



PLANNING AND ZONING COMMISSION MEETING AGENDA

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

Commissioners:

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

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. NOVEMBER 12TH 2025 MINUTES

B. NOVEMBER 24TH 2025 MINUTES

3. REGULAR AGENDA:

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

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

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

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

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

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

4. PUBLIC COMMENT
5. ITEMS NOT ON AGENDA
6. WORK SESSION
 - A. INDUSTRIAL OFF-STREET PARKING ORDINANCE
 - B. SECTION 62-56 (e)(1)(c) REMOVAL
 - C. SHORT-TERM RENTAL ORDINANCE
7. ADJOURNMENT

Link for viewing Planning and Zoning Commission Meeting:

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

This link will not be live until approximately 7:10 AM MT on December 10, 2025.

Teams Meeting: <https://tinyurl.com/msnazsd2>

Teams Meeting ID: 239 909 195 521 7

Meeting Passcode: pu2hn9GA

Teams Phone #: 1-701-506-0320

Phone Conference ID: 901 502 659#

Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, November 12, 2025 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

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

CALL TO ORDER

ROLL CALL

PRESENT

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

ABSENT

- Commissioner Mike Schwab

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, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Keller, Commissioner Rothstein

2. MINUTES

A. OCTOBER 8TH, 2025 MINUTES

Motion to approve as presented.

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

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

3. REGULAR AGENDA:

A. REZONING (REZ-007-2025) - Presented by City Planner, Natalie Birchak
To consider a Zoning Map Amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lots 32-36 of Block 1 of the Heart River 4th Addition Subdivision, located in the SE ¼ of the SE ¼ of Section 9, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.13 acres.

City Planner Birchak presents the rezone request. This item was heard and tabled at last month’s PZ meeting. A public engagement meeting was also held on October 29th. There have been numerous public comments, most in opposition to the project. A petition with 77 signatures from nearby residents was submitted in opposition. Staff recommends approval. It is also noted that the applicant has reduced the number of proposed units from four to three.

Billie Winn, the applicant, speaks. She explains that they currently have multi-family buildings along 7th and would like to add more. She mentions the purpose of these buildings is to provide housing for their company’s employees.

Chairman Fridrich opens the public hearing.

Larry Iverson, a resident in the area, states that he would like to see contingencies added if the project is approved. He would like the owners in the area to be compensated for any decrease in their home values and would like to see the city reduce taxes. Commissioner Fridrich asks him to explain why he believes development would decrease valuations. Iverson believes the higher density would make the area less desirable and create disturbances. It is clarified that there will be no special assessments to anyone in the area.

Mary Adsero, a resident in the area, references a rezone request from 2010 when 113 signatures were submitted against that proposal. She speaks positively about the quonsets in the area, noting they make “wonderful neighbors.” She expresses concern about the houses directly behind the proposed units and believes it may make her home harder to sell. She also raises concerns about environmental impacts, including wildlife.

Dillon, a resident in the area, speaks in opposition. He says the “backyard” aspect needs to be considered and that he does not see any benefit to placing units there.

Don Zubke, owner of one of the quonsets, expresses concern about his access being shut off from the north. He is also concerned about traffic passing by the quonsets and the need for cleanup in that area. Fridrich notes they will still have access on 2nd Ave SE.

The public hearing is closed.

Discussion on access ensues. Access would remain in the right-of-way on the east side of the quonsets. The west access currently being used runs through private property. Access to the north would be affected even with single-family homes. Zubke states he may be interested in purchasing part of the lots. Fridrich asks whether he has spoken to the applicant about that. Zubke says he has not seen where the buildings or garages would be placed and notes there is not sufficient room on the east side for access with a trailer, camper, or similar equipment.

Commissioner Decker asks about an access easement. Fridrich states the commission does not want to force an easement on the parties. City Engineer Skluzacek speaks about the illegal access and the access on 8th Street, stating it was recommended by staff that an agreement be created. He adds that if the quonsets were destroyed, they could not be rebuilt.

Kevin Praus, a resident in the area, asks that the zoning remain R1. He expresses concern about what may happen 10–20 years from now when Winn is no longer the owner.

Birchak clarifies that there is existing R-2 zoning to the west of the properties along 7th Street SW. She states this would not be considered spot zoning and that it meets code requirements.

Commissioner Johansen comments that he believes R-2 is appropriate for the area. He notes that traffic impacts are somewhat reduced by going from four units to three. Data on traffic accidents and citations show minimal issues. He believes the proposal fits the area and that the primary issues affecting the quonsets will remain regardless of what type of housing is built.

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

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

Voting Nay: Commissioner Haugen

Motion passes

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. INDUSTRIAL OFF-STREET PARKING STANDARDS - Presented by City Planner, Natalie Birchak

Ms. Birchak presents the work session item. Item B, Item 4 is the concern. It currently allows crushed concrete or scoria as a finished material in LI and GI rear-yard circulation areas. These materials can blow in high winds, create dust, and lead to maintenance issues such as loose aggregate being tracked onto public streets. Other cities' requirements are discussed, noting that most North Dakota communities do not allow anything other than pavement as a finished surface. Within Dickinson, there are

approximately 52 properties using some form of unfinished scoria. Suggestions discussed include requiring all-weather surfacing or chip-sealing similar to Watford City's approach, adding a 50-foot paved drive aisle similar to Grand Forks to catch gravel and dust before reaching the public ROW, and considering a two-year compliance window for existing properties if changes are adopted.

Fridrich asks about complaints. Staff notes there is one recurring complaint location, with the most common problem areas being off 4th Ave E on the north side of town and the West Villard/DRM area. Fridrich comments that he does not believe a single recurring complaint warrants revisiting the ordinance.

Skluzacek states his main concern is with the finished surface, specifically scoria, because of the dust and tracking issues. Fridrich says he can see banning scoria. Skluzacek notes that scoria could potentially be allowed if topped with another material.

Fridrich states he does not think the City needs to go after the 52 properties that are not currently in compliance. There is discussion about the dust-control methods used in the county and clarification that those methods are not used within city limits.

7. ADJOURNMENT

Motion made by Commissioner Johansen, Seconded by Commissioner Franchuk.

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

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/00vf1wtU6Aw>



SPECIAL PLANNING AND ZONING MEETING (RESCHEDULED FROM NOV 12TH) MINUTES

**Monday, November 24, 2025 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601**

Commissioners:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Dean Franchuk

Zach Keller

Val Decker

Rick Haugen

Aaron Johansen

Mike Schwab

Mathew Rothstein

CALL TO ORDER

ROLL CALL

PRESENT

- Commissioner Dean Franchuk
- Commissioner Aaron Johansen
- Commissioner Richard Haugen
- Commissioner Mike Schwab
- Commissioner Val Decker
- Commissioner Zach Keller
- Chairman Jason Fridrich (absent for first item)
- Vice Chairman Scott Bullinger

ABSENT

- Commissioner Mathew Rothstein

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Vice Chair Bullinger will lead the meeting in Chairman Fridrich's absence for the first item of the meeting.

2. MINUTES

3. REGULAR AGENDA

A. FINAL MINOR PLAT (FLP-010-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the DN Wanner Subdivision, being a portion of land located in the W ½ of the SE ¼ of Section 22, Township 139 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 40.00 acres.

City Planner, Natalie Birchak presents the minor plat request. She states the reason for this minor plat is to split into two lots to gift a portion to the applicant's grandson. Staff has not received any public comments and recommends approval.

Curtis Freeman, KLJ, representing the applicant is present. There is an access easement already there with the original subdivision and they are adding a little bit on the north end to access the property. They are also adding a utility easement.

Vice Chair Bullinger opens the public hearing. There being no comment the hearing is closed.

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

Voting Yea: Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Keller, Commissioner Bullinger.

B. REZONING (REZ-008-2025) - Presented by City Planner Natalie Birchak

To consider an amendment to Ordinance No. 1592 to permit additional commercial uses in the Planned Unit Development (PUD) established in all of Block 10, all of Block 11, and Lots 1 & 2 of Block 4 of the Hilliard and Manning Addition Subdivision, and all of Block 14 and all of Block 15 of the Hilliard Third Addition, located in the NW ¼ of Section 3, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 4.69 acres.

Chairman Fridrich is now present.

Ms. Birchak presents the PUD amendment. The City Community Development Staff is coming forward with this PUD Amendment to allow for the continued operation of restaurant and small-scale retail services as well as to clarify maintenance responsibilities for the parking spaces along 7th Street W. There was some confusion on who maintains the parking spots on 7th St W – this clarifies it will be the responsibility of the City of Dickinson. Item 20 on the PUD states: *Parking spaces to the south of the property located within the 7th St W right-of-way shall remain public parking and shall be maintained by the City of Dickinson. Maintenance includes snow removal, pavement repairs and the striping of parking spaces.* There has been no public comment and staff recommends approval.

Andres Mejia, the owner of the building, expresses concern with Item #20 of the PUD amendment. He states that for the past five years they have been maintaining those parking spaces because they were told the spaces were theirs. He notes the City has

not performed snow removal or painting in that area. His concern is safety and customer experience, particularly the need for timely snow removal. He says he is willing to continue handling snow removal but would like a formal agreement allowing them to use those spaces.

Chairman Fridrich notes a concern with daycare clients arriving at 7:30 a.m., and the City not having those spaces cleared in time. City Engineer Skluzacek states he spoke with Public Works Director Praus, and if the applicant wants to do snow removal on that street, they may do so. He explains that the larger issue they were trying to address involved the former one-way street configuration from when the building was St. Joseph's Hospital. The parking stalls had been angled the wrong way, creating a safety hazard, and the City reoriented them earlier this summer.

Mr. Skluzacek also states that signage is the City's responsibility, and the owner cannot install their own signs. Mr. Mejia raises concerns about people parking overnight and also has concerns related to 8th Street W. Ms. Birchak clarifies that overnight parking would be permitted, but as with any city street, it is limited to 48 hours.

Chairman Fridrich asks about the parking signs on the street. Ms. Birchak states the signs on the east side were installed by the property owner (and have since been removed), while the signs on the west side have been in place since the hospital era.

Mr. Skluzacek recommends holding a meeting with the applicant at his facility to develop an arrangement regarding signage and snow removal, potentially through an MOU.

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

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

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

C. REZONING (REZ-009-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from General Commercial (GC) to General Industrial (GI) for the west 292.78 feet of the south 95.62 feet of Lot 1A of Block 1 of the Energy Center First Subdivision, located in the W ½ of Section 1 and the N ½ of the NW ¼ of Section 12, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.64 acres.

Ms. Birchak presents the rezone request. She states the purpose of this rezone is to allow the applicant to subdivide the property and combine the south portion of Lot 1A with the property directly to the south. Currently the south portion is split between General Commercial and General Industrial zoning. This rezone would make it consistent with GI. City staff has not received any public comments and recommends approval contingent upon approval of FLP-011-2025 (next item).

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, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Keller

D. FINAL MINOR PLAT (FLP-011-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the Diamond First Addition Subdivision, being a replat of Lots 1A and 4 in Block 1 of the Energy Center 1st Subdivision, located in the W ½ of Section 1 and the N ½ of the NW ¼ of Section 12, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 5.93 acres.

Ms. Birchak presents the minor plat request. She states the reason for the plat is to combine lots the lots. Staff has not received any public comments and recommend approval contingent upon approval of REZ-009-2025 (previous item).

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

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

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

E. FINAL MINOR PLAT (FLP-012-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the 23rd Street Addition Subdivision, being a replat of Lots 26-31, the east 38.23 feet of Lot 32, the east 38.23 feet of Lot 35, and Lots 36-41 in Block 5 of the Replat of Lots 5-11, Block 1, and all of Block 5 of the Country Oaks Estates Second Addition, located in the SE ¼ of the SW ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.88 acres.

Ms. Birchak presents the minor plat request. She states the purpose of this plat is to combine lots to provide additional parking spaces that can be utilized for all three of the existing buildings. The City has been working with the applicants to get the easements vacated. Staff has not received any public comments and recommends approval.

Andrew Schrank, Highlands Engineering, representing the applicant is present. He states they did find a recorded resolution that has already vacated those easements. He gives a history on parking constraints, and how ABLE would like to obtain more parking spaces for their business. They will be coming to the Board of Adjustment to get a variance for a landscape buffer also.

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

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

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

F. REZONING (REZ-010-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from High Density Residential (R-3) to General Commercial (GC) for Lots 1-5 of Block 2 of the Sax First Subdivision, located in the NW ¼ of Section 34, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.97 acres.

Ms. Birchak presents the rezone request. She states the purpose of the rezone is to allow for the combination of lots to expand auto sales use. Staff recommends approval contingent to the conditions listed on the staff report. The conditions are as follows:

1. Approval of REZ-010-2025 is contingent on the approval of FLP-013-2025;
2. A note shall be included on the plat that the property shall not be eligible for an administrative lot modification; and
3. The current property owner shall not utilize 20th Street West and/or the platted 1st Avenue West for additional access points to the property.

Chairman Fridrich asks about the one lot zoned R-2. Ms. Birchak states it will not be changed or affected. Commissioner Haugen asks about access; access will be to the north, and the applicant can continue using the existing access points they already have. The City is requesting that no additional access points be added. They will need to drive on their own property to reach these lots. Because they are not contributing to the paving of 1st Avenue, they cannot use it as access if it is paved in the future. The intended use of the lots is for storing inventory.

Fridrich asks why they cannot have access from 20th Street. Skluzacek notes they already have two approaches on 20th Street, which they can continue to use. However, the applicant has stated they do not want to build out 1st Ave E, and therefore they cannot be granted access to a roadway that does not exist. Discussion on access ensues.

Andrew Schrank, representing the applicant, explains the plan for the plat. They are requesting removal of the two conditions. He believes this should be addressed as an ordinance change rather than being applied to this specific site. He adds that access is a concern for the future. He notes that there is an agreement between the current owner and Sax Motors, and that agreement is reflected in the purchase price. He also speaks about the SID and related obligations, noting that Sax paid for three-fourths of the costs to install 20th Street.

Commissioners Haugen and Fridrich express that they do not see why access to 20th should be limited. Skluzacek explains that the concern is related to the proximity to the intersection and the unique geometry of that area. Schrank states that if an approach is added, it would function as a four-way intersection, and stop signs could be installed if needed.

There is discussion about future lot combinations needing to go through the platting process. This condition is less concerning for the applicant, but they question why it would uniquely apply to them. Ms. Birchak states the condition simply ensures the matter comes back to the board when that time arrives. She says this gives any potential residents in the area the opportunity to speak for or against any proposals, particularly if the surrounding area is developed residentially in the future.

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

***Motion made to only include the first two conditions and strike the third one.**

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

G. FINAL MINOR PLAT (FLP-013-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the Sax Second Subdivision, being a replat of Lot 1 in Block 1 of the Sax First Subdivision, and Lots 1-5 of Block 2 of the Diamond Acres Subdivision, located in the NW ¼ of Section 34 of Section 34, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 10.37 acres.

Ms. Birchak presents the plat request. Discussion on this item was mainly discussed during the previous rezone. Staff has not received any public comments and recommends approval with conditions.

Commissioner Schwab asks about vacating utility easements. Mr. Schrank says there is no plan to vacate at this time.

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

***Motion made to include only first two conditions and removing the third (see previous item for conditions).**

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

4. PUBLIC COMMENT

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Motion made by Commissioner Johansen, Seconded by Commissioner Schwab.

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

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/NPkhRARq7LU>

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: Monday, November 3, 2025 6:44:19 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: [IMG_6618.jpeg](#)

Type of Development **Special Use Permit**

Name **Melissa Shepherd**

Company **Le Fleur The Flower Market**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Owner Name **Donny Ladwig**

Owner Address **[REDACTED]**

Owner Email **[REDACTED]**

Owner Phone # **[REDACTED]**

Is the owner present to Sign **Yes**

Signature **[REDACTED]**

Will this application require any other action to complete the development? **No**

Metes and Bounds

Description (ONLY
REQUIRED FOR
UNPLATTED
SUBDIVISION LOTS)

N/A

	1/4 Section	Township	Range
Description	?	?	?

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	?	?	?

Property Address /
General Project Location

1896 1ST ST W
Dickinson

Total Square Footage or
Acreage of Subject
Property

We use 200 in the basement of the 1700 square feet

Existing Future Land Use
Map Category

Residential

Existing Zoning

R3 - High Density Residential

Existing Use

Residential Single Family

Overlay District
Description

Online floral sales

Special Use Permit for the
following Use:

Online fresh floral sales

Site Exhibit - Not Less
than 1" = 20' Scale

[image_8655.jpg](#)

Transmittal Letter
(Explanation of Request &
Proposed Operations)

[text.txt](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 350

Deed for Property

[image.jpg](#)

Application Fees

Applicable Fees 350.00 USD

Total: \$350.00

Transaction ID: b5x6mep6

Payment Information

First Name: **Melissa**

Last Name: **Shepherd**

E-Mail: [REDACTED]

Applicant Signature



Date

11-02-2025

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.

LE FLEUR THE FLOWER MARKET SPECIAL USE PERMIT (SUP-005-2025)



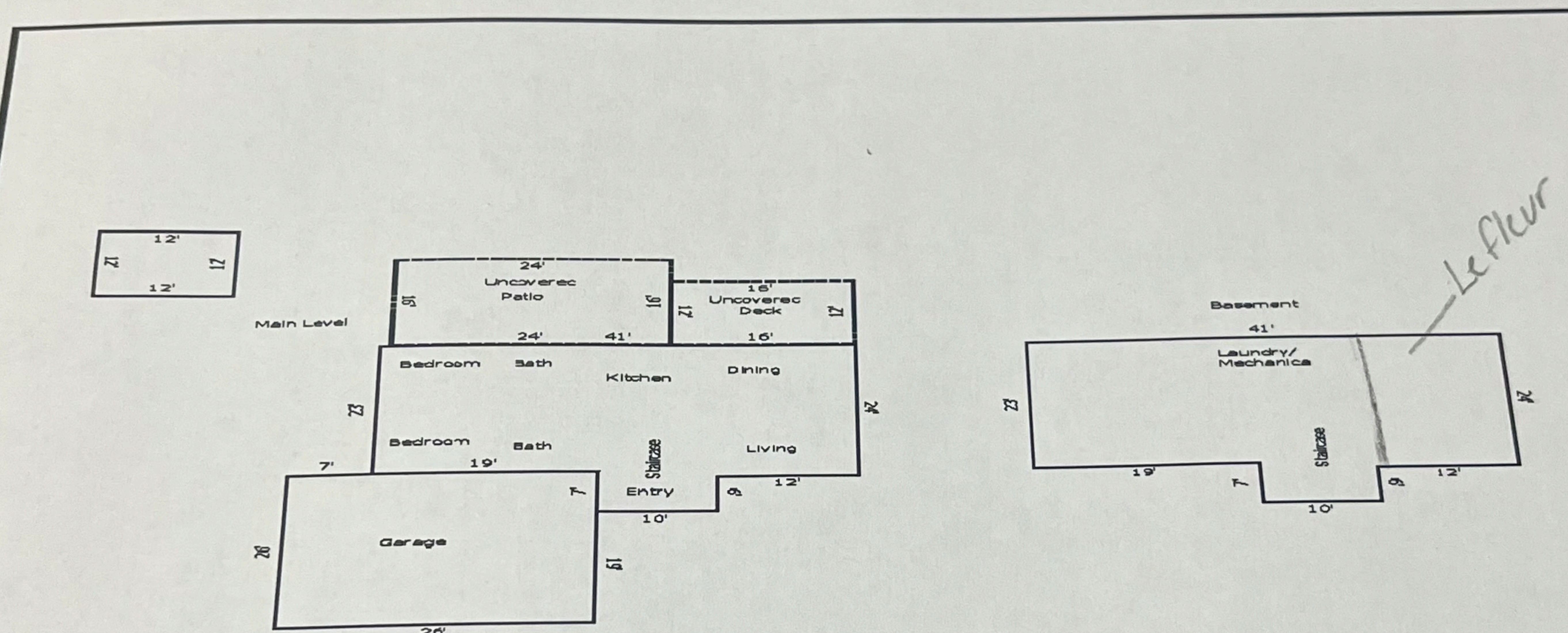
Le Fleur The Flower Market, is a co-owned online flower shop. My daughter Brittany Fehr and I Melissa Shepherd, started the business on September 22nd 2025. Our business is set up in the basement of our home using less than 25% of our living quarters. We are located at 1896 1st ST W. Our operating hours are Monday- Saturday from 8:00 AM - 6:00 PM. We take all our orders over the phone and through our website, we don't allow walk-ins. Our business is a very quietly ran business, we have a large driveway that both are company vehicles park on. We are just a 2 person ran business, during the holidays are husbands will be helping with our floral deliveries. Our business doesn't have any loud operating noises to produce our products and doesn't involve any hazardous chemicals. We joined an online floral network accepting orders through Flower Shop Network. We design the floral arrangements and deliver them or we will meet at the local Hero Park just located right down the road from our location or a location of their choice. We deliver arrangements in Dickinson, South Heart, Belfield and Medora. On occasion we are asked if they can just pick them up we are limiting around 1-2 curbside pickups a day, the customer is asked to stay in their car and we will bring it out to them for liability reasons, since we started in September we have only had 5 total curbside pickups almost everyone is willing to have them delivered or is willing to meet us somewhere. We have a small flower truck (smaller than a UPS truck deliver our flowers every Wednesday morning he backs up on our driveway and we quickly unload together in the garage. Brittany and I have discussed how we will handle the holidays with our online business and we are looking at putting our flowers in a local store down the road offering them a certain percentage of all sales, or possibly renting something for the week of Valentine's Day, or Mother's Day. We will make sure that the customers know where are products will be located weeks before the holidays and they will be informed through our website. Brittany and I realize that we need to respect the residential setting and we will do what we have to do to run the business and not have traffic through here. If our business gets where we can't keep up with just delivering out our products we will be looking for a downtown location for our business, but as of right now we don't feel like we are disturbing anyone, our place is always quiet and its just Brittany and I here all day with our kids. Our trash is also controlled we only have 2 large flower boxes a week which we break down and recycle. Our goals as co-owners is to deliver affordable, nice, long lasting bouquets while watching our kids grow up all in the comfort of our home. Brittany and I grew up in a flower setting and I have managed flower shops in the past, we both have a passion for floral design. Since we started, we have given away lots of free arrangements to random places throughout our community and delivered some to smaller communities down the road from us. We enjoy spreading cheer through the communities. We are known for our great customer service, quick deliveries and long lasting bouquets.

Brittany O. Fehr
11-7-25

Melissa K Shepherd
11/7/25

Building Sketch

Borrower	Donald Ludwig		
Property Address	1896 1st St W		
City	Dickinson	County	Stark
State	ND	Zip Code	58501
Lender/Client	Wells Fargo Bank, NA & Dept of VA		



TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

Calculation Details

Living Area	1025 Sq ft	23 x 19 = 437
First Floor		22 x 24 = 528
		6 x 10 = 60
Total Living Area (Rounded):	1025 Sq ft	
Non-living Area	676 Sq ft	26 x 26 = 676
2 Car Attached		16 x 12 = 192
Wood Deck	192 Sq ft	24 x 16 = 384
Concrete Patio	384 Sq ft	23 x 19 = 437
Basement	1025 Sq ft	22 x 24 = 528
		6 x 10 = 60



L Fleur The Flower Shop Special Use Permit Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: December 3, 2025
Re: **SUP-005-2025 Le Fleur The Flower Market Special Use Permit**

APPLICANT

Melissa Shepherd
 Le Fleur The Flower Market
 1896 1st Street West
 Dickinson, ND, 58601

Public Hearing	December 10, 2025	Planning and Zoning Commission
Final Consideration	December 16, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Special Use Permit (SUP) application for a home-based flower arranging business. The business would be located in the basement of a primary residence on a 0.25-acre parcel at 1896 1st Street West in the City of Dickinson. The property is zoned High-Density Residential (R-3).

Staff Recommendation: Staff recommends approval of this special use permit subject to conditions.

LOCATION

The properties are located within the NE1/4 of the SE1/4 of Section 5, Township 139 North, Range 96 West, City of Dickinson, of the 5th Principal Meridian, Stark County, North Dakota. The property is legally described as E73' W77' Lot 21, Block 29, State Subdivision.

CURRENT ZONING	R-3
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/-0.25
LOTS PROPOSED	N/A

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-2	Single-family residential
East	R-3	Single-family residential
South	CC	Commercial
West	R-3	Single-Family Residential

STAFF ANALYSIS

BACKGROUND

There is an existing single-family residence located at 1896 1st Street West. The applicant has indicated there will be no significant changes to the exterior of the residence, and it will continue to be residential in appearance. Hours of operation shall be limited to normal business hours of 8AM to 6PM Monday through Saturday. Traffic generation is not a concern at this location being adjacent property uses and zoning is Community Commercial. Additionally, State Avenue is located to the east and is a Minor Arterial route, and 23rd Ave West is located to the west and is a Collector route.

CURRENT ORDINANCE REVIEW

The proposed home-based occupation is located within a R-3-zoned district. Per Table 62-162-2: Permitted Uses by Zoning Districts, in the City Municipal Code, home-based business/home occupations are allowed in R-3 zoning upon obtaining a Special Use Permit, which is subject to a public hearing before the City Planning and Zoning Commission and approval by the City Commission.

The applicant has submitted a site plan demonstrating that all business operations would be limited to a roughly 228-square-foot section of the basement. This section of the basement is up less than 30 percent of the building's 1,700-square-foot total floor area. This conforms with the regulations outlined in Sec. 62-471: Accessory uses, in the City's Municipal Code.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has received emails from the owner of a flower shop in town questioning why this type of business can operate outside of a commercial area and without meeting the requirements of operating in a commercial area.

Staff Recommendation: City of Dickinson Community Development Staff recommends **approval** of SUP-005-2025 subject to the conditions listed below:

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

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-005-2025: Le Fleur The Flower Market Special Use Permit** as meeting all the requirements of the Dickinson Municipal Code and also 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 **SUP-005-2025: Le Fleur The Flower Market Special Use Permit** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to 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, November 13, 2025 10:26:20 AM
Attachments: [West Ridge 2nd Pre-Application Letter.pdf](#)
[Owner Authorization.pdf](#)
[Transmittal Letter.pdf](#)
[25534 - West Ridge 4th Addition Rezone.pdf](#)
[Deed.pdf](#)
[6388639064914842564_signature_23.png](#)



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: [West Ridge 2nd Pre-Application Letter.pdf](#)

Type of Development **Rezoning - Zoning Map Amendment**

Name **Larry Nygard**

Company **Western North Dakota Development, LLC**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Applicant Representative (if applicable) **Jeremy Easum**

Applicant Representative Company **Civil Science**

Applicant Representative Email **[REDACTED]**

Applicant Representative Phone # **[REDACTED]**

Owner Name **Western North Dakota Development, LLC Western North Dakota Development, LLC**

Owner Address **[REDACTED]**

Owner Email [Redacted]

Owner Phone # [Redacted]

Is the owner present to Sign

Owner Signature Upload [Owner Authorization.pdf](#)

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

	1/4 Section	Township	Range
Description	SE 1/4 Section 36	140	97

Legal - Lot/Block/Addition	Lot	Block	Addition
Description	1	6	West Ridge 2nd Addition

Property Address / General Project Location Intersection of future streets 15th Street W and 50th Ave W

Total Square Footage or Acreage of Subject Property 97,071 SF

Transmittal Letter (Explanation of Request & Proposed Operations) [Transmittal Letter.pdf](#)

Existing Zoning

Proposed Zoning

Rezone Calc Multiplier 1

Overlay District Description N/A

Map of Area to be Rezoned [25534 - West Ridge 4th Addition Rezone.pdf](#)

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 350

Deed for Property [Deed.pdf](#)

Application Fees **Applicable Fees** 350.00 USD

Total: \$350.00

Transaction ID: 2y4eszn4

Payment Information

First Name: Jeremiah

Last Name: Easum

E-Mail [REDACTED]

Applicant Signature



Date 11-13-2025

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

WEST RIDGE 4TH FUTURE LAND USE MAP (REZ-011-2025)

Section 3. Item B.



November 5, 2025

City of Dickinson
Community Development
Attn: Natalie Birchak
City Planner
Via: email: Natalie.birchak@dickinsongov.com

RE: West Ridge 2nd Re-Zone Application and West Ridge 4th Addition Application

Dear Natalie,

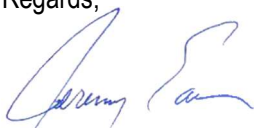
Included in this transmittal:

- Map supporting a zone change for Lot 1 Block 6 in West Ridge 2nd Addition from GC to R-2 zoning. All adjacent lots within the subdivision are currently zoned R-2. The purpose of this request is to complete the zone change to match adjacent lot zoning and allow the lots to be combined by a separate platting effort.
- Plat of West Ridge 4th Addition being a re-plat of Blocks 6 through 15 of West Ridge 2nd Addition. The purpose of this re-plat is to combine all lots west of 50th Ave W into two large parcels.
- Letter of authorization from Larry Nygard Member of Western ND Development, LLC
- Deed
- Copy of preapplication letter
- Final Plat Application Fee \$350.00
- Rezone Petition Application Fee Residential \$350.00

Please consider this information for review at the December Planning and Zoning Commission meeting.

Should you have any questions regarding this information please let us know.

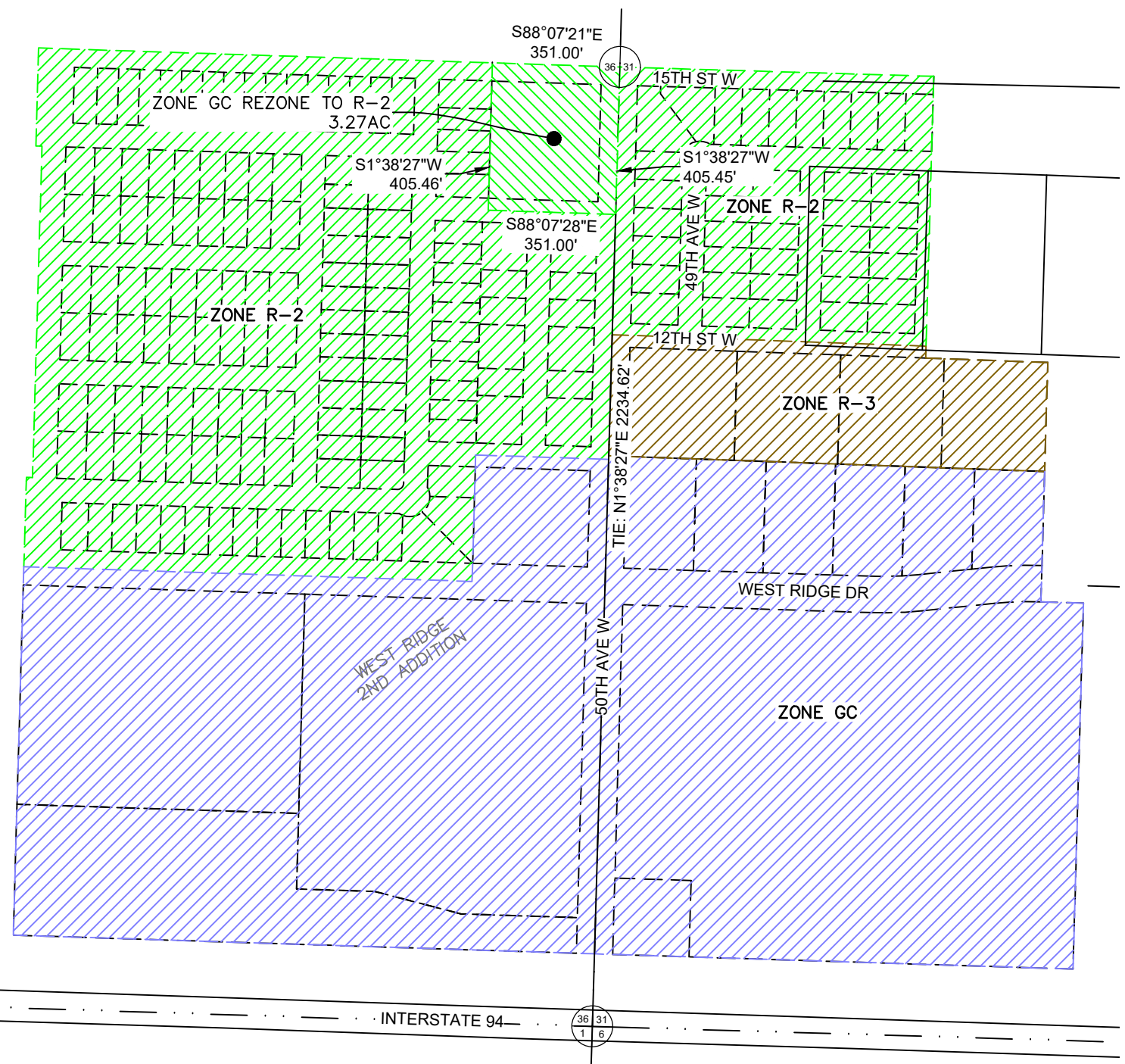
Regards,



Jeremy Easum, PE & PLS
Civil Science
jeasum@civilscience.com

ZONE MAP AMENDMENT

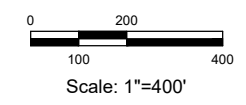
PORTIONS OF THE SE 1/4 SECTION 36, T140N, R97W 5TH P.M.;
 CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



DESCRIPTION R-2 ZONE

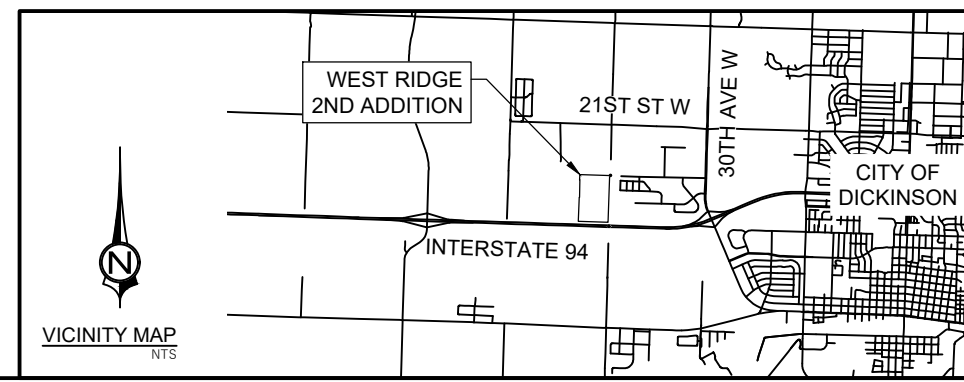
A PORTION OF THE SE 1/4 SECTION 36, T140N, R97W 5TH P.M.;
 CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA AND BEING FURTHER DESCRIBED
 AS FOLLOWS:

A PARCEL OF LAND BEING PART OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION
 THIRTY SIX (36), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE NINETY SEVEN
 (97) WEST OF THE FIFTH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA, MORE
 PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER
 OF SECTION 36; THENCE N 01° 38' 27" E A DISTANCE OF 2234.62 FEET TO THE POINT OF
 BEGINNING ALONG THE EAST LINE OF SECTION 36; THENCE N 88° 07' 28" W A DISTANCE
 OF 351.00 FEET TO A POINT; THENCE N 01° 38' 27" E A DISTANCE OF 405.46 FEET TO A
 POINT; THENCE S 88° 07' 21" E A DISTANCE OF 351.00 FEET TO A POINT; THENCE S 01° 38'
 27" W A DISTANCE OF 405.45 FEET TO THE POINT OF BEGINNING; CONTAINING 3.27
 ACRES, MORE OR LESS.



PROPOSED ZONING

	ZONE GC REZONE TO R-2
	ZONE R-2
	ZONE R-3
	ZONE GC



NO.	REVISION	DESCRIPTION	BY	DATE

ZONE MAP AMENDMENT
 WEST RIDGE 2TH ADDITION
 STARK COUNTY, NORTH DAKOTA

PROJ. #: IF25534.00
 DATE: --
 DESIGN BY: LDE
 CHECKED BY: ACB
 SHEET

EXH01

PLOT: 2025-11-13 07:37 AM
 PATH: L:\PROJECTS\ACTIVE\2025\25534\01 - WEST RIDGE 2ND ADDITION\2025 - CAD\EXHIBITS\REPORT\25534_01_RZONING.DWG



West Ridge 4th Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: December 3, 2025
 Re: FLP-014-2025 West Ridge 4th Addition Subdivision

APPLICANT

Larry Nygard
 Western North Dakota Development
 LLC
 200 45th Street South
 Fargo, ND, 58103

APPLICANT'S REPRESENTATIVE

Jeremy Easum
 Civil Science
 531 West Villard Street
 Dickinson ND 58601

Public Hearing	December 10, 2025	Planning and Zoning Commission
Final Consideration	January 6, 2026	City Commission

The applicants are requesting the approval of a zoning map amendment from General Commercial (GC) to Medium-Density Residential (R-2) for Lot 1 of Block 6 of the West Ridge 2nd Addition Subdivision, located within the City of Dickinson. The purpose of this rezoning is to allow for the applicant to combine the subject lot with the properties to the west and south into one large lot. The subject property is approximately 2.23 acres.

Staff recommendation: Staff recommends **approval** of this rezone request contingent on approval of FLP-014-2025.

The companion West Ridge 4th Addition Minor Subdivision is also scheduled for public hearing at the December 10, 2025 Planning and Zoning Commission meeting (FLP-014-2025).

LOCATION

The property is generally located along 50th Avenue West, and it is legally described as Lot 1, Block 6, of the West Ridge 2nd Addition Subdivision, located in the NE1/4 of the SE1/4 of Section 36, Township 140 North, Range 97 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota.

CURRENT ZONING	GC
FUTURE LAND USE MAP DESIGNATION	MIXED
GROSS SITE ACREAGE	+/- 2.23 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agricultural
East	R-2	Undeveloped
South	R-2	Undeveloped
West	R-2	Undeveloped

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Consistency with the Comprehensive Plan

According to the City’s Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated MIXED USE. The current MIXED designation allows for the Medium Density Residential (R-2) zoning district.

Compatibility

The proposed rezoning is comparable to and compatible with the R-2 zoning district of the adjacent property to the east, south, and west.

Compliance with The Zoning Ordinance

The applicant has submitted the associated West Ridge 4th Addition Minor Subdivision application, which would combine the subject lot with the lots to the south and west into one large lot. Currently, the subject property is zoned GC while the adjacent lots are zoned R-2.

Section 62-160(a) of the City of Dickinson Municipal Code states *"A base district designation shall apply to each lot or site within the City and its planning jurisdiction. A site must be in one base district."* In order to combine the subject lot with the adjacent lots, both must be located in the same zoning district.

The proposed subdivision combines the property into two lots. Lot 1 on the south would be 39.75 acres and zoned GC, while Lot 2 on the north would be 46.74 acres and zoned R-1. The minimum lot size for the GC zoning district is 10,000 square feet, and the minimum lot size for the R-2 zoning district is 7,000 square feet. The proposed lots would meet the development requirements for their respective 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 REZ-011-2025 contingent on the approval of FLP-014-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-011-2025: The West Ridge 2nd Rezone Request** 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 **REZ-011-2025: The West Ridge 2nd Rezone Request** 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: Wednesday, November 5, 2025 1:50:19 PM
Attachments: [West Ridge 2nd Pre-Application Letter.pdf](#)
[Traansmittal Letter.pdf](#)
[25534 - West Ridge 4th Addition Rezone.pdf](#)
[25534 - West Ridge 4th Addition Plat.pdf](#)
[Deed.pdf](#)
[Owner Authorization.pdf](#)
[6381849394918130695 signature 23.png](#)



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: [West Ridge 2nd Pre-Application Letter.pdf](#)

Type of Development **Minor Subdivision Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **West Ridge 2nd Addition**

Name **Larry Nygard**

Company **Western North Dakota Development, LLC**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Applicant Representative (if applicable) **Jeremy Easum**

Applicant Representative Company **Civil Science**

Applicant Representative Email **[REDACTED]**

Applicant Representative Phone # [Redacted]

Owner Name Western North Dakota Development, LLC Western North Dakota Development, LLC

Owner Address [Redacted]

Owner Email [Redacted]

Owner Phone # [Redacted]

Is the owner present to Sign

Owner Signature Upload [Owner Authorization.pdf](#)

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

	1/4 Section	Township	Range
Description	SE 1/4 Section 36	140	97

Property Address / General Project Location All property within West Ridge 2nd Addition west of 50th Ave W.

Total Square Footage or Acreage of Subject Property 86.49 Acres

Transmittal Letter (Explanation of Request & Proposed Operations) [Traansmittal Letter.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 1

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Name of Plat West Ridge 4th Addition

Number Lots

Number of Block(s) 2

0

Application Calc 500

Required Documentation Upload [25534 - West Ridge 4th Addition Rezone.pdf](#)
[25534 - West Ridge 4th Addition Plat.pdf](#)

Deed for Property [Deed.pdf](#)

Application Fees Applicable Fees 500.00 USD

Total: \$500.00

Transaction ID: cn9h6wz7


Payment Information

First Name: Jeremiah

Last Name: Easum

E-Mail [REDACTED]

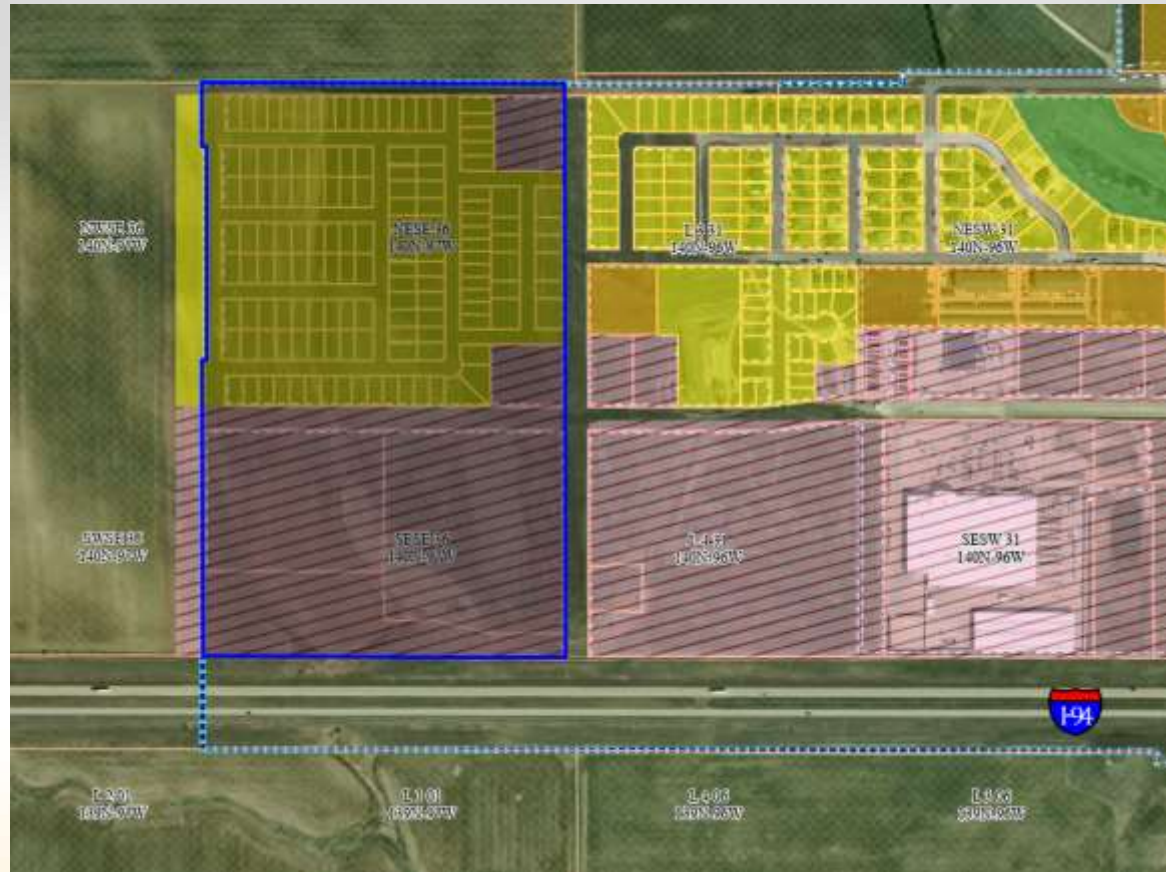
Applicant Signature



Date 11-05-2025

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

WEST RIDGE 4TH ADDITION MINOR SUBDIVISION (FLP-014-2025)



November 5, 2025

City of Dickinson
Community Development
Attn: Natalie Birchak
City Planner
Via: email: Natalie.birchak@dickinsongov.com

RE: West Ridge 2nd Re-Zone Application and West Ridge 4th Addition Application

Dear Natalie,

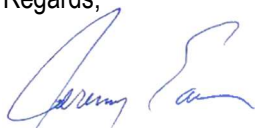
Included in this transmittal:

- Map supporting a zone change for Lot 1 Block 6 in West Ridge 2nd Addition from GC to R-2 zoning. All adjacent lots within the subdivision are currently zoned R-2. The purpose of this request is to complete the zone change to match adjacent lot zoning and allow the lots to be combined by a separate platting effort.
- Plat of West Ridge 4th Addition being a re-plat of Blocks 6 through 15 of West Ridge 2nd Addition. The purpose of this re-plat is to combine all lots west of 50th Ave W into two large parcels.
- Letter of authorization from Larry Nygard Member of Western ND Development, LLC
- Deed
- Copy of preapplication letter
- Final Plat Application Fee \$350.00
- Rezone Petition Application Fee Residential \$350.00

Please consider this information for review at the December Planning and Zoning Commission meeting.

Should you have any questions regarding this information please let us know.

Regards,



Jeremy Easum, PE & PLS
Civil Science
jeasum@civilscience.com

PLAT OF WEST RIDGE 4TH ADDITION

A REPLAT OF BLOCKS 6 THROUGH 15 WEST RIDGE 2ND ADDITION
LOCATED IN THE SE 1/4 SECTION 36, T140N, R97W, 5TH P.M.;
STARK COUNTY, NORTH DAKOTA



CERTIFICATE OF OWNER

WE, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND PLATTED HEREIN, HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON. SAID PARCEL INCLUDES ALL OF BLOCKS 6-15, PLAT OF WEST RIDGE 2ND ADDITION, LOCATED IN THE SE 1/4 SECTION 36, T140N, R97W, 5TH P.M.; STARK COUNTY, NORTH DAKOTA

DATED THIS DAY _____ OF _____, _____
WESTERN ND DEVELOPMENT, LLC

LARRY NYGARD
OWNER

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS _____ DAY OF _____, _____, BEFORE ME PERSONALLY APPEARED LARRY NYGARD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE WITHIN INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT _____
MY COMMISSION EXPIRES _____

CONSENT OF MORTGAGEE

DATED THIS _____, _____
BANK: _____

PRINTED NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS _____ DAY OF _____, _____, BEFORE ME PERSONALLY APPEARED LARRY NYGARD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE WITHIN INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

SURVEYOR'S CERTIFICATE

I, ALLEN C BLATTEL, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. LS - 30097 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF NORTH DAKOTA. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREIN, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AND THAT THIS IS TRUE AND CORRECT.

ALLEN C BLATTEL, LS - 30097

DATE

CERTIFICATE OF CITY PLANNING & ZONING COMMISSION

SECRETARY _____ DATE _____

CERTIFICATE OF ENGINEER

CITY ENGINEER _____ DATE _____

CITY OF DICKINSON COMMISSION APPROVAL

PRESIDENT _____ DATE _____

CERTIFICATE OF THE STARK COUNTY RECORDER

THIS PLAT WAS FILED AND RECORDED IN THE OFFICE OF THE STARK COUNTY RECORDER, IN THE STATE OF NORTH DAKOTA AT _____ ON THE _____ DAY OF _____, 20____ A.D., AND WAS RECORDED AS DOCUMENT NO. _____.

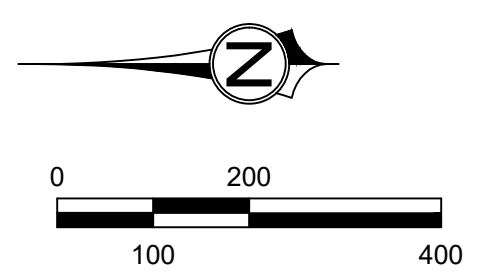
COUNTY RECORDER
STARK COUNTY RECORDER

PROJ. #	IF25534.00
DATE	---
DRAWN BY:	LDE
CHECKED BY:	ACB

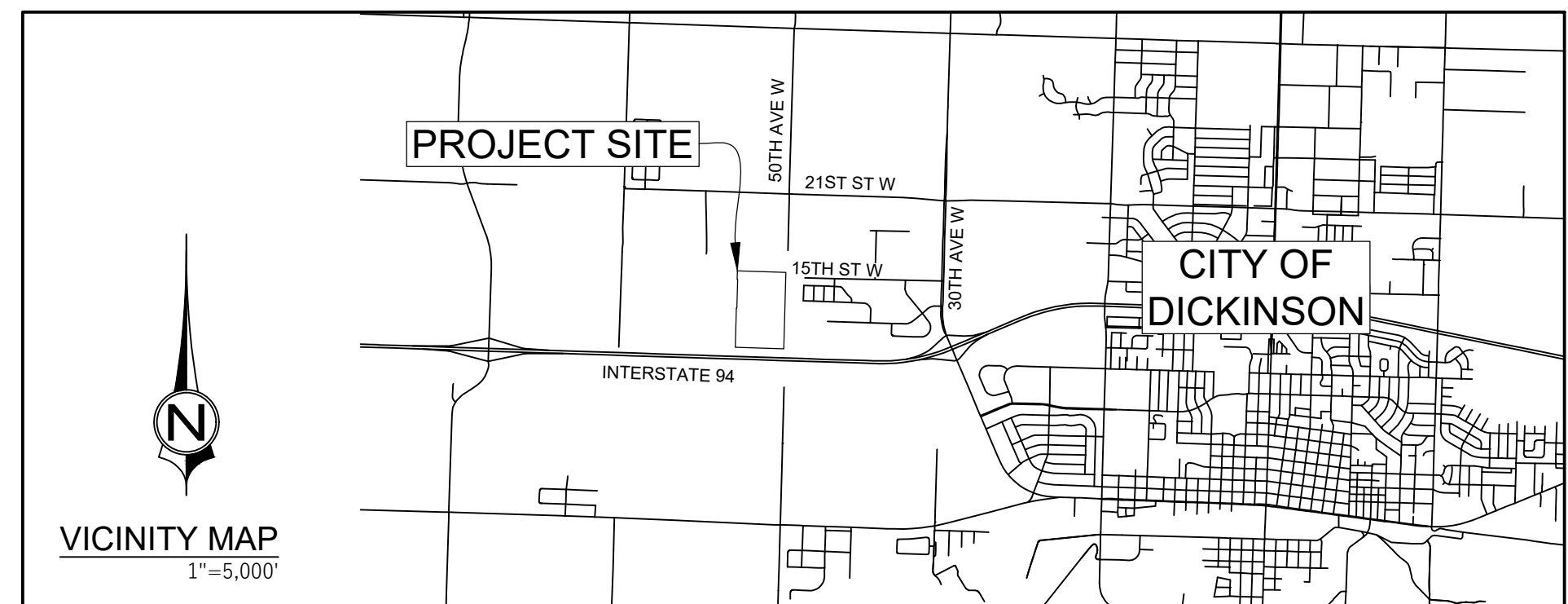
SHEET
1 OF 1



PLOT: 2025-11-04 01:30 PM
PATH: L:\IND\PROJECTS\ACTIVE 2025\IF25534.00 - WEST RIDGE 2ND ADDITION DE-ANNEXATION\00 - CAD\SURVEY\1-25534-PLAT.DWG



- LEGEND**
- PROPOSED LOT LINES
 - EXISTING LOT LINES
 - EXISTING RIGHT-OF-WAY LINE
 - SECTION LINE
 - SECTION CORNER
 - FOUND MONUMENT AS NOTED
 - 5/8"X18" REBAR AND CAP STAMPED CIVIL SCIENCE, SET THIS SURVEY





West Ridge 4th Addition Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: December 3, 2025
 Re: FLP-014-2025 West Ridge 4th Addition Subdivision

APPLICANT

Larry Nygard
 Western North Dakota Development
 LLC
 200 45th Street South
 Fargo, ND, 58103

APPLICANT'S REPRESENTATIVE

Jeremy Easum
 Civil Science
 531 West Villard Street
 Dickinson ND 58601

Public Hearing	December 10, 2025	Planning and Zoning Commission
Final Consideration	January 6, 2026	City Commission

The applicants are requesting the approval of the West Ridge 4th Addition final minor subdivision, being a replat of All of Block 6, All of Block 7, All of Block 8, All of Block 9, All of Block 10, All of Block 11, All of Block 12, All of Block 13, All of Block 14, and All of Block 15 of the West Ridge 2nd Addition Subdivision, located in the SE1/4 of Section 36, Township 140 North, Range 97 West, within the City of Dickinson. According to the applicant, the purpose of this subdivision is to combine the existing residential and existing commercial properties into two separate lots in order to reduce the total taxes paid for the property. The proposed subdivision is approximately 86.49 acres.

Staff recommendation: Staff recommends **approval** of this final minor subdivision contingent on approval of REZ-011-2025.

The companion West Ridge 4th rezoning request is also scheduled for public hearing at the December 10, 2025 Planning and Zoning Commission meeting (REZ-011-2025).

LOCATION

The property is generally located along 27th Avenue East, and it is legally described as Lot 1A and Lot 4, Block 1, of the Energy Center First Subdivision, located in the W1/2 of Section 1, and the N1/2 of the NW1/4 of Section 12, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota.

CURRENT ZONING	R-2, GC
FUTURE LAND USE MAP DESIGNATION	MIXED, COMMERCIAL
GROSS SITE ACREAGE	+/- 86.49 acres
LOTS PROPOSED	2

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agricultural
East	AG	Agricultural
South	AG	I-94 ROW; Agricultural
West	R-2, R-3, GC	Undeveloped

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Consistency with the Comprehensive Plan

According to the City’s Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated MIXED USE and COMMERCIAL. Approval of a mixed-use residential and commercial subdivision within the MIXED USE FLUM designation complies with the City’s FLUM.

Compatibility and Compliance with The Zoning Ordinance

A minor subdivision plat is defined in Section 52-1 of the City Subdivision chapter as follows:

- 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 West Ridge 4th Addition Subdivision does not involve the dedication of any new rights-of-way and meets the definition of a minor subdivision plat.

The site is currently zoned R-2 on the north and GC on the south, and the applicant is proposing to rezone one lot on the northeast corner from GC to R-2 to conform with the zoning of the adjacent parcels. This proposal is consistent with the existing R-2 zoning found to the south, east, and west of the site. The applicant is proposing to combine the lot being rezoned with the surrounding R-2 lots.

The proposed subdivision combines the property into two lots. Lot 1 on the south would be 39.75 acres and zoned GC, while Lot 2 on the north would be 46.74 acres and zoned R-2. The minimum lot size for the GC zoning district is 10,000 square feet, and the minimum lot size for the R-2 zoning district is 7,000 square feet. The proposed lots would meet the development requirements for their respective 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 FLP-014-2025 contingent on the approval of REZ-011-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-014-2025: The West Ridge 4th Addition 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 **FLP-014-2025: The West Ridge 4th Addition 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."*

Proposed Short-term Rental Zoning Text Amendment

Presented by: City Planner, Natalie Birchak



Proposed Change to MC 62-592

b) “Pavement and drainage.

- 1) Off-street parking facilities shall be paved.
- 2) Acceptable surfacing materials shall include, but not necessarily be limited to, asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards.
- 3) Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties.
- 4) In the LI or GI Districts only, rear yard vehicular circulation areas, not including parking spaces, may be crushed concrete or similar material as approved by the City Administrator or designee. **Crushed scoria, dirt, or other high-debris-generating materials may not be used as finished surfacing.**
 - a. **For those areas where an access drive from a paved public right-of-way enters a loading or storage area that is not paved, a paved entrance of fifty (50) feet, or such other equivalent means to catch gravel or sediment prior to entering the public right-of-way, is required.**
- 5) All parking areas containing four or more spaces or containing angled parking shall have parking spaces and aisles clearly marked on the pavement.”

Purpose of Changes

- Removal of dirt and scoria as finished surfaces limits debris generation from industrial sites, including debris tracked or blown into public rights-of-way or adjacent lots.
- The requirement of a 50-foot stretch of pavement between City rights-of-way and unpaved circulation areas better prevents gravel or sediments from being tracked into the right-of-way and causing maintenance issues.

Comments? Questions?

Zoning Map Amendment & SUP Notice Requirements

Presented by: City Planner, Natalie Birchak



Questions to Consider

- What requirements does the City have in place to ensure residents are notified of any nearby Special Use Permit and Zoning Map Amendment applications?
- Are these requirements fair and effective?
- How do other cities notice these types of projects?

Section 62-56. – Amendment procedure. (Relevant excerpts)

e) “Required notice and publication for rezoning, special use permits, and text amendments.

1) Notice of public hearings—Rezoning, special use permits. Prior to consideration of a rezoning or special use permit, notice of public hearings shall be provided by the following methods, as determined by the City:

- a. Publication. At least 15 days before the date of hearing, the Zoning Administrator shall have published in a daily newspaper having a general circulation in the City a notice of the time, place and subject matter of such hearing.*
- b. Notification by mail. At least ten days prior to the date of hearing, the party initiating the rezoning request shall present the Zoning Administrator a certified address list of those persons who own property within 300 feet of the subject site. The Zoning Administrator shall mail notice of the time, place and subject matter of the hearing to such property owners at least ten days prior to the date of the hearing.*
- c. Notification by petition. The applicant shall acquire the signatures of the owners of all properties within 200 feet of the property line in question indicating their approval of the proposed rezoning.*

2) Notice of public hearings—Text amendments. Prior to consideration of a text amendment, notice of public hearings shall be provided by publication as provided in Subsection (d)(1) of this section.”

Findings

- The City is able to determine whether or not to apply the requirements listed in Section 62-56(e)(1), which can lead to confusion over whether or not the developer must abide by the rules. Requirements can be interpreted differently by different staff members.
- The notification by petition listed in 62-56(e)(1)(c) is overly strict and limiting. Could potentially be used maliciously by a nearby property owner, or could cause an otherwise supported amendment to be prevented from going to public hearing due to an unavailable property owner.

What are other communities doing?

Bismarck – Current Requirements

14-07-02. Amendments Procedure.

4. Public Hearing by Planning and Zoning Commission. Following preliminary approval of a zoning change application, the Director of Community Development shall set a time and place for a public hearing thereon. Notice of the time and place of holding such public hearing shall be published in a newspaper of general circulation in the City of Bismarck once each week for two (2) consecutive weeks prior to the hearing. Not less than ten (10) days prior to the date of the scheduled public hearing, the City shall attempt to notify all known adjacent property owners within three hundred (300) feet of the proposed zoning change. “Notify” shall mean the mailing of a written notice to the address on record with the City Assessor or Burleigh County Auditor. The failure of adjacent property owners to actually receive the notice shall not invalidate the proceedings. The Planning and Zoning Commission may approve, approve subject to certain stated conditions being met, deny or table the application for further consideration and study.

Williston – Current Requirements

Section Z-29. Amendments

A. Public hearings.

The City Commission shall require a report from the Planning and Zoning Commission on any proposed amendment before taking final action thereon. The Planning and Zoning Commission shall thereupon make a preliminary report and hold a Public Hearing thereon. Notice of said Public Hearing shall be published once a week for two successive weeks prior to the time set for said hearing in the official paper of the City of Williston. Such notice shall contain the following items:

1. The time and place of the hearing.
2. A description of any property involved in any zoning change, by address if streets have been platted or designated in the area affected.
3. A description of the nature, scope, and purpose of the proposed change, restriction, or boundary.
4. A statement of the times at which it will be available to the public for inspection and copying at the office of the City Auditor. Any party may appear at the public hearing in person, or by agent or attorney.

The Planning and Zoning Commission shall prepare final written findings which shall be submitted to the City Commission within 90 days after the time of referral of the proposed amendment to the Planning and Zoning Commission. If the zoning amendment is for an area located in the extraterritorial area of the City, the final written findings shall include a recommendation from the appropriate township board.

Grand Forks – Current Requirements

Article 10. - Amendments

Section 18-1001. Zoning maps and zoning regulations.

- 3) Before any amendment is adopted, the planning and zoning commission shall hold at least one (1) public hearing thereon after a notice of the hearing has been published in the official newspaper at least ten (10) days before the hearing. Following the hearing the planning and zoning commission shall make a report of its findings and recommendations on the proposed amendment and shall file a copy with the city council within thirty (30) days after the hearing. If no recommendation is transmitted by the planning and zoning commission within thirty (30) days after the hearing, the city council may take action without awaiting such recommendation.

Suggestions

e) *“Required notice and publication for rezoning, special use permits, and text amendments.*

1) *Notice of public hearings—Rezoning, special use permits. Prior to consideration of a rezoning or special use permit, notice of public hearings shall be provided by the following methods, ~~as determined by the City:~~*

- a. *Publication. At least 15 days before the date of hearing, the Zoning Administrator shall have published in a daily newspaper having a general circulation in the City a notice of the time, place and subject matter of such hearing.*
- b. *Notification by mail. At least ten days prior to the date of hearing, the party initiating the rezoning request shall present the Zoning Administrator a certified address list of those persons who own property within 300 feet of the subject site. The Zoning Administrator shall mail notice of the time, place and subject matter of the hearing to such property owners at least ten days prior to the date of the hearing.*
- c. ~~*Notification by petition. The applicant shall acquire the signatures of the owners of all properties within 200 feet of the property line in question indicating their approval of the proposed rezoning.*~~

2) *Notice of public hearings—Text amendments. Prior to consideration of a text amendment, notice of public hearings shall be provided by publication as provided in Subsection (d)(1) of this section.”*

Comments? Questions?

Proposed Short-term Rental Zoning Text Amendment

Presented by: City Planner, Natalie Birchak



Proposed Change to MC 62-133

- *“(35) Short-term rental. A residential unit where sleeping accommodations are furnished to transient guests for a charge. This definition only applies to single structures with five or fewer guest rooms, ten or fewer total occupants, and where guests stay for fewer than 28 days.”*

Proposed Change to MC 62-162

	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC	GC	LI	GI	P	Add'l Reg.
Commercial Uses														
Short-term Rentals		P	P	P	P	P			P					62-469(8)
Lodging								P	P	P	S			



Proposed Change to MC 62-469 (Part 1)

“(8) *Short-term rental.* When permitted in the RR, R-1, R-2, R-3, MH, and DC zoning districts, short-term rentals shall be subject to the following additional requirements:

- a. Short-term rentals must obtain a license through the Community Development Department. In order to obtain a short-term rental license, the applicant shall provide the following information:
 1. A list of house rules that all guests must abide by while staying on the property. These house rules shall include a maximum number of guests not to exceed maximum occupancy rates as determined by City building and fire codes;
 2. A copy of the property deed, in which the applicant shall be listed as the deed holder;
 3. The information for a primary contact, who shall be available 24/7 if any issues arise with the rental property;
 4. A list of any other short-term rental uses and licenses the applicant has any financial stake in;
 5. A list of any other residents or entities that have direct financial stake in the proposed short-term rental, as well as the names of the primary stakeholders for any businesses or corporations with financial stake in the property;
 6. An emergency plan that demonstrates to guests how to respond to emergencies such as a fire, as well as a signed statement that there are adequate smoke and carbon monoxide detectors installed in the structure; and
7. Any additional documentation deemed necessary by Community Development staff.

Proposed Change to MC 62-469 (Part 2)

- b. All short-term rental licenses are subject to a calendar yearly renewal. A yearly license fee as determined by the City shall be paid at the time of application submittal.
- c. Any entity is allowed to apply for or have financial stake in a maximum of two short-term rental licenses.
- d. In the event that a license is revoked due to the applicant violating one of the rules outlined above, the applicant may not apply for a new license until at least six (6) months have passed. An applicant having had multiple license revocations in the past may serve as justification to deny a new license application.
- e. The short-term rental use is only permitted in residential homes owned by the license applicant. This use is not permitted within apartment complexes, duplexes, accessory structures, or ADU's. Any residences utilized as a short-term rental shall be residential in appearance.
- f. The property must meet current zoning requirements, including proper setbacks, landscaping, and off-street parking requirements.”

Purpose of Changes

- Short-term rentals will become a permitted use within residential zoning districts.
- Limiting short-term rental uses to owner-homes residences and limiting the number of permitted short-term rentals an individual/organization can license reduces negative impacts on long-term rental and housing markets.
- Allowing for the denial of licenses due to the revocation of previous licenses gives the City the ability to limit nuisances or properties with repeat offenses from continued operations.
- Proposed license fee: \$100 annually

Comments? Questions?