Sewer System (MS4) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management Agency under section 208 of the CWA that discharges to waters of the United States;

- Designed or used for collecting or conveying stormwater;
- Which is not a combined sewer; and
- Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

Multiple-purpose facility means an urban stormwater facility that fulfills multiple functions, such as enhancement of runoff quality, erosion control, wildlife habitat, or public recreation, in addition to its primary purpose of conveying or controlling runoff.

North Dakota Pollution Discharge Elimination System (NDPDES) Permit means any permit or requirement enforced by the North Dakota Department of Environmental Quality pursuant to the Clean Water Act as amended for the purposes of regulating stormwater discharge.

Notice of Termination (NOT) means a notification to the City and/or NDDEQ of one of the following criteria has been met: final stabilization has been successfully established; transfer of ownership of the responsibility for the site and its discharges has been legally transferred to another operator; or alternative permitting for the facility has been obtained for an individual National Pollution Discharge Elimination System permit to replace the general permit coverage.

On-site post-construction facility (BMP) means a permanent stormwater facility provided to serve only the project area and no significant areas outside of the project boundaries. On-site facilities shall be sized to include the existing condition runoff flows from areas up gradient of the development boundary that flow onto the development under the existing condition.

Outfall means the point where a municipal separate storm sewer system discharges from a pipe, ditch, or other discrete conveyance to receiving waters, or other municipal separate storm sewer systems. It does not include diffuse runoff or conveyances, which connect segments of the same stream or other water systems

Occupant means any person using a lot, parcel of land, or premises connected to and discharging stormwater into the stormwater system of the City.

Permanent development means any buildings, structures, parking lots, roads, landscaping and related features constructed as part of a development project approved under a stormwater management permit, that will remain after development is constructed.

Permanent facilities mean any natural or constructed features of a stormwater system including, but is not limited to storm sewers, infiltration areas, detention/retention areas, channels, streets, and similar features, that will remain after development is constructed.

Permittee means any person who has received a stormwater management permit from the City.

Person means any developer, individual, firm, corporation, partnership, franchise, association, owner, occupant of property, or agency - public or private.

Pervious surface means any land cover that permits absorption of stormwater or snow melt into the ground. Any surface with a curve number less than 95 are to be considered as pervious surfaces.

Planning Commission means an appointed Commission of the Dickinson City Commission, which is tasked with addressing land use in accordance with Chapter 44.

Point of Analysis means the location where runoff from development or redevelopment will be evaluated for compliance with the requirements of Chapter 60-150 of the City Municipal Code and this SWDSM. In general, this will be the location where post developed flow rates must meet the existing conditions rates and water quality BMPs have been provided. The Point of Analysis may be located downstream of the Point of Discharge(s). The Point of Analysis will be determined by the City Engineer. In practicality, there may be more than one Point of Analysis for a project.

Point of discharge means a location where stormwater discharges from development or redevelopment areas into the Public Storm Sewer System or other receiving waters. In practicality, there may be more than one point of discharge on a site or for a project.

Post-construction facilities or post-construction BMP means permanent structural and non-structural best management practices to mitigate adverse impacts to stormwater quality and water quantity which are part of any natural or constructed stormwater system that require periodic or minimal maintenance to retain their operational capabilities. This includes, and is not limited to, storm sewers, infiltration areas, detention areas, channels, streets, etc.

Post-construction stormwater management means the implementation of appropriate permanent BMPs to address the stormwater quantity, quality, and conveyance for new and redevelopment projects.

Private drainage channel means a drainage channel on privately-owned land or easements which eventually discharges into a public drainage channel, public storm sewer or public right of way.

Private storm sewer means a storm sewer on privately owned land or easements.

Private storm sewer system means a system of conveyances designed or used for collecting or conveying stormwater on privately-owned land or easements which eventually discharges into the Public Storm Sewer System. The private storm sewer system consists of both open and enclosed drainage systems (including roads with drainage systems, parking lots, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are owned and operated by private entities.

Public drainage channel means a drainage channel located on public property or easements that collects and conveys stormwater.

Public storm sewer means a storm sewer located entirely on publicly owned land or easements.

Public Storm Sewer System means a system of conveyances designed or used for collecting or conveying stormwater, owned or operated by the City and included in the City's Municipal Separate Storm Sewer System (MS4). The public storm sewer system consists of both open and enclosed drainage systems (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are owned or operated by the City and are designed to collect and convey stormwater; and discharge, either directly to an MS4 owned or operated by another public body, or to other receiving waters.

Redevelopment means any construction, alteration or improvement on a previously developed site that creates new impervious surfaces that does not violate the definition of Construction Activities listed above, does not violate the maximum impervious coverage allowed as per Table 62-162-3a – Summary of Site Development Regulations or the site's existing stormwater management plan, and does not alter the natural flow of stormwater runoff.

Regional detention means an area which temporarily stores stormwater from more than one source.

Regional flood means a flood that is representative of large floods known to have occurred generally in the state and recently characteristic of what can be expected to occur on an average frequency in the magnitude of a one hundred (100) year recurrence interval. It is also referred to as the base flood.

Runoff means rainfall, snowmelt, dewatering or irrigation water flowing over the ground surface and into open channels, underground storm sewers, and detention or retention ponds.

Sediment means solid or organic material that, in suspension, may be transported by air, water, gravity, or ice, and deposited at another location.

Site means the entire area included in the legal description of the parcel or other land division on which land development or land disturbing activity is proposed in a permit application.

Stabilized means the use of practices that prevents exposed soil from eroding. Temporary stabilization (i.e. mulching, erosion control blankets) can be used on exposed soils where construction has ceased and will not resume for the duration specified by the associated NDPDES permit. Final stabilization is when all soil disturbing activities are complete and a uniform,

perennial vegetative cover with a density of native background cover meeting the minimum percentage specified by the associated NDPDES permit has been established, or equivalent permanent erosion measures (like riprap) are in place.

Standard specifications mean the edition of the “Standard Specifications for Dickinson, North Dakota” in place at the time of permit application available from the office of the City Engineer.

State means the State of North Dakota.

Storm sewer means a pipe or conduit for carrying stormwater, surface runoff, street and wash waters, and drainage, excluding sewage and industrial wastes.

Stormwater Design Manual means a design and standards manual, as adopted and amended by the City of Dickinson, that contains the principal standards and design criteria for complying with the City’s stormwater management program. The Manual details criteria for hydrologic evaluations, the design of stormwater management system facility components, water quality protection standards, and requirements for easements and rights-of-way. The Manual also contains a discussion of operation and maintenance requirements, standard forms to be used, and standard construction details adopted by the City.

Stormwater detention means temporary storage of stormwater runoff in ponds, parking lots, depressed grassy areas, roof tops, buried underground tanks, and other similar features, for future or controlled release that is used to delay and attenuate flow.

Stormwater management system means physical facilities that collect, store, convey, and treat stormwater runoff in urban areas. These facilities normally include detention and retention facilities, streets, storm sewers, inlets, open channels, and special structures, such as inlets, manholes, and energy dissipaters that are located within public right-of-way or easements dedicated to the City of Dickinson.

Stormwater management criteria mean specific guidance provided to the designer to carry out stormwater management policies.

Stormwater Management Plan (SWMP) means a written document detailing the stormwater runoff characteristics for a defined area and the management of that runoff to mitigate adverse impact to stormwater quality and quantity. A Stormwater Management Plan is a required submittal for a Post-Construction Stormwater Management Permit.

Stormwater permit means a permit allowing land development and land disturbing activities so as to protect the Public Storm Sewer System such that development or redevelopment activities are in conformance with the MS4 General Permit.

Stormwater Pollution Prevention Plan (SWPPP) means a site-specific plan required for Construction Stormwater Permits that addresses all pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity and controlled through the implementation of Best Management Practices (BMPs).

Stormwater retention means permanent stormwater storage designed to eliminate subsequent surface discharge. Ponds are the most common types of retention storage.

Sub-catchment means a smaller area of the hierarchical pattern of drainage from a catchment. For mandatory stormwater permits, sub-catchments are used to define unique drainage areas inside of the project catchment.

Sub-watershed means a smaller area of the hierarchical pattern of drainage from a watershed. An area of land where all surface water is tributary to a larger drainage system.

Unpolluted water means any water of quality equal to or better than the effluent criteria in effect, or water that would not cause a violation of receiving water quality standards.

Urban area means land associated with, or part of, a defined city or town.

User means any person who benefits from and/or is regulated by City stormwater management policies and facilities.

User fee means a fee levied on users of a public stormwater management system for the user's proportionate share of the cost of operation and maintenance or replacement of such works.

Watershed means the land area that drains water to a particular stream, river, or lake. It is a land feature that can be identified by tracing a line along the highest elevations between two areas on a map, often a ridge.

Waters of the State means any and all surface waters that are contained in or flow in or through the state of North Dakota as defined in NDCC 61-28-02. This definition includes all water courses, even if they are usually dry.

Watershed Stormwater Master Plan means a stormwater management plan that characterizes and address runoff from a defined drainage area and makes recommendations for the implementation of regional facilities, or BMPs, to address peak flow and water quality compliance and/or regional drainage and conveyance systems. Watershed Stormwater Master Plans that are adopted by the City Commission are planning documents that provide drainage area specific refinements to stormwater management performance requirements and design standards.

Waterway means any channel, open ditch, or river which carries natural flows or stormwater.

Wetlands mean areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (Reference: Definition of wetlands as used by the USACE and EPA since the 1970s for regulatory purposes: <https://www.epa.gov/cwa-404/section-404-clean-water-act-how-wetlands-are-defined-and-identified>)

Sec. 60-152. – Illicit discharge into stormwater system.

It shall be unlawful for any person to discharge, deposit, dump or drain, or cause to be discharged, deposited, dumped or drained any liquid, solid or material which may degrade stormwater quality and/or is prohibited by city, state or federal regulations or policies into the stormwater system. For the purposes of this chapter, illicit discharges do not include the following, unless information is available to indicate otherwise: Water line flushing, landscape and lawn irrigation water, agricultural irrigation water, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, springs, water from crawl space pumps, footing drains, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, street wash water, stormwater runoff, and discharges or flows from firefighting activities. (Ord. No. 1282 § 2.)

Sec. 60-153. – Application.

A proposed Stormwater Management Plan shall be filed with the City Engineer when the definition of construction activities is met. If an existing stormwater management plan exists for the property, a new stormwater management plan will not be required if the engineering requirements are met for the proposed development as defined above. The application shall include a description of the location upon which the approval is requested, verification that the proposed use is permitted in the underlying zoning district, and adequate evidence showing the proposed use will conform to the standards set forth in this article and the City of Dickinson Stormwater Design Manual. Applicable fees as set forth in the city fee schedule shall be paid prior to commencement of any construction activities. Exemptions to the requirements of this section include:

- 1) Any part of a fully developed subdivision with streets, curbs, and gutters for which a plat was approved and recorded with the County Recorder on or before June 10, 2003;
- 2) Construction activities associated with a building permit approved on or before September 1, 2026;
- 3) Installation of a fence, sign, telephone, and electric poles and other kinds of posts or poles;
- 4) Construction of a standalone single-family dwelling is exempt from filing a stormwater management plan, but must provide erosion control measures while under construction;
- 5) Emergency work to protect life, limb, or property;
- 6) The Planning and Zoning Commission may waive any requirement of this article upon making a finding that compliance with the requirement will involve an unnecessary hardship, and the waiver of such requirement will not adversely affect the standards and requirements put forth in Sections 16-104 and 16-105. The City may require as a condition of the waiver such dedication or construction or agreement to dedicate or construct as may be necessary to adequately meet said standards and requirements; or

- 7) All Stormwater Management Plans that have been approved by the City of Dickinson prior to (DATE OF ADOPTION BY THE CITY COMMISSION IN 2026) shall be considered approved with no revisions required.

Sec. 60-154. – Operation and maintenance considerations.

All stormwater management facilities shall be designed to minimize the need for maintenance, to provide access for maintenance purposes, and to be structurally sound. All stormwater management facilities shall have a plan of operation and maintenance that assures continued effective removal of pollutants carried in stormwater runoff. It shall be the responsibility of the applicant to obtain or provide any necessary easements or other property interests to allow access to the stormwater management facilities for inspection and maintenance purposes. (Ord. No. 1282 § 2)

Sec. 60-155. – Mandatory compliance with other city codes.

In addition to this article, the applicant is responsible for adhering to the requirements of all city codes, including but not limited to the following:

1. Zoning regulations;
 2. The city's Flood Damage Prevention Ordinance, ordinance number 1404, Chapter 20; and
 3. Regulations governing the subdivision of land.
- (Ord. No. 1282 § 2.)

Sec. 60-156. – Stormwater management program scope.

Every application for a building permit, subdivision approval, or a permit to allow construction and/or land disturbing activities must comply with the provisions of this Article and the Stormwater Design Manual (SWDM) prior to permit issuance or approval.

The City Engineer may waive any requirement of this title upon making a finding that compliance with the requirement will involve an unnecessary hardship, and the waiver of such requirement will not adversely affect the standards and requirements put forth in Chapter 60-160 to 60-190. The City may require as a condition of the waiver, such dedication or construction, or agreement to dedicate or construct, as may be necessary to adequately meet the said standards and requirements.

The City of Dickinson is a designated Municipal Separate Storm Sewer System (MS4) under the Environmental Protection Agency's Stormwater Phase II Final Rule published on December 8, 1999 and is regulated under the North Dakota Pollutant Discharge Elimination System (NDPDES) by the North Dakota Department of Environmental Quality. To demonstrate compliance with the requirements of the MS4 General Permit, all development activities within the City's zoning jurisdiction must comply with the provisions contained herein related to construction stormwater management permits.

Sec. 60-157. – Contents of stormwater design manual (SWDM).

The edition of the SWDM enforced at the time the permit is applied for is the governing document for engineering standards that shall be followed. The City Engineer has the authority to amend the SWDM according to their professional judgment at their discretion.

Sec. 60-158. – Conditions.

A Stormwater Management Plan may be approved subject to compliance with the SWDM and with conditions deemed reasonable and necessary by the City to ensure that the requirements contained in this article are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish required monitoring procedures, stage the work over time, require alteration of the site design to insure buffering, require the acquisition of certain lands or easements, and require the conveyance to the City of Dickinson or other public entity of certain lands or interests therein. The City may specify special requirements for specific watersheds within the City. The nature of these requirements will be subject to the unique environmental and natural resource environment of each sub watershed.

Sec. 60-159. – Stormwater management construction permits.

Any person proposing construction activities for development or redevelopment as defined in Section 60-151 shall submit the associated Stormwater Pollution Prevention Plan (SWPPP) for review as part of the building permit application, subdivision application, or permit application to allow construction and/or land disturbing activities. Submittals shall meet NDPDES requirements.

Sec. 60-160. – Emergency suspension of permits.

The City may for cause order the suspension of the stormwater management permit and/or building permit of a person, contractor, developer or parcel owner when it appears to the City that an actual or threatened discharge presents or may present an imminent or substantial danger to the health or welfare of persons downstream, substantial danger to the environment, or a violation of any permit conditions imposed by this article. If any person is notified of the suspension order and/or a person fails to comply voluntarily with the suspension order, the City shall commence whatever steps are necessary to obtain compliance, including judicial proceedings. The City may reinstate the stormwater management permit and/or building permit upon proof of compliance with all permit conditions.

The City may order the emergency suspension of a stormwater management permit and/or building permit pursuant to the emergency provisions of this section, the City shall serve notice on the permittee personally or by registered or certified mail before or after actually suspending activity depending on the individual situation. If any person is notified of the suspension order

and/or a person fails to comply voluntarily with the suspension order, the City shall commence whatever steps are necessary to obtain compliance, including judicial proceedings.

Any applicant dissatisfied with an order the City issued pursuant to this section may request a hearing before the Board of City Commissioners by filing a written request for a hearing with the City, within fifteen (15) days of receipt of the order. The hearing must be held within thirty (30) days of receipt of the request, or as subject to the current meeting schedule, whereupon the Board of City Commissioners may affirm, modify or rescind the order. A request for a hearing filed pursuant to this section does not stay the order while the hearing is pending. (Ord. No. 1282 § 2)

Sec. 60-161. – Revocation of a permit.

A stormwater management permit may be revoked following notice and an opportunity for a hearing in accordance with Sections 38.14.150.3 and 38.14.150.4. In the event a stormwater management permit is revoked, all associated construction activity must cease. The City may revoke a stormwater management permit for cause, including but not limited to if upon permitted site there is:

1. One or more violation of any terms or conditions of the stormwater management permit;
 2. False statements on any required reports;
 3. Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; or
 4. Any other violation of this title or related ordinance.
- (Ord. No. 1282 § 2; Ord No. 1369 §1)

Sec. 60-162. – Notification.

Whenever the City finds that any person has violated or is violating this title, stormwater management permit and/or its conditions, or any prohibition, limitation or requirement contained herein, the City shall serve upon such person a written notice stating the nature of the violation. Within the time period specified, a plan for the satisfactory correction thereof must be submitted to the City. (Ord. No. 1282 § 2)

Sec. 60-163. – Hearing.

If the violation is not corrected by timely compliance, the City may order any permittee who causes or allows a violation to a stormwater management permit to show cause before the Board of City Commissioners why the order of the City should not be upheld. A notice of hearing must be served on the permittee specifying the time and place of a hearing to be held by the Board Commission regarding the order of the City, and directing the permittee to show cause before the Board Commission why the order of the City should not be upheld. The notice must be served personally or by registered or certified mail postmarked at least ten (10) days before the hearing. The evidence submitted at the hearing shall be considered by the city which shall then uphold,

modify or rescind the order of the city. An appeal of the city's decision may be taken according to law.

If any person commences any land disturbing activities which result in increased stormwater quantity or stormwater quality degradation into the City stormwater management system contrary to the provisions of this title, federal or state requirements or any order of the City, the City Attorney may, following the authorization of such action by the Board of City Commissioners, commence legal action for appropriate legal and/or equitable relief. (Ord. No. 1282 § 2; Ord No. 1369 §1)

Sec. 60-164. – Penalty.

Any person who is found to have violated an order of the Board of City Commissioners made in accordance with this title, or who has failed to comply with any provision of this title and the orders, rules, regulations and permits issued hereunder, is guilty of a misdemeanor. Any violation of this section shall be a class B misdemeanor. Each day such violation continues shall be considered a separate offense. (Ord. No. 1282 § 2)

Sec. 60-165. – Costs of damage.

Any person violating any of the provisions of this title or who initiates an activity which causes a deposit, obstruction, or damage or other impairment to the City's stormwater management system is liable to the City for any expense, loss, or damage caused by the violation or the discharge. The City may bill the person violating this title for the costs for any cleaning, repair or replacement work caused by the violation of stormwater discharge. (Ord. No. 1282 § 2)

Sec. 60-166. – Falsifying information.

Any person who knowingly makes any false statements, representations, or certification in any applicable record, report, plan, or other document filed or required to be maintained pursuant to this title, or stormwater management permit, or who knowingly falsifies, tampers with, or knowingly renders inaccurate any monitoring devices or method required under this chapter, shall be guilty of a misdemeanor. Any violation of this section shall be a class B misdemeanor. Each day such violation continues shall be considered a separate offense. (Ord. No. 1282 § 2)

SECTION 3: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

SECTION 5: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: _____, 2026

Second Reading: _____, 2026

Final Passage: _____, 2026

DRAFT

Natalie Birchak

From: Sylvia Miller
Sent: Wednesday, July 29, 2026 7:42 AM
To: Joshua Skluzacek; Natalie Birchak
Subject: FW: City of Dickinson Stormwater Regulation Update Ordinance

SYLVIA MILLER
EXECUTIVE ASSISTANT TO THE ENGINEER/COMMUNITY
DEVELOPMENT DIRECTOR

O: 701.456.7020



From: Robert Procive <Robert.Procive@interstateeng.com>
Sent: Wednesday, July 29, 2026 7:17 AM
To: Sylvia Miller <Sylvia.Miller@dickinsongov.com>
Subject: FW: City of Dickinson Stormwater Regulation Update Ordinance

Sylvia,
I had our Certified Floodplain Manager review the ordinance.
Below is his comments.
Thank you,



Professionals You Need, People You Trust.

Robert (Bob) L. Procive, PLS
Senior Professional Land Surveyor
Licensed in MT | ND | SD

 (701) 290.5775
 (701) 483.4708
 1260 West Villard Street
Dickinson, ND 58601
 interstate.engineering

From: Cody Galloway <Cody.Galloway@interstateeng.com>
Sent: Tuesday, July 28, 2026 2:25 PM
To: Robert Procive <Robert.Procive@interstateeng.com>
Cc: Rebecca Berner <Rebecca.Berner@interstateeng.com>
Subject: RE: City of Dickinson Stormwater Regulation Update Ordinance

Seems pretty solid. A couple areas of concern:

- Provide more watershed-level flexibility. The manual generally requires every development to match existing-condition runoff rates, but it doesn't leave much room for regional detention strategies, master drainage plans, or situations where downstream capacity has been evaluated. Adding language that allows engineered alternatives when supported by a comprehensive drainage study would make the manual more adaptable over time.
- Expand guidance on downstream impacts and overland drainage. While the manual thoroughly addresses individual design elements, it could place greater emphasis on the overall drainage philosophy, including major/minor drainage systems, downstream impact evaluations, and overland overflow routing. This would help ensure developments function well as part of the larger watershed rather than simply meeting individual design criteria.
- Add more detail on long-term maintenance and post-construction requirements. I think the manual would benefit from additional guidance on maintenance agreements, inspection responsibilities, and as-built certification requirements so there are clear expectations once facilities are constructed and accepted.
- Consider using more performance-based language in a few areas. Some sections prescribe very specific modeling assumptions (such as runoff methodology, soil assumptions, and curve number selection) rather than focusing on the desired hydraulic performance. Allowing equivalent, technically sound engineering approaches would provide flexibility without reducing the City's level of protection.

Just some high level thoughts. Is there a job number I can charge my review time to or is this promo?

Cody Galloway, PE, LSI, CFM

Hydraulics Engineer

Licensed PE in – MT, ND, SD, WY | LSI – WY

Office: (307) 283.3675 Cell: (307) 290.1035

315 Main Street Suite A, Sundance, WY 82729

interstate.engineering

From: Robert Procive <Robert.Procive@interstateeng.com>

Sent: Thursday, July 23, 2026 7:58 AM

To: Cody Galloway <Cody.Galloway@interstateeng.com>

Cc: Rebecca Berner <Rebecca.Berner@interstateeng.com>

Subject: Fw: City of Dickinson Stormwater Regulation Update Ordinance

Cody,

What are your thoughts on this ordinance?

Thank you,

Robert (Bob) L. Procive, PLS

Senior Professional Land Surveyor

Licensed in MT | ND | SD

Office: (701) 483.4708 Cell: (701) 290.5775

1260 West Villard Street, Dickinson, ND 58601

interstate.engineering

From: Sylvia Miller <Sylvia.Miller@dickinsongov.com>
Sent: Wednesday, July 22, 2026 8:09 AM
Cc: Joshua Skluzacek <Joshua.Skluzacek@dickinsongov.com>
Subject: City of Dickinson Stormwater Regulation Update Ordinance

📧 External email >

Good morning -

The City of Dickinson will be presenting a Municipal Code amendment regarding storm water at the August Planning and Zoning Commission meeting. We would greatly appreciate your review and comments, if you would be ever so generous to do so, by 8:00 Mountain Time on Wednesday August 5, 2026. Your review comments will be added to the August Planning and Zoning Commission agenda. Please find the attached version of the Municipal Code amendment as a DRAFT. Also attached is the DRAFT Storm Water Design Standards Manual and considerations for the manual.

Thank you,

SYLVIA MILLER
EXECUTIVE ASSISTANT TO THE ENGINEER/COMMUNITY
DEVELOPMENT DIRECTOR

O: 701.456.7020





Stormwater Update Text Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: August 5, 2026
 Re: ZTA-007-2026 Section 50 – Stormwater Update

APPLICANT

Name: City of Dickinson Community
 Development
 Address: 38 1st Street West
 City: Dickinson North Dakota 58601

Public Hearing	August 12, 2026	Planning and Zoning Commission
Public Hearing	August 18, 2026	City Commission
Final Consideration	September 1, 2026	City Commission

Community Development staff is requesting approval of a text amendment to repeal Article III. – “Stormwater Management”, of Chapter 16 – Environment, and to add Article VI. – “Stormwater Management”, to Chapter 60 – Utilities, of the City of Dickinson Municipal Code regarding updates to the City’s stormwater management requirements and the establishment of a stormwater design manual (SWDM).

Staff recommendation: Staff recommends approval of these text amendments.

The proposed ordinance repealing Sections 16-84 through 16-111 and enacting Sections 60-150 through 60-167 to update the existing stormwater regulations, is included with this staff report.

STAFF ANALYSIS

BACKGROUND

The stormwater ordinance currently in place was established in 2000, prior to the City entering the National Pollutant Discharge Elimination System (NPDES) Program. In 2017, at the request of the City Commission, Community Development staff began researching stormwater management policies utilized by other communities in North Dakota. This research was conducted to compare the existing stormwater management regulations in the City of Dickinson's Municipal Code with policies in place in other communities. After this research was completed in 2024, Community Development staff began the process of revising the stormwater management regulations and drafting an ordinance to amend the Municipal Code. In June of 2026, Community Development staff presented a final draft of the stormwater management update ordinance to the Planning and Zoning Commission.

During the research and review process, Community Development staff determined the existing ordinance does not meet the Municipal Separate Storm Sewer System (MS4) permit requirements or the federal guidelines put in place by the Clean Water Act.

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Municipal Code

The stormwater management regulations are currently located in Chapter 16 – Environment, of the Dickinson Municipal Code. The proposed ordinance relocates the stormwater management regulations from Chapter 16 to Chapter 60 – Utilities, to ensure stormwater regulations are located in the same chapter as all utility regulations.

The ordinance updates the definitions section of the existing regulations to update and modernize any wording, as well as to include definitions for stormwater maintenance facilities. The ordinance also brings the ordinance into compliance with federal regulations and the MS4 permit. Additionally, the proposed ordinance clarifies that any violations of the ordinance or falsification of information shall be charged with a misdemeanor.

The proposed ordinance establishes an official stormwater design manual (SWDM) that standardizes stormwater management design throughout the City. The SWDM shall be adopted by resolution and can be amended by Community Development staff without requiring an ordinance to be brought forward. This will allow the City to more easily amend design standards as state and federal standards are updated moving forward. The SWDM would only impact properties within Dickinson city limits, areas in the Extra-Territorial Zone (ETZ) within the Rural

Reserve future land use designation in the Future Land Use Map (FLUM), and properties in the ETZ located in a watershed area that has potential to flow storm water into city limits.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Community Development staff reached out to the developers and engineering firms operating in the City of Dickinson to receive feedback on the proposed ordinance update on July 22, 2026.

The Certified Floodplain Manager with Interstate Engineering reached out with comments and concerns regarding the specifications outlined in the SWDM. These comments have been included in the meeting packet. These comments shall be reviewed and incorporated into the SWDM prior to final adoption of the manual.

City staff received comments from Highlands Engineering on August 4, 2026, with feedback on the ordinance. The comments received were incorporated into the proposed ordinance.

Staff Recommendation: The City Development Team staff recommends **approval** of ZTA-007-2026.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-007-2026: The Stormwater Ordinance Update Text Amendment** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **ZTA-007-2026: The Stormwater Ordinance Update Text Amendment** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*