



# PLANNING AND ZONING MEETING AGENDA

Wednesday, February 11, 2026 at 7:10 AM MT  
City Hall – 38 1st Street West Dickinson, ND 58601

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## 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**

**OPENING CEREMONIES: PLEDGE OF ALLEGIANCE**

**1. ORDER OF BUSINESS:**

**2. MINUTES**

**A. JANUARY 14TH, 2025 MINUTES**

**3. REGULAR AGENDA**

**A. CHAIRMAN APPOINTMENT**

**B. VICE CHAIR APPOINTMENT**

**C. ZONING TEXT AMENDMENT (ZTA-002-2026)** - Presented by City Planner, Natalie Birchak

To consider zoning text amendments to Section 62-133 “Commercial use types.”, Table 62-162-2 “Table of Permitted Uses by Zoning District” in Section 62-162 “Development Regulations”, and to Section 62-469 “Commercial uses.” of the Zoning Ordinance regarding the permitting and licensing of short-term rental uses.

**D. ZONING TEXT AMENDMENT (ZTA-003-2026)** - Presented by City Planner, Natalie Birchak

To consider a zoning text amendment to Section 62-56 “Amendment procedure.” of the Zoning chapter of the City of Dickinson Municipal Code regarding notice and protest requirements for rezoning, special use permits, and text amendments.

**E. ZONING TEXT AMENDMENT (ZTA-004-2026)** - Presented by City Planner, Natalie Birchak

To consider zoning text amendments to Section 62-10 “Definitions.”, Section 62-471 “Accessory uses.”, and to Section 62-594 “Parking of certain vehicles.” of the Zoning Ordinance regarding updating the definitions of personal, commercial, recreational, heavy, and heavy recreational vehicles.

- 4. **PUBLIC COMMENTS**
- 5. **ITEMS NOT ON AGENDA**
- 6. **WORK SESSION**

**A. CURALEAF ANNUAL SUP REVIEW**

**B. FOOD TRUCK PERMITTING** - Presented by City Planner, Natalie Birchak

**C. RESIDENTIAL STORAGE CONTAINERS** - Presented by City Planner, Natalie Birchak

**D. TRANSPORTATION AND MASTER PLAN UPDATE ORDINANCE** - Presented by City Planner, Natalie Birchak

7. **ADJOURNMENT**

**Link for viewing Planning and Zoning Commission Meeting:**

<https://youtube.com/live/l-rK-CGTgzY>

**This link will not be live until approximately 7:05 AM MT on February 11, 2026.**

**Teams Meeting:** <https://tinyurl.com/PZC02112026>

**Teams Meeting ID:** 229 782 413 640 12

**Meeting Passcode:** qU7D3js3

**Teams Phone #:** 1-701-506-0320

**Phone Conference ID:** 233 206 783#

**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 COMMISSION MEETING MINUTES

Wednesday, January 14, 2026 at 7:10 AM MT  
City Hall – 38 1st Street West Dickinson, ND 58601

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**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

Vice Chairman Scott Bullinger

Commissioner Dean Franchuk

Commissioner Aaron Johansen

Commissioner Richard Haugen

Commissioner Mike Schwab

Commissioner Val Decker

Commissioner Zach Keller

**ABSENT**

Commissioner Mathew Rothstein

**OPENING CEREMONIES: PLEDGE OF ALLEGIANCE**

**1. ORDER OF BUSINESS:**

Motion to approve as presented.

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

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

**2. MINUTES**

**A. 12.10.25 MINUTES**

Motion to approve as presented.

**Motion 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

**2. REGULAR AGENDA**

**A. PRELIMINARY MAJOR PLAT (PLP-001-2026)** - Presented by: City Planner, Natalie Birchak

To consider a Preliminary Major Subdivision Plat for the Energy Center 6th Addition Subdivision, being a replat of Lots 1, 1A, and 2 of Block 1 of the Energy Center 3rd Addition Subdivision, located in the SE ¼ of Section 1, Township 139 North, Range 96 West, in the City of Dickinson. The site is zoned General Industrial (GI) and Public (P). The site consists of +/- 70.71 acres.

Ms. Birchak presents the preliminary major plat request. She explains that the purpose of the plat is to further divide the lots to allow parcels to be sold to future developers and to support the future Public Safety Training Center. This plat was previously brought forward but was never recorded; because a year has passed, a new platting process was required. No public comments have been received, and staff recommends approval subject to approval of the following rezone request and Development Agreement.

Andrew Schrank of Highlands Engineering represents the applicant. He explains that Lots 1, 2, and 7 are City of Dickinson lots and will be conveyed to the City. Part of the plat includes adding access to the northwest portion of the property owned by the City. Through discussions with the City, it was proposed that 50 feet of property be conveyed to the City so the City can construct a private access road to serve the south side of the National Guard Armory and the northwest corner where the Public Safety Training Center is proposed to be located. There would be no new public rights-of-way; all roads would be private access roads. Lot 7 contains an existing City lift station that may require future expansion. The plat also includes land swaps involving the City and Dickinson Energy Park LLC. On the south side of the property, additional right-of-way is being dedicated along East Villard Street for a sanitary sewer between

Lots 4 and 5, through Tract 1, and along the north side of East Villard. Right-of-way is also being dedicated for a possible future roundabout. Tract 1 is designated for a sanitary sewer and detention pond serving Lots 3, 4, and 5. The owner would construct the detention pond and turn it over to the City.

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

**Motion to approve made by Commissioner Haugen, Seconded by Commissioner Decker.**

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

**B. REZONING (REZ-001-2026)** - Presented by: City Planner, Natalie Birchak

To consider a Zoning Map Amendment from General Industrial (GI) and Public (P) to Public (P) for Lot 1 of Block 1 of the Energy Center 6th Addition Subdivision, a Zoning Map Amendment from General Industrial (GI) to Public (P) for Lot 7 of Block 1 of the Energy Center 6th Addition Subdivision, and a Zoning Map Amendment from Public (P) and General Industrial (GI) to General Industrial (GI) for Lot 5 and Lot 6 of Block 1 of the Energy Center 6th Addition, located in the SE ¼ of Section 1, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 31.98 acres.

Ms. Birchak presents the rezoning request, which accompanies the previous plat request. The purpose of the rezone is to better align with the prior subdivision and clearly delineate property owned by the City versus the developer. All property being zoned Public would be owned by the City following a land swap conducted through a Development Agreement. This also ensures the lots are within a single zoning district so the proposed plat complies with the Municipal Code. No comments have been received, and staff recommends approval contingent upon approval of the previous plat and Development Agreement.

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

**Motion to approve 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

**C. ZONING TEXT AMENDMENT (ZTA-001-2026)** - Presented by: City Planner, Natalie Birchak

To consider a zoning text amendment to Section 62-592 “Off-street parking design standards.” of the Zoning chapter of the City of Dickinson Municipal Code regarding industrial off-street parking and traffic circulation area regulations and requirements.

Ms. Birchak presents the zoning text amendment. This is to limit dust generation. to prevent scoria and dirt from being considered finished surfacing within City limits and to add a requirement for a 50-foot minimum paved area from the right-of-way for any unpaved parking areas. The intention of this amendment is to limit dust generation, track out, and erosion from industrial parking areas and to prevent maintenance issues from tracking debris into the rights-of-way or stormwater drains. No comments have been received and staff recommends approval. This will “grandfather” people in for those who are not in compliance now, but if they build in the future they will need to come into compliance. This was heard at previous PZ work sessions.

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

**Motion to approve made by Commissioner Decker, Seconded by Commissioner Franchuk.**

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

**D. ZONING TEXT AMENDMENT (ZTA-002-2026)** - Presented by: City Planner, Natalie Birchak

To consider zoning text amendments to Section 62-133 “Commercial use types.”, Table 62-162-2 “Table of Permitted Uses by Zoning District” in Section 62-162 “Development Regulations”, Section 62-469 “Commercial uses.”, and to Section 62-469 “Commercial uses.” of the Zoning Ordinance regarding the permitting and licensing of short-term rental uses.

Ms. Birchak presents the zoning text amendment and explains the proposed code changes. Community Development staff is requesting approval of zoning text amendments to Section 62-133, Commercial Use Types; Table 62-162-2, Permitted Uses by Zoning Districts, within Section 62-162, Development Regulations; and Section 62-469, Commercial Uses, all within Chapter 62, Zoning, of the Dickinson Municipal Code. The amendments would permit and license short-term rental uses in the Rural Residential (RR), Low Density Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Mobile Home (MH), and Downtown

Commercial (DC) zoning districts. The proposed amendment also establishes a licensing process for short-term rental uses in resident-owned homes that are residential in appearance. The purpose of the amendment is to permit and license short-term rental uses and establish a licensing process. Staff has not received any comments and recommends approval.

Discussion follows regarding existing short-term rentals. Current short-term rentals would be addressed retroactively, and owners would be notified when staff is aware of them. At this time, there is no fine for failure to obtain a license. If needed, staff would consult with the City Attorney. City Attorney Wenko states that as the program is implemented, additional penalties may need to be considered if issues or violations arise. Enforcement would initially be handled on a case-by-case basis, with the understanding that the process may evolve over time. Wenko notes this would be a trial-and-error approach and that an internal discussion may be needed regarding how far retroactively enforcement should apply. She indicates she would lean toward an infraction-level penalty at this time.

If violations of this section of code occur, such as building or code enforcement issues, those matters could be addressed through existing enforcement mechanisms. If an owner refuses to obtain a license, penalties would need to be added to this section of the code. Chairman Fridrich suggests addressing penalties prior to bringing the amendment to the City Commission. Wenko notes that a graduated penalty structure could be considered. Discussion follows comparing this situation to failure to obtain a Special Use Permit, which is a zoning violation. Wenko clarifies that this is a separate situation, as it involves a license rather than a zoning approval. Additional discussion occurs regarding jurisdiction within the ETZ and whether issues are zoning- or use-related.

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

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

Public comment notes on the AirBNB website says they have to be following their city code.

- 4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA**
- 5. ITEMS NOT ON AGENDA**
- 6. WORK SESSION**

**A. PERSONAL AND COMMERCIAL VEHICLE DEFINITION** - Presented by City Planner, Natalie Birchak

Ms. Birchak provides a presentation with an overview of how the City of Dickinson currently defines and regulates personal, commercial, recreational, and heavy vehicles within the zoning ordinance. Existing definitions in Section 62-10 of the City Code were reviewed, along with how those definitions are applied in residential zoning districts, particularly as they relate to parking restrictions and home-based businesses.

The presentation compared the City’s vehicle definitions to those found in the North Dakota Century Code and noted that the City’s definition of “commercial vehicle” may be overly broad. It was explained that the current definition can prohibit vehicles based on use rather than weight, while existing prohibitions on heavy vehicles already address the primary concern.

The presentation also included a review of how other North Dakota communities address vehicle definitions. Cities such as Bismarck and Watford City largely adopt definitions directly from the North Dakota Century Code, while other communities like Williston distinguish between personal, work, and heavy commercial vehicles using weight thresholds or ownership criteria.

Relevant sections of the zoning ordinance governing home-based businesses and the parking of vehicles in residential districts were reviewed, including provisions that prohibit the parking or storage of heavy commercial vehicles in connection with home occupations. It was noted that clarifying vehicle definitions could improve consistency in enforcement and better align the zoning ordinance with traffic regulations and state law definitions.

As part of the discussion, suggested revisions were presented to definitions for commercial vehicles, heavy vehicles, personal vehicles, and recreational vehicles, including the use of a 10,000-pound weight threshold for heavy vehicles. Additional suggested amendments were presented to clarify language related to home-based businesses and the parking of commercial and heavy vehicles in residential zoning districts.

**Discussion:**

Discussion addressed the definition of heavy vehicles and the potential impacts of the proposed changes. Concerns were raised that certain Class 5 trucks, including F-450 and F-550 vehicles, could be prohibited under the revised definition. It was noted that many service trucks used in the oil field could be affected. There was agreement that larger Class 6 or Class 7 vehicles should not be parked in residential areas.

**RESIDENTIAL STORAGE CONTAINERS** - Presented by: City Planner,  
Natalie Birchak

Ms. Birchak presents information regarding residential storage containers. The presentation outlined concerns related to the use of intermodal storage containers as accessory structures in residential zoning districts and requested direction from the Commission. Key questions for consideration included whether storage containers should be allowed in residential areas, whether restrictions should apply only within City limits or also within the ETZ, how the International Building Code (IBC) defines storage containers versus accessory structures, and how other communities regulate their use.

Relevant sections of the Dickinson Municipal Code were reviewed, including Section 62-62 and Notes to Tables 62-162-2 and 62-162-3, which regulate the number and total square footage of accessory buildings on residential properties. Accessory buildings were identified as including barns, stables, storage buildings, and detached garages.

The presentation noted that under the 2024 International Building Code, intermodal shipping containers are defined as six-sided steel units originally constructed for the transport of goods and materials and are not considered structures unless they are significantly renovated.

Examples were provided of how other communities address storage containers, including Bismarck, which limits portable storage containers in non-industrial zoning districts to short-term uses such as residential moving, loading and unloading, or temporary events, and Williston, which requires accessory buildings to conform to the style and appearance of the principal structure.

It was reported that numerous complaints have been received regarding storage containers located in residential areas. Concerns were noted that while storage containers may serve commercial purposes, they are not residential in appearance and create compatibility issues within residential neighborhoods.

The presentation included a proposed amendment to Notes 7 of Tables 62-162-2 and 62-162-3 to clarify language by replacing the term “buildings” with “structures” and to explicitly prohibit intermodal storage containers, as defined by the International Building Code, in the RR, R-1, R-2, R-3, MH, and DC zoning districts for periods exceeding 30 days. The presentation concluded with a request for comments and questions from the Commission.

Discussion:

Discussion focused on the inclusion of the ETZ and potential enforcement issues. Concerns were raised that allowing intermodal storage containers in the ETZ could create unintended complications, while it was noted that agricultural uses would still be permitted. It was acknowledged that the draft currently includes the ETZ, though excluding it remains an option for future revisions.

Questions were raised regarding enforcement, and it was explained that enforcement would be complaint-based and handled through Code Enforcement, with the primary goal of bringing properties into compliance. Existing containers in the ETZ were discussed, including the possibility of addressing them on a case-by-case basis through variances or legal nonconforming status.

Additional discussion addressed subdivisions near City limits and the role of restrictive covenants. It was noted that covenants vary by subdivision, are not consistently present, and are not enforced by the City. Clarification was provided that commercial and industrial zoning districts would not be impacted by the proposed changes, with applicability limited to residential districts and Downtown Commercial. Potential expansion to Limited Commercial was mentioned.

Suggestions included prohibiting containers within City limits, limiting the number allowed in Rural Residential districts, requiring permits for certain sizes, and establishing design standards. It was recommended that the feedback be reviewed and incorporated into a revised draft for further consideration at a future meeting.

**B. REZONE PROTEST PETITION** - Presented by: City Planner, Natalie Birchak

Ms. Birchak presents information regarding zoning map amendment protest petition requirements. The presentation reviewed the minimum noticing and protest petition requirements for zoning map and text amendments as established by North Dakota Century Code and compared those requirements to the City’s current process.

Relevant sections of the Dickinson Municipal Code were reviewed, including Section 62-56(d), which outlines the protest process for zoning amendments and the circumstances under which a three-fourths vote of the Board of City Commissioners is required. Applicable provisions of North Dakota Century Code related to public hearings, notice requirements, protest petitions, and required voting thresholds were also summarized.

The presentation included a comparison of notice and protest requirements used by other North Dakota communities, including Bismarck, Watford City, Williston, and Grand Forks, highlighting similarities and differences in protest thresholds, filing timelines, and voting requirements.

It was noted that the City of Dickinson currently meets or exceeds the minimum requirements established by state law for zoning map amendment notices and protest petitions. The City's requirement for notice by petition was identified as an additional requirement beyond state law. An alternative approach was discussed that would require a three-fourths vote for approval of all zoning map amendments, though it was noted this could delay future rezoning projects.

The presentation concluded with proposed amendments intended to clarify notice and protest procedures within the City Code, including eliminating the notice by petition option and clarifying all notice procedures are mandatory.

Discussion:  
The commission is in favor of the proposed changes.

**7. ADJOURNMENT**

**Motion made by Commissioner Schwab, Seconded by Commissioner Johansen.**  
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/tmYVrJlt5Bk>

# Code Change: Section 62-133. Commercial use types.

Section 3. Item C.

- *“(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.”*

# Code Change: Table 62-162-2. Permitted Uses by Zoning Districts

Section 3. Item C.

	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			



# Code Change: Section 62-469. - Commercial uses.

“(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.

# Code Change: Section 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. 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.
- e. The property must meet current zoning requirements, including proper setbacks, landscaping, and off-street parking requirements.
- f. Penalty for Ordinance Violations: Any license issued pursuant to this Chapter may be suspended or revoked by the Board of City Commissioners for violating any of the provisions of this Chapter. Any licensee or agent or employee of a licensee who has violated any provisions of this Chapter shall be subject to the following penalties, in addition to possible license revocation:
  - 1. First Offense: \$250 administrative penalty.
  - 2. Second Offense: \$500 administrative penalty.
  - 3. Third Offense: \$750 administrative penalty and license revocation.

# Code Change: Section 62-469. (Part 2)

- g. The denial of a short-term rental license can be performed at the discretion of the Community Development Director or designees. If an applicant wishes to contest a denial or revocation, they shall submit a written request to the Community Development Director or designee to be brought forward for a public hearing in front of City Commission regarding overturning the denial or revocation. The City Commission may overturn a license denial or revocation with a simple majority vote and resolution.
- h. 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.”

**ORDINANCE NO. 2026****AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62, RELATING TO SHORT-TERM RENTAL USES AND LICENSING PROCEDURE**

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

**SECTION 1:** Section 62-133. Commercial use types. of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 62-133. – Commercial use types.**

Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

- 1) *Agricultural sales and service.* Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides and similar goods or in the provision of agriculturally-related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, farm implement dealerships, feed and grain stores, and tree service firms.
- 2) *Automotive and equipment services.* Establishments or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:
  - a. *Automotive rental and sales.* Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.
  - b. *Auto services.* Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales, and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.
  - c. *Body repair.* Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.
  - d. *Equipment rental and sales.* Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include

truck dealerships, construction equipment dealerships, and mobile home sales establishments.

- e. *Equipment repair services.* Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling, salvage, or body and fender repair services.
  - f. *Vehicle storage.* Storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-always or impound yards but exclude dismantling or salvage. Long-term storage of operating or non-operating vehicles beyond 21 days constitutes an industrial use type.
- 3) *Bed and breakfast.* A lodging service that provides overnight or short-term accommodations to guests or visitors, usually including provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purposes of this chapter, bed and breakfasts are always owned and operated by the resident owner of the structure, include no more than ten units, and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
  - 4) *Business support services.* Establishments or places of business primarily engaged in the sale, rental or repair of equipment, supplies and materials or the provision of services used by office, professional and service establishments to the firms themselves but excluding automotive, construction and farm equipment; or engaged in the provision of maintenance or custodial services to businesses. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, janitorial services, photography studios, and convenience printing and copying.
  - 5) *Business or trade schools.* A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.
  - 6) *Campground.* Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor.
  - 7) *Cocktail lounge.* A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.
  - 8) *Commercial recreation (indoors).* Private businesses, or other organizations which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. The preponderance of activities occur within enclosed structures. Typical uses include movie theaters, private dance halls, or private skating facilities.
  - 9) *Commercial recreation (outdoors).* Private businesses, or other organizations which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. The preponderance of activities occur outside of enclosed structures. Typical uses include driving ranges, commercial racetracks, and drive-in theaters.

- 10) *Communications services.* Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes those classified as utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers, and their minor ancillary ground structures are classified as miscellaneous use types.
- 11) *Construction sales and services.* Establishments or places of business primarily engaged in the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware. This use type excludes those uses classified under automotive and equipment services. Typical uses include building materials sales, or tool and equipment rental or sales.
- 12) *Consumer services.* Establishments which provide services, primarily to individuals and households, but excluding automotive use types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.
- 13) *Convenience storage.* Storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.
- 14) *Crematorium.* An establishment containing a furnace for the purpose of reducing human or animal bodies or remains to ashes by burning.
- 15) *Food sales.* Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Food sales establishments may include the sale of non-food items. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.
  - a. *Convenience food sales.* Establishments occupying facilities of less than 10,000 square feet, and characterized by sales of specialty foods or a limited variety of general items, and by the sale of fuel for motor vehicles.
  - b. *Limited food sales.* Establishments occupying facilities of less than 10,000 square feet, and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, small grocery stores.
  - c. *General food sales.* Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.
- 16) *Funeral services.* Establishments engaged in undertaking services such as preparing the human dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.
- 17) *Gaming facilities.* Establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to licensing regulations of the City or the State.

- 18) *General and limited retail services—Generally.* Sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; apparel jewelry, fabrics and like items; cameras, photograph services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wall paper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).
- 19) *General and limited retail services—Establishment categories.* General retail services include:
- a. *Limited retail services.* Establishments providing retail services, occupying facilities of 5,000 square feet or less for any single establishment or 10,000 square feet or less for a multi-tenant facility. Typical establishments provide for specialty retailing or retailing oriented to the City and a local market.
  - b. *General retail services.* Establishments providing retail services, occupying facilities of more than 5,000 square feet for any single establishment or more than 10,000 square feet for a multi-tenant facility. Typical establishments provide for general purpose retailing oriented to the City and its immediate vicinity.
- 20) *Kennels.* Boarding and care services for dogs, cats and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich raising facilities; pet motels, or dog training centers.
- 21) *Laundry services.* Establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.
- 22) *Liquor sales.* Establishments or places of business engaged in retail sale for off-premises consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off-site consumption.
- 23) *Lodging.* Lodging services involving the provision of room and/or board, but not meeting the classification criteria of bed and breakfasts. Typical uses include hotels, apartment hotels, and motels.
- 24) *Microbrewery pub and distillery.*
- a. A microbrewery pub shall be defined as a brewer that brews 10,000 barrels or less per year and sells beer produced or manufactured on the premises for consumption on or off the premises, or serves beer produced or manufactured on the premises for the purposes of sampling the beer.

- b. A distillery shall be defined as a use where the owner operator may produce distilled spirits in accordance with the applicable provisions of the North Dakota Century Code.
- 25) *Personal improvement services.* Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services of a nonprofessional nature. Typical uses include driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.
- 26) *Personal services.* Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor, or shoe repair shops; photography studios; or dry cleaning stations serving individuals and households, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.
- 27) *Pet services.* Retail sales, incidental pet health services, and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.
- 28) *Research services.* Establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.
- 29) *Restaurants.* A use engaged in the preparation and retail sale of food and beverages; including the sale of alcoholic beverages when conducted as a secondary feature of the use, producing less than 50 percent of the establishment's gross income.
- a. *Restaurant (drive-in or fast food).* An establishment which principally supplies food and beverages in disposable containers and is characterized by high automobile accessibility and on-site accommodations, self-service, and short stays by customers.
  - b. *Restaurant (general).* An establishment characterized by table service to customers and/or accommodation to walk-in clientele, as opposed to drive-in or fast food restaurants. Typical uses include cafes, coffee shops, and restaurants.
- 30) *Stables and/or riding academies.* The buildings, pens and pasture areas used for the boarding and feeding of horses, llamas, or other equine not owned by the occupants of the premises. This use includes instruction in riding, jumping, and showing or the riding of horses/equine for hire.
- 31) *Surplus sales.* Businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets and factory outlets or discount businesses with outdoor display.
- 32) *Trade services.* Establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or

operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.

33) *Vehicle storage (short-term)*. Short-term storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage beyond 21 days constitutes an industrial use type.

34) *Veterinary services*. Veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries, and veterinary hospitals for livestock and large animals.

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.

**SECTION 2:** Table 62-162-2. Permitted Uses by Zoning Districts., as outlined in Section 62-162. Development Regulations. of Chapter 62 of the Municipal Code of the City of Dickinson, is hereby amended and re-enacted as follows:

**Sec. 62-162. – Development regulations.**

Table 62-162-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
<b>Agricultural Uses</b>														
Horticulture	P	P			S		P	P		P	P	P	P	62-466(b)(1)
Crop Production	P	P											P	62-466(b)(1)
Type I Animal Production	P	S												62-466(b)(3)
Type II Animal Production	S													
Type III Animal Production	S													
Livestock Sales	S										S	S		
<b>Residential Uses</b>														
Single-Family Detached	P	P	P	P	P	P	S							

<b>Use Types</b>	<b>AG</b>	<b>RR</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>MH</b>	<b>LC</b>	<b>CC</b>	<b>DC (14)</b>	<b>GC</b>	<b>LI</b>	<b>GI</b>	<b>P</b>	<b>Add'l Reg.</b>
Single-Family Attached				P	P	P	S							62-467(2)
Duplex	P			P	P		S							
Townhouse	P			P	P		S		P					62-467(3)
Multiple Family				P	P		S		P					
Downtown Residential									P					62-467(4)
Mobile Home Park						S								62-467(5)
Mobile Home Subdivision						S								62-467(6)
Manufactured Housing Residential	P	P	P	P	P	P	S							
Retirement Residential	S		S	P	P		S		S					
Home Occupations	S	S	S	S	S	S			S					62-471(1)
Accessory Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	Note 7
Accessory Dwelling Units Commercial								P	P		P			Note: Subject to approval in accordance with § 62-474(b)
Accessory Dwelling Units Residential	P	P		P	P	P								Note: Subject to approval in accordance with § 62-474(a)
<b>Civic Uses</b>														
Cemetery	P	S	S	S									S	
Clubs	S	S	S	S	S	S	S	P	P	P				62-468(1)
College/University													P	
Convalescent Services	S	S		S	S	S	P	P	P	P				
Cultural Services		S	S	S	P	P	P	P	P	P	P		P	
Day Care (Family)	P	P	P	P	P	P	P	P	P	P	S			62-131(7)

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Day Care (Group)	S	S	S	S	P	S	P	P	P	P	S			62- 131(8)
Detention Facilities	S								S	S	S		S	
Emergency Residential	P	P	P	P	P	P	P	P	P	S	S			
Golf Courses (Public)	S	S	S	S	S	S							P	
Government Offices							P	P	P	P	P		P	
Group Care Facility	S	S	S	S	P	S	P	P	P	P				62- 468(3)
Group Home	P	P	P	P	P	P	P	P	P	P				62- 468(3)
Group Living Facility					S	S	S	S	S	S				62- 468(4)
Guidance Services					P		P	P	P	P	P	P		
Hospitals					S		P	P	P	P	S		S	
Health Care	S	S			S		P	P	P	P	P	P	S	
Libraries (Public)							P	P	P	P			S	
Maintenance Facilities	S	S						S		P	P	P	S	
Park and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities							P	P	P	P	P	P	P	
Primary Education	S	P	P	P	P	P	P	P	P	S			P	
Public Assembly							S	S	P	P			P	
Religious Assembly	P	P	P	P	P	P	P	P	P	P	S			
Columbarium Associated with Religious Assembly (Indoor/Outdoor)	S	S	S	S	S	S	S	S	S	S	S			
Safety Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Education													P	

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Sports Facilities, Field, and Arenas (Public)													P	
Utilities	S	S	S	S	S	S	S	P	P	P	P	P	S	
<b>Office Uses</b>														
General Offices	S				S		P	P	P	P	P	P		
Financial Services					S		P	P	P	P	P	P		
Medical Offices					S		P	P	P	P	P	S		
<b>Commercial Uses</b>														
Ag Sales/Services	S							S		P	P	P		
Auto Rental/Sales								S	S	P				62- 469(3)
Auto Services							S	P	S	P	P	P		62- 469(1) , (2)
Body Repair								S		P	P	P		62- 469(1)
Equipment Rental/Sales										P	P	P		62- 469(3)
Equipment Repair										P	P	P		62- 469(1)
Veh. Storage (Short-Term)										P	P	P		
Bed and Breakfast	P	S		S	P		P	P	P	P				62- 469(4)
Business Support Services							P	P	P	P	P	P		
Business/Trade School								P	P	P	P			
Campground	S					S				S				
Cocktail Lounge								P	P	P				
Commercial Recreation (Indoor)	S						S	P	P	P	P			
Commercial Recreation (Outdoor)	S								S	P	P	P	S	

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Communication Service							P	P	P	P	P	P		
Construction Sale/Service								S		P	P	P		
Consumer Service							P	P	P	P	P			
Convenience Storage	S				S	S	S	S		S	P	P		62-469(6)
Crematorium										S	S	P		
Microbrewery pub and distillery								P	P	P				
Food Sales (Convenience)							S	P	P	P	P	P		
Food Sales (Limited)							P	P	P	P				
Food Sales (General)							S	P	P	P				
Funeral Service					S		P	P		P				
Columbarium (Outdoor)					S		S	S		S				
Limited Retail Services							P	P	P	P				
Gaming Facility								S	S	P				
General Retail Services								P	P	P				
Kennels	P	S								S	P	P		
Laundry Services								S	S	P	P	P		
Liquor Sales		S					P	P	P	P				
Short-term Rentals		P	P	P	P	P			P					62-469(8)
Lodging								P	P	P	S			
Personal Improvement					S		P	P	P	P	P	P		
Personal Services					S		P	P	P	P	P	P		
Pet Day Care	P	S	S	S	S		P	P	P	P	P	P		62-476(b)
Pet Services	S						P	P	P	P				
Research Services							P	P	P	P	P	P		
Residential-Commercial							P	P	P	P				

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Restaurants (Drive-In)							S	P	S	P	S	S		
Restaurants (General)	P						P	P	P	P	S	S		
Stables	P	S										S		
Surplus Sales	S								S	P	P			
Trade Services	S							P	S	P	P			
Vehicle Storage										S	P			
Veterinary Services	S	S					S	S	S	P	P			
<b>Parking Uses</b>														
Off-Street Parking			S	S	S		S	S	P	P	P	P		
Parking Structure								S	S	S	P			
<b>Industrial Uses</b>														
Adult Entertainment Center											S	S		Ch. 30, Art. III
Custom Manufacturing								S	S	P	P	P		
Light Industry											P	P		
General Industry												P		
Heavy Industry												S		
Oil Wells	P											P		16-166
Resource Extraction	P											P		16- 166
Salvage Services and Yards, Junk Yards												P		62- 470(a) (1)
Vehicle Storage (Long-term)											P	P		
Warehousing (Open)											P	P		
Warehousing (Closed)									S	P	P	P		
Construction Yards										S	P	P		
Recycling Collection								S		P	P	P		

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Recycling Processing											P	P		
Grain Elevators												S		
Petroleum Storage/Sales	S											S		
Stockyards	S											S		
Toxic Gaseous Storage	S											S		Note 9
Dairy Plant										S	S	P		
<b>Transportation Uses</b>														
Aviation	P											P		
Railroad Facilities	S								S	S	P	P		
Truck Terminal										S	S	P		
Transportation Terminal	S							S	S	S	P	P		
<b>Miscellaneous Uses</b>														
Communications Tower	S	S	S	S	S	S		S	S		S	S		
Amateur Radio Tower	P	P	P	P	P	P	P	P	P	P	P	P		
Construction Batch Plant											S	P		
WECS	P	P	S	S	S	S	S	S	S	S	S	P		
Landfill (Inert)	S	S										S		
Landfill (Municipal, Industrial or Special Waste)	S												S	
Alternative Energy Production Devices	P	P	S	S	S	S		S	S		S	P		
Motorized Sports	S										S	S		Note 10

\*Note: Provisions of Sections 62-471 and 62-472 apply to all use types.

<p>P = Uses Permitted by Right  S = Uses Permitted by Special Permit  Blank = Use Not Permitted</p>
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**SECTION 3:** Section 62-469. Commercial use types. of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 62-469. – Commercial uses.**

The following are supplemental use regulations for commercial uses:

- 1) Auto repair, equipment repair, and body repair.
  - a. Where permitted in commercial districts, all repair activities must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to auto repair and body repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-way. Screening is subject to provisions of Article VIII of this chapter.
  - b. Any spray painting must take place within structures designed for that purpose and approved by the Zoning Administrator.
- 2) Auto washing facilities.
  - a. Each conveyor operated auto washing facility shall provide 100 feet of stacking capacity per washing lane on the approach side of the washing structure and a minimum stacking space of 40 feet on the exit side.
  - b. Each self-service auto washing facility shall provide stacking space for three automobiles per bay on the approach side and one space per bay on the exit side of the building.
- 3) Automobile and equipment rental and sales.
  - a. All outdoor display areas for rental and sales facilities shall be an improved surface, including paving or crushed rock.
  - b. Body repair services are permitted as an accessory use to automobile rental and sales facilities.
- 4) Bed and breakfasts. Bed and breakfasts permitted in the DC district must provide any sleeping facility only on levels above street level, except that units specifically designed and reserved for occupancy by handicapped people may be located on the street level.
- 5) Campgrounds.
  - a. Minimum size. Each campground established after the effective date of the ordinance from which this chapter is derived shall have a minimum size of one acre.
  - b. Setbacks. All campgrounds shall maintain a 50-foot front yard setback and a 25-foot buffer yard from all other property lines.
  - c. Each campground must maintain water supply, sewage disposal, and water and toilet facilities in compliance with all City ordinances; or, alternately, be limited to use by self-contained campers, providing their own on-board water and disposal systems.
  - d. Campgrounds shall not be permitted to be used for any of the purposes as provided for in Division 2 of this article. Any campground containing one or more

lodging units or skid units ordinarily designed for human living quarters or a place of business, on a temporary or permanent basis, which are not real property, as defined in N.D.C.C. § 57-02-04, and are not mobile homes, as defined in N.D.C.C. § 57-55-01, shall be obligated to comply with Division 2 of this article and obtain a crew housing special use permit, as provided therein.

- 6) Convenience storage. When permitted in the AG, GC, and LI districts, convenience storage facilities shall be subject to the following additional requirements:
- a. The minimum size of a convenience storage facility shall be one acre.
  - b. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
  - c. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.
  - d. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
  - e. No storage buildings may open into required front yards.
  - f. Facilities must maintain landscaped buffer yards of 35 feet adjacent to any public right-of-way and 20 feet from the adjacent property lines if the adjacent properties are of a less intensive zoning district and/or unless greater setbacks are required by Article VIII of this chapter.
- 7) Pet day care. When permitted by special use permit in the RR, R1, R2, and R3 districts, or as a permitted use in other zoning jurisdictions as set forth in Table 62-162-2, pet day cares shall be subject to the following additional requirements:
- a. Buildings shall be of adequate structure and maintained in good repair so as to ensure protection of pets from injury and to prevent departure of pet from designated structure.
  - b. Shelter shall be provided to allow access to shade from direct sunlight and regress from exposure to rain or snow. Accommodations shall provide safe harbor when the atmospheric temperature is below 50 degrees Fahrenheit or below that temperature to which the particular pets are acclimated. Indoor facilities shall be provided for all pets.
  - c. Indoor and outdoor facilities shall at all times be provided with ventilation by means of doors, windows, vents, air conditioning or direct flow of fresh air that is adequate to provide for the good health of the pets and the prevention of offensive odor, mold, or disease. Such ventilation shall be environmentally provided to minimize drafts, moisture condensation, odors or stagnant vapors of excreta.
  - d. Ample lighting shall be provided by natural or artificial means, or both, during sunrise to sunset hours to allow efficient cleaning of the facilities and routine inspection of the facilities and pets contained therein.
  - e. Ceilings, walls, floors, furniture, and play equipment shall be constructed to lend themselves to efficient cleaning and sanitizing. Such surfaces shall be kept in good repair and maintained so that they are substantially impervious to moisture. Floors and walls to a height of four feet shall have finished surfaces. Upholstered furniture or carpeting shall not be permitted in that portion of the facility to which pets have access.
  - f. Food supplies and bedding materials shall be stored to adequately protect them from contamination or infestation by vermin or other factors that would render the

- food or bedding contaminated or diseased, or otherwise attract vermin or other nuisance to the site. Separate storage facilities shall be maintained for cleaning and sanitizing equipment and supplies.
- g. Washrooms, basins or sinks shall be provided within or be readily accessible to each facility for maintaining cleanliness among animal caretakers and sanitizing of food and water utensils.
  - h. Equipment shall be available for removal and disposal of all waste materials from the building to minimize vermin infestation, odors and disease hazards. Drainage systems shall be functional to achieve the above purposes.
  - i. Facilities shall be provided to isolate any pet that becomes sick or injured to prevent the spread of disease or illness.
  - j. Outdoor pet runs and exercise areas shall be of sound construction and kept in good repair so as to safely contain the pets therein without injury or risk of escape. Floors shall be concrete, gravel or materials which can be regularly cleaned and kept free of waste accumulation. Grass runs and exercise areas are permissible provided adequate ground cover is maintained, holes are kept filled, ground cover is watered sufficiently to dilute and clean the cover to avoid disease, solid waste is removed prior to watering, and the ground cover is not allowed to become overgrown.
  - k. Any portion of the premises where pets are permitted outdoors shall have a fence of the maximum height allowed by this Code. Such fence shall be maintained in good condition so as to mitigate the visual and audial effects of the operation, and to properly contain any pets permitted in that area. The permit holder may not use an existing fence if it is owned by the adjacent property owner.
  - l. The proprietor shall maintain current vaccination records on each pet permitted at the facility to ensure public safety.
  - m. The proprietor shall obtain and maintain insurance specific to the risks associated with operating a pet day care, which shall include, but not be limited to, coverage protecting the general public in the event of animal bites and property damage caused by loose or escaped animals.
  - n. Group interaction is permitted for pets that are compatible with one another. The permit holder shall not permit play which creates a hazard to the public or a nuisance such as noise.
  - o. The play area for pets shall provide for a minimum of 75 square feet per pet, provided that the maximum number of pets allowed at any one facility shall be ten, including animals owned by the permit holder. The permit issued by the City shall be displayed prominently at the site, and shall contain the calculation of the Planning Department as to the authorized number of animals.
  - p. The permit holder shall appear annually before the Planning Commission for renewal of the permit. The Planning Department may require an annual site inspection prior to renewal.
  - q. Any permit issued under this section shall be nontransferable as to the permit holder and/or the premises to be permitted. A permit holder may not relocate their operation using the same permit. A permit approved at a particular location may not be transferred to a new individual or business.

- r. Complaints regarding dog bites, nuisance animals, or excess noise shall be investigated by the Police Department.
- s. Complaints regarding any zoning violation or any other condition of the permit shall be investigated by the Planning Department.
- t. In the event a complaint is made, regardless of which department investigates, the Planning Department may conduct a site visit to determine whether the permit holder is in compliance with the terms of the permit. The Planning Director may require the permit holder to appear before the Planning Commission to address the complaint.
- u. In the event two complaints of any nature against the permit holder are substantiated and validated through a hearing before the Planning Commission, within a rolling 12-month period, the Planning Commission shall revoke the special use permit. Upon revocation, the permit holder shall cease operations within 30 days, or appeal the decision to the Board of City Commissioners. Failure to appeal within 30 days of the decision of the Planning Commission shall constitute forfeiture of all rights of appeal, and the decision of the Planning Commission shall become final. If the permit holder appeals to the Board of City Commissioners, the applicant may continue its operations until a decision has been rendered by the Board of City Commissioners. If the Board of City Commissioners affirms the decision of the Planning Commission, the permit holder shall have 15 days from the date of the decision of the Board of City Commissioners to cease operations.

*(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 hours a day, 7 days a week, 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.
- 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. 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.
- e. The property must meet current zoning requirements, including proper setbacks, landscaping, and off-street parking requirements.
- f. Penalty for Ordinance Violations: Any license issued pursuant to this Chapter may be suspended or revoked by the Board of City Commissioners for violating any of the provisions of this Chapter. Any licensee or agent or employee of a licensee who has violated any provisions of this Chapter shall be subject to the following penalties, in addition to possible license revocation:
  1. First Offense: \$250 administrative penalty.
  2. Second Offense: \$500 administrative penalty.
  3. Third Offense: \$750 administrative penalty and license revocation.
- g. The denial of a short-term rental license can be performed at the discretion of the Community Development Director or designees. If an applicant wishes to contest a denial or revocation, they shall submit a written request to the Community Development Director or designee to be brought forward for a public hearing in front of City Commission regarding overturning the denial or revocation. The City Commission may overturn a license denial or revocation with a simple majority vote and resolution.
- h. 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.

**SECTION 4: Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 5: 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 6: Effective Date:** This Ordinance shall be in full force and effect from and after final passage.

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Scott Decker, President  
Board of City Commissioners

ATTEST

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Dustin Dassinger, City Administrator

First Reading: \_\_\_\_\_, 2026  
Second Reading: \_\_\_\_\_, 2026  
Final Passage: \_\_\_\_\_, 2026



# Short-term Rentals Text Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners  
 From: City of Dickinson Community Development Services  
 Date: February 4, 2026  
 Re: ZTA-002-2026 Section 62 – Short-term Rentals

## APPLICANT

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

<b>Public Hearing</b>	February 11, 2026	Planning and Zoning Commission
<b>Public Hearing</b>	February 17, 2026	City Commission
<b>Final Consideration</b>	March 3, 2026	City Commission

Community Development staff is requesting approval of zoning text amendments to Section 62-133 – Commercial use types, Table 62-162-2. Permitted Uses by Zoning Districts in Section 62-162 – Development Regulations, and Section 62-469 – Commercial uses, in Chapter 62-Zoning of the Dickinson Municipal Code, to permit and license short-term rental uses in the Rural Residential (RR), Low Density Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Mobile Home (MH) and Downtown Commercial (DC) zoning districts. This proposed amendment also establishes a licensing process for short-term rental uses in resident-owned homes that are residential in appearance.

Staff recommendation: Staff recommends approval of this text amendment.

The proposed ordinance amending Chapter 62 addressing short-term rentals is included with this staff report.

## STAFF ANALYSIS

### BACKGROUND

The North Dakota Department of Health & Human Services defines Lodging as *“every building or structure that is held out to the public as a place where sleeping accommodations are furnished to transient guests for a charge; does not include single structures with five or fewer guest rooms and ten or fewer total occupants, a series or group of buildings or structures containing five or fewer guest rooms and ten or fewer total occupants,”* and requires the owner to apply for a license through the Community Development department. The short-term rental use has fewer than five guest rooms and therefore would not meet the definition, meaning regulations for short-term rental uses are determined by localities.

As part of the process of developing these proposed amendments, staff reviewed short-term rental requirements adopted by local governments in North Dakota, South Dakota, and Montana. Workshops on this topic were held at the October 8, 2025 and December 10, 2025 City Planning and Zoning Commission meetings. This zoning text amendment addresses the feedback received from the two workshop meetings.

This ordinance was brought forward to the January 14, 2026 Planning and Zoning Commission Meeting for public hearing. The commission tabled the ordinance and requested that Community Development staff add a penalty to operating without a license. Following the guidance of the City Attorney, Community Development staff has added a scaling penalty, with the first offense of operating without a license incurring a \$250 administrative penalty, the second offense incurring a \$500 administrative penalty, and the third offense incurring a \$750 administrative penalty and license revocation.

### COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

#### Compatibility with the Municipal Code

The Dickinson Municipal Code does not currently have the Short-term Rental use defined as a commercial use. According to Section 62-7: Prohibited land uses, *“Any land use not described in this chapter shall be prohibited, unless expressly permitted or allowed as a special use.”* In order to be permitted, the Short-term Rental use must be defined within the Municipal Code and must be either expressly permitted or allowed with a Special Use Permit in a residential zoning district.

### PUBLIC INPUT AND STAFF RECOMMENDATION

**Public Input:** As of the date of this report, City staff has not received any public comments.

**Staff Recommendation:** City Development Team staff recommends **approval** of ZTA-002-2026.

**MOTIONS:**

**\*\*\*Approval\*\*\***

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-002-2026: The Short-term Rentals Zoning 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-002-2026: The Short-term Rentals Zoning 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."*

# Code Changes: Section 62-56. – Amendment procedure.

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.”*

**ORDINANCE NO. 2026****AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62, RELATING TO PUBLIC HEARING NOTICES FOR REZONING REQUESTS AND SPECIAL USE PERMITS**

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

**SECTION 1:** Section 62-56. – Amendment procedure. of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 62-56. – Amendment procedure.**

- a) Purpose. The amendment procedures describe the methods by which changes may be made in the text of the zoning ordinance (text amendment) and/or the official boundaries of zoning districts (rezoning).
- b) Initiation of amendments.
  - 1) Text amendments may be initiated by the Planning Commission or Board of City Commissioners.
  - 2) Re-zonings may be initiated by a property owner or authorized agent, the Planning Commission, or the Board of City Commissioners.
- c) Rezoning application requirements. An application for a rezoning may be filed with the Planning Director, or a designee. The application shall, at a minimum, include the following information:
  - 1) Name and address of the applicant.
  - 2) Owner, address and legal description of the property.
  - 3) A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
  - 4) Any graphic information, including site plans, elevations, other drawings, or other materials determined by the Building Official to be necessary to describe the proposed use to approving agencies.
  - 5) Completed submittal checklist with all required agency comments.
- d) *Amendment process.*
  - 1) The Planning Commission, following 15 days' notice and publication, shall hold a public hearing on each proposed text or rezoning and, following such public hearing, shall recommend action to the Board of City Commissioners. A vote either for or against an amendment by a majority of all Planning Commission members shall constitute a recommendation to the Board of City Commissioners. A vote either for or against an amendment by less than a majority of all Planning Commission members shall constitute a failure to make a recommendation to the Board of City Commissioners.
  - 2) The Board of City Commissioners shall act on the proposed amendment. On applications which receive a recommendation of approval from the Planning

Commission, a majority vote of those members elected to the Board of City Commissioners is required for approval.

- 3) Protest. If a valid protest petition opposing an amendment is filed with the City Administrator, or a designee, by eligible property owners, a three-fourths vote of those members elected to the Board of City Commissioners is required for approval. A valid protest petition must meet the following criteria:
  - a. Submission of the petition in the Office of the Building Inspector within 14 days after the conclusion of the public hearing on the amendment by the Planning Commission.
  - b. Notarized signatures by at least one of the following:
    1. The owner or owners of at least 20 percent of the property proposed for rezoning.
    2. The owners of 20 percent of the total area, excepting public rights-of-way and public property, within the zoning jurisdiction of the City and within 150 feet of the proposed rezoning.
- 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.
- f) *Notification by mail of school district.* The Zoning Administrator shall mail notice of the time, place and subject matter of any Planning Commission rezoning hearings to the Public and Parochial School District Administrative Officials and/or Chairpersons of the Board of Education, within whose boundaries the subject site is located. The notification shall be submitted to the applicable official and/or Board of Education at least ten days prior to the date of such meeting. Each school district to be affected by such rezoning proposal shall be notified.

**SECTION 2:** Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 3:** 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 4:** Effective Date: This Ordinance shall be in full force and effect from and after final passage.

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Scott Decker, President  
Board of City Commissioners

ATTEST

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Dustin Dassinger, City Administrator

First Reading: \_\_\_\_\_, 2026  
Second Reading: \_\_\_\_\_, 2026  
Final Passage: \_\_\_\_\_, 2026



# Rezone Notice by Petition Text Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners  
 From: City of Dickinson Community Development Services  
 Date: February 4, 2026  
 Re: ZTA-003-2026 Section 62 – Rezone Notice by Petition

## APPLICANT

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

<b>Public Hearing</b>	February 11, 2026	Planning and Zoning Commission
<b>Public Hearing</b>	February 17, 2026	City Commission
<b>Final Consideration</b>	March 3, 2026	City Commission

Community Development staff is requesting approval of zoning text amendments to Section 62-56 – Amendment procedure, in Chapter 62-Zoning of the Dickinson Municipal Code, to remove the requirement placed on rezoning and Special Use Permit (SUP) applicants to notify adjacent property owners through petition signature collection. This amendment also clarifies the specific procedure the City utilizes to notify adjacent properties of any public hearings.

Staff recommendation: Staff recommends approval of this text amendment.

The proposed ordinance amending Chapter 62 addressing removal of notice by petition is included with this staff report.

## STAFF ANALYSIS

### BACKGROUND

In response to a previous development application, a resident brought up a requirement in Section 62-56(e)(1) of the Dickinson Municipal Code that states *"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:"*, and one of the methods listed is *"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."* Based on the above sections, the City has the authority to determine whether City staff or applicants must notify adjacent property owners following the associated methods.

### COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

#### Compatibility with the Municipal Code

The requirements for noticing Planning and Zoning Commission public hearings, as outlined in Section 62-56(e), align with the requirements stated in NDCC 40-47-04. However, there is no requirement in the Century Code for a notice by petition, so the City of Dickinson is able to remove the requirement from the Municipal Code. Additionally, the amendment clarifies that all rezoning and Special Use Permit applications shall be consistent and not up to the discretion of the City.

Upon further review of the notification by petition requirements, Community Development staff determined the process would place an undue burden on applicants and potentially halt even favorable rezoning or SUP applications in the event any adjacent property owners are not available to sign a petition.

### PUBLIC INPUT AND STAFF RECOMMENDATION

**Public Input:** As of the date of this report, City staff has not received any public comments.

**Staff Recommendation:** The City Development Team staff recommends **approval** of ZTA-003-2026.

**MOTIONS:**

**\*\*\*Approval\*\*\***

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-003-2026: The Rezone Notice by Petition Zoning 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-003-2026: The Rezone Notice by Petition Zoning 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."*

# Code Changes: Section 62-10. – Definitions.

*“Commercial vehicles means trucks, tractor cab units, trailers, used in any way as part of any commercial application, endeavor or business.”*

*~~“Heavy recreational vehicles means motor coach homes, converted buses and converted trucks.”~~*

*“Heavy vehicles means vehicles over ~~ten tons~~ 10,000 pounds gross empty weight.”*

*“Personal vehicles means ~~shall mean~~ passenger cars, vans, pick-up trucks, camper shells, toppers, and other similar appurtenances intended for attachment to a personal vehicle, trailers ~~under 20 feet in length~~, and boats.”*

*“Recreational vehicle means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers, campers; boats, and boat trailers.”*

# Code Changes: Section 62-471. – Accessory uses.

- 1) Home-based business/home occupations. Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:
  - a. External effects.
    1. There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
    2. No noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right-of-way.
    3. The home occupation shall be carried on entirely within the principal residential structure and/or within a detached accessory building approved by the City in accordance with this chapter. All criteria in Subsections (1)a.1, 2, and 4 through 6 of this section are applicable for the detached accessory building.
    4. Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
    5. No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy **commercial** vehicles to conduct the home occupation is prohibited.
    6. All discharges of sewage and wastes into public sewers shall comply with all applicable City ordinances.

# Code Changes: Section 62-594. – Parking of certain vehicles.

- a) Location of parking.
  - 1) Parking of any vehicle is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
  - 2) Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure/garage) within the front yard setback but shall in no case encroach upon the public right-of-way.
  - 3) Parking of personal vehicles within an interior side yard must be located on a paved surface on the garage side of the property but shall not encroach upon the public right-of-way. Surface drainage shall maintain the standards set forth in the City Code.
  - 4) Parking of personal vehicles may occur in the rear yard setback, provided that such parking conforms to the provisions of the zoning ordinance. The parking space shall be provided on either a paved, graveled, or rock surface.
  - 5) ~~Commercial vehicles and h~~Heavy vehicles shall not be parked on any lot within the R-1, R-2, R-3, and MH Districts. This section shall apply even if the ~~commercial vehicle or~~ heavy vehicle is not being driven for the purpose of the commercial application, endeavor or business at the time said vehicle is parked within the aforementioned zoning districts.
  - 6) All paved surfaces exceeding four feet in width shall require a driveway/pad permit issued by the Building Official or designee.
  - 7) Street side yard driveways/pads shall not exceed half of the required setback.

# Personal and Commercial Vehicle Definitions

Presented by: City Planner, Natalie Birchak



# Questions to Consider

- How does the City currently define and differentiate between personal, commercial, recreational, and heavy vehicles? Do these definitions match the definitions from the North Dakota Century Code?
- What is the purpose of prohibiting both commercial and heavy vehicles from being parked in residential zoning districts?
- How do other communities handle these definitions?

# Section 62-10. – Definitions. (Relevant excerpts)

*“Commercial vehicles means trucks, tractor cab units, trailers, used in any way as part of any commercial application, endeavor or business.”*

*“Heavy recreational vehicles means motor coach homes, converted buses and converted trucks.”*

*“Heavy vehicles means vehicles over ten tons gross empty weight.”*

*“Personal vehicles means shall mean passenger cars, vans, pick-up trucks, camper shells, toppers, and other similar appurtenances intended for attachment to a personal vehicle, trailers under 20 feet in length, and boats.”*

*“Recreational vehicle means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers, campers; boats, and boat trailers.”*

# Section 62-471. – Accessory uses. (Relevant excerpts)

- 1) Home-based business/home occupations. Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:
  - a. External effects.
    1. There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
    2. No noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right-of-way.
    3. The home occupation shall be carried on entirely within the principal residential structure and/or within a detached accessory building approved by the City in accordance with this chapter. All criteria in Subsections (1)a.1, 2, and 4 through 6 of this section are applicable for the detached accessory building.
    4. Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
    5. No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy commercial vehicles to conduct the home occupation is prohibited.
    6. All discharges of sewage and wastes into public sewers shall comply with all applicable City ordinances.

# Section 62-594. – Parking of certain vehicles.

- a) Applicability. This section permits the parking of certain vehicles on a single lot in a residential district subject to specific conditions.
- b) Location of parking.
  - 1) Parking of any vehicle is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
  - 2) Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure/garage) within the front yard setback but shall in no case encroach upon the public right-of-way.
  - 3) Parking of personal vehicles within an interior side yard must be located on a paved surface on the garage side of the property but shall not encroach upon the public right-of-way. Surface drainage shall maintain the standards set forth in the City Code.
  - 4) Parking of personal vehicles may occur in the rear yard setback, provided that such parking conforms to the provisions of the zoning ordinance. The parking space shall be provided on either a paved, graveled, or rock surface.
  - 5) Commercial vehicles and heavy vehicles shall not be parked on any lot within the R-1, R-2, R-3, and MH Districts. This section shall apply even if the commercial vehicle or heavy vehicle is not being driven for the purpose of the commercial application, endeavor or business at the time said vehicle is parked within the aforementioned zoning districts.
  - 6) All paved surfaces exceeding four feet in width shall require a driveway/pad permit issued by the Building Official or designee.
  - 7) Street side yard driveways/pads shall not exceed half of the required setback.
- c) Special provisions for recreational vehicles and boats. Within the R-1, R-2, R-3 and MH Districts, parking and storage of recreational vehicles and boats is subject to the following additional conditions:
  - 1) Recreational vehicles and boats must be maintained in a clean, well-kept state.
  - 2) Recreational vehicles and boats shall not be permanently connected to utility lines.
  - 3) Recreational vehicles and boats shall not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.

# ND Century Code: 39-06.2-02. Definitions. (relevant excerpts)

- 6. "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles designed or used to transport passengers or property:
  - a. If the gross combination weight rating or gross combination weight is twenty-six thousand one pounds [11793.86 kilograms] or more, whichever is greater, provided the towed unit has a gross vehicle weight rating or gross vehicle weight of more than ten thousand pounds [4536 kilograms], whichever is greater;
  - b. If the vehicle has a gross vehicle weight rating or gross vehicle weight of more than twenty-six thousand pounds [11793.40 kilograms], whichever is greater;
  - c. If the vehicle is designed to transport sixteen or more passengers, including the driver; or
  - d. If the vehicle is transporting hazardous materials and is required to be placarded in accordance with 49 CFR part 172, subpart F or any quantity of a material listed as a select agent or toxin in 42 CFR part 73
  
- 71. "Recreational vehicle" means any motorcycle not qualified for registration, off-highway vehicle, snowmobile, vessel, or personal watercraft. The term does not include an electric bicycle."

How do other communities define these terms?

# Bismarck – Current Requirements

## **12-01-01. Definitions.**

Where a term is used in this chapter, the meaning of that term as defined in Title 39 of the N.D. Century Code, if that term is so defined, and as that Title may be amended from time to time, is hereby adopted by reference and incorporated herein.

# Watford City – Current Requirements

## Chapter VIII - TRAFFIC

### Article 1. – Definitions

#### Section 8-101. Definitions

Words and phrases used in this chapter shall have the meanings and be defined as provided in the North Dakota Century Code in Title 39, and NDCC Section 39-01-01 and all subsequent amendments shall be and are hereby incorporated by reference in this ordinance.

# Williston – Current Requirements

## Section Z-31. Definitions

### **VEHICLE, HEAVY COMMERCIAL**

A vehicle with a gross vehicle weight greater than 10,000 lbs. Personal vehicles such as boats, RV's, and campers are exempt from this weight requirement.

### **VEHICLE, OCCUPATION OR TRADE**

A vehicle that is designed specifically to perform a type of function or service associated with an occupation or trade.

### **VEHICLE, PERSONAL**

A vehicle that is owned by an individual and used for commuting purposes.

### **VEHICLE, WORK**

A vehicle that is owned by a business entity, which is used by an affiliated employee for commuting purposes.

# Grand Forks – Current Requirements

## Chapter VIII. – TRAFFIC AND MOTOR VEHICLES

### Section 8-0101. Definitions.

70) *Vehicle* includes every device in, or by which, any person or property may be transported or drawn upon a public roadway, except devices moved by human power or used exclusively upon stationary rails or tracks. the term does not include an electric bicycle, commercial pedal car or electric scooter.

# Findings

- Prohibiting the parking of commercial vehicles based on the 62-10 definition can be overly restrictive and does not prevent the parking of heavy commercial vehicles: that is already covered by prohibiting heavy vehicles generally.
- Many cities do not include a definition for personal and commercial vehicles in the City zoning ordinance. Instead, these terms are defined in the traffic code and often reflect the definition used by the NDDOT.

# Suggestion:

*“Commercial vehicles means trucks, tractor cab units, trailers, used in any way as part of any commercial application, endeavor or business.”*

*~~“Heavy recreational vehicles means motor coach homes, converted buses and converted trucks.”~~*

*“Heavy vehicles means vehicles over ~~ten tons~~ 10,000 pounds gross empty weight.”*

*“Personal vehicles means ~~shall mean~~ passenger cars, vans, pick-up trucks, camper shells, toppers, and other similar appurtenances intended for attachment to a personal vehicle, trailers ~~under 20 feet in length~~, and boats.”*

*“Recreational vehicle means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers, campers, boats, and boat trailers.”*

# Suggestion:

- 1) Home-based business/home occupations. Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:
  - a. External effects.
    1. There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
    2. No noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right-of-way.
    3. The home occupation shall be carried on entirely within the principal residential structure and/or within a detached accessory building approved by the City in accordance with this chapter. All criteria in Subsections (1)a.1, 2, and 4 through 6 of this section are applicable for the detached accessory building.
    4. Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
    5. No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy **commercial** vehicles to conduct the home occupation is prohibited.
    6. All discharges of sewage and wastes into public sewers shall comply with all applicable City ordinances.

# Suggestion:

- a) Location of parking.
- 1) Parking of any vehicle is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
  - 2) Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure/garage) within the front yard setback but shall in no case encroach upon the public right-of-way.
  - 3) Parking of personal vehicles within an interior side yard must be located on a paved surface on the garage side of the property but shall not encroach upon the public right-of-way. Surface drainage shall maintain the standards set forth in the City Code.
  - 4) Parking of personal vehicles may occur in the rear yard setback, provided that such parking conforms to the provisions of the zoning ordinance. The parking space shall be provided on either a paved, graveled, or rock surface.
  - 5) ~~Commercial vehicles and h~~Heavy vehicles shall not be parked on any lot within the R-1, R-2, R-3, and MH Districts. This section shall apply even if the ~~commercial vehicle or~~ heavy vehicle is not being driven for the purpose of the commercial application, endeavor or business at the time said vehicle is parked within the aforementioned zoning districts.
  - 6) All paved surfaces exceeding four feet in width shall require a driveway/pad permit issued by the Building Official or designee.
  - 7) Street side yard driveways/pads shall not exceed half of the required setback.

Comments? Questions?

**ORDINANCE NO. 2026**

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62, RELATING TO PERSONAL, COMMERCIAL, RECREATIONAL, AND HEAVY VEHICLES DEFINITIONS AND STANDARDS**

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

**SECTION 1:** Section 62-10. – Definitions. of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 62-10. – Definitions.**

*Commercial vehicles* means trucks, tractor cab units, trailers, used in any way as part of any commercial application, endeavor or business.

*Heavy recreational vehicles* means motor coach homes, converted buses and converted trucks.

*Heavy vehicles* means vehicles over ~~ten tons~~ 10,000 pounds gross empty weight.

*Personal vehicles* means ~~shall mean~~ passenger cars, vans, pick-up trucks, camper shells, toppers, and other similar appurtenances intended for attachment to a personal vehicle, trailers ~~under 20 feet in length~~, and boats.

*Recreational vehicle* means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers, campers;, boats, and boat trailers.”

**SECTION 2:** Item 1 in Section 62-471. – Accessory uses. of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 62-471. – Accessory uses.**

- 1) Home-based business/home occupations. Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:
  - a. External effects.
    - 1. There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
    - 2. No noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right-of-way.
    - 3. The home occupation shall be carried on entirely within the principal residential structure and/or within a detached accessory building approved by the City in accordance with this chapter. All criteria in

Subsections (1)a.1, 2, and 4 through 6 of this section are applicable for the detached accessory building.

4. Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
5. No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy ~~commercial~~ vehicles to conduct the home occupation is prohibited.
6. All discharges of sewage and wastes into public sewers shall comply with all applicable City ordinances

**SECTION 3:** Item a in Section 62-594. – Parking of certain vehicles. of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 62-594. – Parking of certain vehicles.**

- a) Location of parking.
- b) Parking of any vehicle is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
- c) Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure/garage) within the front yard setback but shall in no case encroach upon the public right-of-way.
- d) Parking of personal vehicles within an interior side yard must be located on a paved surface on the garage side of the property but shall not encroach upon the public right-of-way. Surface drainage shall maintain the standards set forth in the City Code.
- e) Parking of personal vehicles may occur in the rear yard setback, provided that such parking conforms to the provisions of the zoning ordinance. The parking space shall be provided on either a paved, graveled, or rock surface.
- f) ~~Commercial vehicles and h~~Heavy vehicles shall not be parked on any lot within the R-1, R-2, R-3, and MH Districts. This section shall apply even if the ~~commercial vehicle or~~ heavy vehicle is not being driven for the purpose of the commercial application, endeavor or business at the time said vehicle is parked within the aforementioned zoning districts.
- g) All paved surfaces exceeding four feet in width shall require a driveway/pad permit issued by the Building Official or designee.
- h) Street side yard driveways/pads shall not exceed half of the required setback.

**SECTION 4:** Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 5:** 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 6:** 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



# Vehicle Definitions Zoning Text Amendment Staff

To: City of Dickinson Planning and Zoning Commissioners  
 From: City of Dickinson Community Development Services  
 Date: February 4, 2026  
 Re: ZTA-004-2026 Section 62 – Vehicle Definitions

## APPLICANT

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

<b>Public Hearing</b>	February 11, 2026	Planning and Zoning Commission
<b>Public Hearing</b>	February 17, 2026	City Commission
<b>Final Consideration</b>	March 3, 2026	City Commission

Community Development staff is requesting approval of zoning text amendments to Section 62-10 – Definitions, Section 62-471 – Accessory uses, and Section 62-594 – Parking of certain vehicles, in Chapter 62-Zoning of the Dickinson Municipal Code, to update the definitions of personal, commercial, heavy, and recreational vehicles. This proposed amendment also clarifies that heavy vehicles cannot be parked or stored on residential lots.

Staff recommendation: Staff recommends approval of this text amendment.

The proposed ordinance amending Chapter 62 updating vehicle definitions is included with this staff report.

## STAFF ANALYSIS

### BACKGROUND

At the request of City officials, the Community Development Department began researching how different North Dakota communities define personal, commercial, recreational, and heavy vehicles, as well as how those definitions compare to those found in the North Dakota Century Code.

### COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

#### Compatibility with the Municipal Code

Heavy commercial vehicles are referred to in Section 62-471: Accessory uses, in reference to the parking and storage of heavy commercial vehicles for home-based occupations. As heavy commercial vehicles are not defined in the Municipal Code, this amendment updates the language to reference heavy vehicles.

Section 62-594(a)(5) states that "*Commercial vehicles and heavy vehicles shall not be parked on any lot within the R-1, R-2, R-3, and MH Districts. This section shall apply even if the commercial vehicle or heavy vehicle is not being driven for the purpose of the commercial application, endeavor or business at the time said vehicle is parked within the aforementioned zoning districts.*" In the past, there has been confusion from residents about what constitutes a commercial vehicle and where these vehicles can be parked and stored.

### PUBLIC INPUT AND STAFF RECOMMENDATION

**Public Input:** As of the date of this report, City staff has not received any public comments.

**Staff Recommendation:** The City Development Team staff recommends **approval** of ZTA-004-2026.

**MOTIONS:**

**\*\*\*Approval\*\*\***

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-004-2026: The Vehicle Definitions Zoning 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-004-2026: The Vehicle Definitions Zoning 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."*



January 23, 2026

City of Dickinson  
ATTN: City Planner Natalie Birchak

**Re: Special Use Permit Resolution 21-2019 (SUP-002-19)**

Dear Ms. Birchak,

I am writing to request that Curaleaf be placed on the agenda for the February 2026 City of Dickinson Planning & Zoning Commission meeting to demonstrate and discuss Curaleaf’s continued compliance with the referenced Special Use Permit. Please note the following:

1. Curaleaf has had continued compliance with all applicable state laws, including but not limited to NDCC Ch. 19-24.1 and NDAC Ch. 33-44-01.
2. Curaleaf is managing marijuana waste in accordance with Paragraph 2 of the SUP (and also NDCC Ch. 19-24.1/NDAC Ch. 33-44-01). A copy of the dispensary’s standard operating procedure for waste management can be made available upon request.
3. Curaleaf is unaware of any surrounding landowner complaints of odor resulting from the storage or dispensing of marijuana.
4. The dispensary’s standard business hours are Tuesday-Saturday, 11:00 AM-3:15 PM; 4:15 PM-6:00 PM.
5. Ownership of the dispensary has not changed since the special use permit was renewed in February 2025; however, the dispensary was rebranded from “Herbology” to “Curaleaf” in May 2021.
6. Curaleaf has attended the City of Dickinson Planning & Zoning Commission meeting in compliance with Paragraph 6 of the SUP annually since 2022.
7. Curaleaf has maintained its good standing and registration with the State of North Dakota since its registration certification was granted. Copies of the dispensary’s current and prior registration certificates are attached hereto.

Please feel free to contact me at 573-619-9001 or [Robert.Zuidervartii@curaleaf.com](mailto:Robert.Zuidervartii@curaleaf.com) if you need anything further.

Respectfully,  
**Curaleaf**

Robert Zuidervart  
Sr. Compliance Manager  
318 24<sup>th</sup> St E.  
Dickinson, ND. 58601











Certificate Number 208

## *Certificate of Registration*

This certificate is provided to

**GR Vending ND Dispensary 5, LLC  
DBA—Herbology  
318 24th Street East  
Dickinson, ND 58601**

To be a registered dispensary under the Medical Marijuana Program  
established in NDCC 19-24.1. This certificate is effective on the date of issuance.

  
State Health Officer Signature

12/12/2019  
Date of Issuance

**NORTH Dakota** | Health  
Be Legendary.™

This certificate expires two years from the date of issuance



Road sign along 24<sup>th</sup> Street E. (view facing East)



Side of building from 24<sup>th</sup> Street (view from North)

Photos taken on January 8th 2026



Front of building (view from Northeast)



Back and side of building (view from Southeast)

Photos taken on January 8th 2026



Entry Vestibule



Reception Area

Photos taken on January 8th 2026



Sales Floor (accessible to patients and employees only)

Photos taken on January 8th 2026

# Food Truck License Requirements

Presented by: City Planner, Natalie Birchak



# Section 50-75(b). – Commercial use of sidewalks, streets and public grounds restricted. (Relevant excerpts)

~~Designated~~ *Approved Area*: shall mean an area of public right-of-way or public property specifically set aside or approved by the City for use by mobile vendors and mobile ~~vendor vehicles~~ *food units*. Information on approved areas shall be available from City Code Enforcement.

*Ice Cream Truck*: a motor vehicle utilized as the point of retail sales of pre-wrapped or prepackaged ice cream or similar frozen dessert products

*Mobile Food Unit*: means a trailer which may be moved by towing with a vehicle or a self-contained mobile food truck which is designed and used for displaying, cooking, keeping or storing any food or beverages for sale by a vendor. The mobile food unit must be inspected and approved by the Public Health Department/Environmental Health Division

*Mobile Vendor Corridor*: public streets where mobile vendors and mobile vendor vehicles are permitted to operate without special permission

# Section 50-76(2). – Permitted uses of sidewalks, streets, or other public grounds. (Additions)

- No person may set up or operate a mobile food unit without first obtaining a license from the City of Dickinson and must meet the requirements and conditions laid out in this section. This license may only be obtained if the Public Health Department has licensed the mobile food unit.
  - A license shall be acquired even if the mobile food unit is only participating in a special event or festival
- Each license required by this section shall expire on January 31 of each year, regardless of the date of issuance. Licenses are non-transferable. There shall be a license fee as provided in the City Fee Schedule.
- At minimum, the information in the license application must contain:
  - Annual Fire & Safety inspection
  - Mobile Food Unit License from the public health department
  - Waste Management Plan
  - A certificate of insurance from a company licensed to do business in North Dakota evidencing that the applicant has general liability insurance policies in effect with limits of at least \$250,000 per individual and \$1,000,000 per occurrence
  - North Dakota Sales & Use Tax permit
- Each application and license required by this Chapter shall clearly state that the applicant agrees to indemnify and hold the city harmless from any and all claims, demands or causes of action which may result from placement of outdoor patio areas, mobile vendors, sale of merchandise or sign on public property. The applicant shall, at the time of making application for the license, provide proof of insurance to cover the risk of injury to person or property, including but not limited to public street, alley, sidewalk, public right-of-way or other public grounds or property owned or controlled by the City, caused by the presence of items on public property. Said insurance shall provide minimum coverage for bodily injury of \$1,000,000 per occurrence and in the aggregate. Such insurance shall be issued by an insurance company authorized to conduct business in the State of North Dakota, and the City of Dickinson shall be listed as a Certificate Holder on each such policy of insurance. Any license issued under this Chapter shall immediately and automatically expire upon lapse or termination of said policy

# Mobile Food Unit Regulations:

- A mobile food unit may operate in the following zoning districts, off of the public street, subject to all regulations in this section:
  - Limited Commercial
  - Community Commercial
  - General Commercial
  - Limited Industrial
  - Public
    - If property is owned by the Park District, the applicant shall supply the Parks & Recreation division with all documentation as required by this section & acquire written approval proving they have permission to operate the mobile food unit at the property
    - If property is owned by the City of Dickinson, the applicant shall acquire written approval proving they have permission to operate the mobile food unit at the property. This does not apply to community events or festivals where the applicant has received a special event permit or approved areas

# Mobile Food Unit Regulations – Continued

- For each license issued in compliance with this Section, Code Enforcement will issue two license decals
  - License decals shall be affixed to the vehicle in a way that they are visible from both the sidewalk and street when parked
  - Failure to display the decal shall be a violation of this Section
- A mobile vendor may not grill, barbeque or smoke food within 50 feet from any entrance of any building without first obtaining the written permission of the building owner and tenant(s) served by those entrances
- A mobile food unit shall not be parked closer than 50 feet from a restaurant without first obtaining the written permission of the building owner
- Exhaust from equipment shall be a minimum of 10 feet from structures
- The license holder shall be responsible for the maintenance, upkeep and security of the mobile food unit. Skirting of the mobile food unit is not allowed
- The license holder shall comply with all noise regulations set forth in the City of Dickinson Municipal Code
- A mobile vendor may not set up chairs, tables or other temporary seating
- A mobile vendor shall be responsible to remove any garbage, spills or stains or repair any damage resulting from its operations.

# Mobile Food Unit Parking Regulations:

- A mobile vendor may not leave a mobile food unit or pushcart unattended at approved areas of operation unless otherwise designated in the multi-day Special Event Permit
- A mobile vendor may not operate within 500 feet of a special event licensed through the City
  - This does not apply to mobile vendors listed on the Special Event Permit that are taking part in the permitted event
- A mobile food unit may not interfere with the required off-street parking for the approved area as required by the City of Dickinson Municipal Code
- Parking on streets is permitted within the Mobile Vendor Corridor provided it is in compliance with all ordinances, regulations, parking zones and posted signage and shall not hinder the lawful parking or operation of other vehicles
  - A mobile food unit must locate the vending window open to the public sidewalk and as close as possible to the curb
- Mobile food units must be mobile and must be removed from the street or from the location where food is sold during those hours when not open for business. The mobile food unit shall not function as a permanent structure
- Ice cream trucks shall be permitted to operate on streets with a speed limit of 25 mph or less outside of the Downtown District

# Mobile Food Unit Penalties:

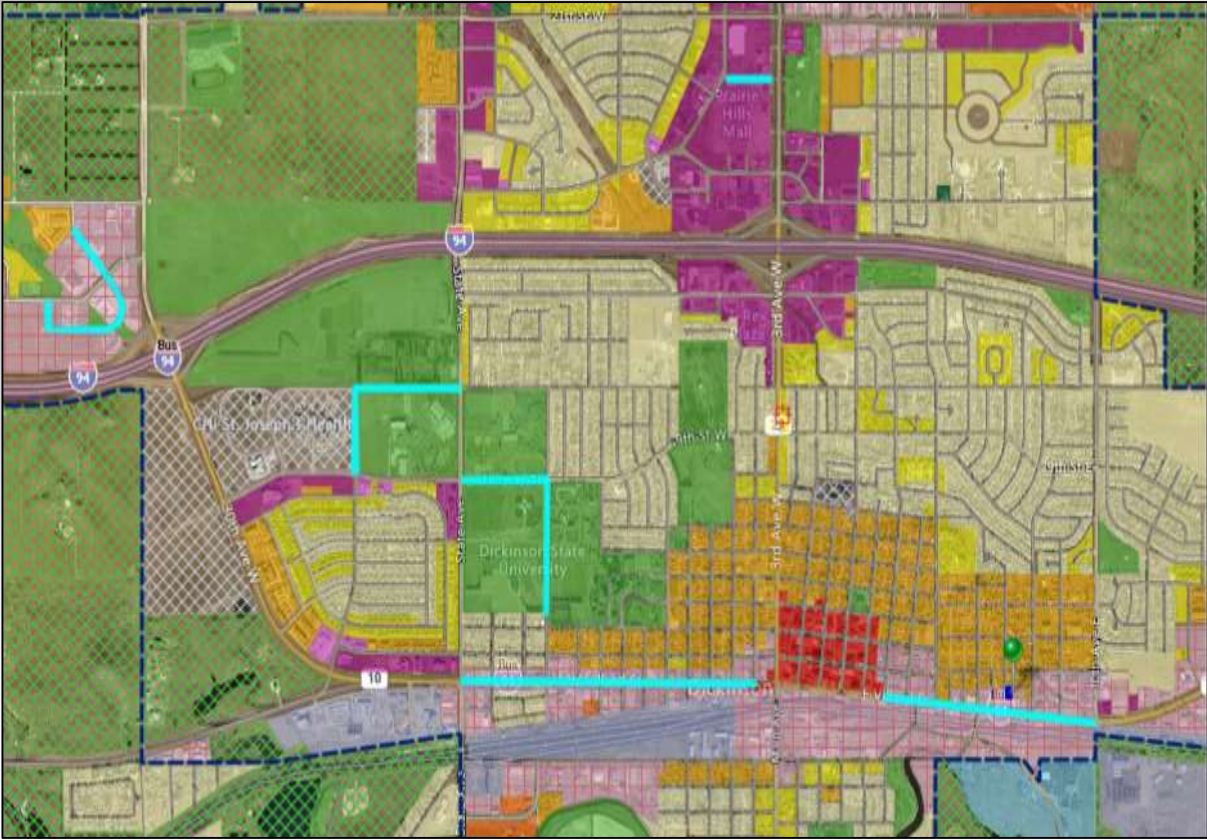
*Penalty for ordinance violations.* Any license issued pursuant to this section may be suspended or revoked by the Building Official or their designee for violating any of the provisions of this chapter. Any licensee or agent or employee of a licensee who has violated any provisions of this chapter shall be subject to the following penalties:

- First offense: \$250 administrative penalty
- Second Offense: \$500 administrative penalty
- Third Offense: \$750 administrative penalty & license revocation
- If an applicant wishes to contest a revocation, they shall submit a written request to the Building Official or their designee to be brought forward for a public hearing in front of City Commission regarding overturning the revocation or denial. The City Commission may overturn a license denial or revocation with a simple majority vote and resolution.

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.

The Police Department may remove or cause to be removed any mobile food unit in violation of this section within the public right-of-way after having notified in writing the owner of the mobile food unit of the intention to do so at least 48 hours prior to such removal.

# Food Truck Corridor & Approved Areas Maps:



Food Truck Corridor (highlighted in teal)



Additional Approved Areas



Comments? Questions?

# Residential Storage Containers

Presented by: City Planner, Natalie Birchak



# Questions From Last Meeting:

- Should storage containers be prohibited only in residential within City limits, or should it extend into the ETZ?
- How should the City handle storage containers in commercial and industrial zoning districts?
- Can the suggested requirements be enforced?

# 2024 International Building Code: Section 202 Definitions

**Intermodal Shipping Container.** A six-sided steel unit originally constructed as a general cargo container used for the transport of goods and materials.

# Findings

- After further discussion with the Building Department, it was determined that City staff would be willing to enforce prohibiting storage containers in the Rural Residential (RR) zoning district.
- Although storage containers will be permitted in commercial and industrial zoning districts, they will have to be screened from adjacent rights-of-way and from adjacent properties as per the screening requirements for outdoor storage.

# Suggestion:

## Notes to Tables 62-162-2 and 62-162-3.

*“Note 7: All allowable accessory **buildings structures** to a residence shall be limited to a maximum of 1,800 **square feet** and for a maximum of three detached structures for the first one acre or less. The total area of all accessory **buildings structures** may be increased by 70 square feet for each additional one-tenth acre of land area above one acre. Accessory **buildings structures** shall include the following: barns, stable, storage buildings, and detached personal vehicle garages. **Intermodal storage containers as defined in the International Building Code are not permitted in the RR, R-1, R-2, R-3, MH, or DC zoning districts for a period of greater than 30 days. In all other zoning districts, storage containers shall be subject to outdoor storage screening requirements.**”*

Comments? Questions?

Policy 1.1 – The Future Land Use Map (FLUM), as adopted in March 2013 and as subsequently amended, shall be replaced by Figure 5-3 and Figure 5-4 as depicted in the **Direction 2050 Comprehensive Plan and Transportation Master Plan** document accepted on October 2025 by the Dickinson City Commission (Exhibit A). The FLUM establishes the following future land use categories:

Policy 1.1.1 – Agriculture: This category designates agricultural and related uses such as crops, dairies, grazing, and ancillary supporting facilities. Single-family residences that are located on farm properties and occupied full-time are designated in the LowDensity Residential category rather than as Agricultural.

Policy 1.1.2. – Low-Density Residential: Primarily residential use with two or fewer units per parcel. This generally corresponds to the Low-Density Residential (R-1) or Medium-Density Residential (R-2) zoning districts in use by Dickinson, with selected additional undeveloped sites.<sup>20</sup>

Policy 1.1.3. – High-Density Residential: Primarily residential use with three or more units per parcel which has often served as a transitional zoning district between residential and commercial uses. This generally corresponds to the Medium-Density Residential (R-2), High-Density Residential (R3), and Mobile Home Residential (MH) zoning districts in use by Dickinson, and designated significant portions of undeveloped sites to meet current and expected housing demand

Policy 1.1.4. – Commercial: Sites that primarily support retail, service, civic and office uses, and related trades; the addition of parking, loading zones, and outdoor uses are ancillary to this primary use. Parcels in this category may include limited service uses, but not to the extent of parcels in the Industrial category

Policy 1.1.5. –Mixed Use: Any combination of more than one of the above uses combined on a single parcel or site. Parcels in this category provide for a mix of uses to promote infill and/ or redevelopment, and additionally, may promote the construction of a greater variety of residences at smaller sizes and lower price points. A Planned Unit Development (PUD) may be utilized to establish new Mixed-Use areas. This category does not allow Industrial or Agricultural uses.

Policy 1.1.6. – Industrial: Parcels with a primary purpose ranging from light to heavy industrial uses, including motor pools, storage yards, manufacturing, processing, and similar uses. This category includes buffering and other requirements to minimize adverse impacts on surrounding land uses

Policy 1.1.7. – Public/Institutional: This category includes multiple types of public uses, including but not limited to government offices, public works facilities, agricultural research, schools and other indoor public facilities (except Parks and Recreation uses), and land held for drainage or stormwater retention. These parcels may be owned by any of the following: the City of Dickinson, Stark County, Dickinson State University, or another general purpose or special purpose government.

Policy 1.1.8. – Parks and Recreation: This category includes areas that are designated for public recreation, open space, conservation, natural resources, or habitat preservation. These parcels may be subject to restrictive conservation easements to preclude incompatible development and may include both outdoor areas and supporting indoor recreational facilities.

Policy 1.1.9 - Agricultural: This category designates agricultural and related uses such as crops, dairies, grazing, and ancillary supporting facilities. Single-family residences that are located on farm properties and occupied full-time are designated in the Low-Density Residential category rather than as Agricultural.

Policy 1.1.10 - Urban Reserve: The Future Land Use Map uses an urban reserve land use category (also referred to as Rural Reserve) to designate land which shall be protected from any counterproductive land uses and reserved for future annexation. These parcels are primarily vacant or open space today and are not expected to develop by 2050. However, their strategic locations deem them strong candidates to capture Dickinson’s long-term development beyond 2050, and are reserved for that purpose on the Future Land Use Map.

Policy 1.2 – The City shall consider adding a highway commercial FLUM category.

Policy 1.3 – All rezoning application approvals shall be consistent with the applicable future land use category on the FLUM to provide increased certainty over future growth patterns. The following policies establish the vesting of land development rights with regard to the FLUM, the zoning districts deemed consistent with each future land use designation, the general procedure to process amendments to the FLUM and criteria to guide the review of FLUM applications.

Policy 1.3.1 – All existing land uses shall be vested in accordance with the provisions of the City of Dickinson zoning regulations and existing zoning shall be vested with regard to the FLUM.

Policy 1.3.2. – The following table identifies City of Dickinson Zoning Districts deemed consistent with each FLUM designation.

Table 4-21: Future Land Use Map Categories

FUTURE LAND USE CATEGORY	ZONING DISTRICT												
	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC	GC	LI	GI	P
Agricultural	Green	Green	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Green
Commercial	Red	Red	Red	Red	Red	Red	Green	Green	Green	Green	Red	Red	Green
High Density	Red	Red	Red	Green	Green	Green	Green	Red	Red	Red	Red	Red	Green
Low Density	Red	Green	Green	Green	Red	Red	Red	Red	Red	Red	Red	Red	Green
Industrial	Red	Red	Red	Red	Red	Red	Red	Red	Red	Green	Green	Green	Green
Mixed Use	Red	Red	Red	Red	Green	Red	Green	Green	Green	Red	Red	Red	Green
Parks and Rec	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Green
Public	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Green

Green ■ = Compatible      Red ■ = Incompatible

Policy 1.3.3 –FLUM amendments shall be processed in accordance with procedures established by the City. FLUM amendment applications and rezoning applications may be processed concurrently

Policy 1.3.4 – The City shall review FLUM amendments applications and shall take into consideration and record as findings of fact in an ordinance that approves a requested Future Land Use Map Amendment the following factors:

- Impact to the FLUM.
- Consistency with comprehensive plan policies and all other city plans.
- Availability of city infrastructure to serve the property in which the FLUM amendment is requested.
- Location of the property in relation to planned thoroughfares and the availability and cost to the City to provide infrastructure.
- Compatibility of the requested future land use designation in relation to abutting or adjacent future land use designations.
- Extent to which the requested future land use designation establishes or reinforces an urban sprawl pattern of development as opposed to an orderly, compact form of development.
- Whether the first two phases of the Capital Improvement Program include programmed improvements in the area where the FLUM amendment is proposed.
- Short-term and long-term fiscal impacts to the City of approving the FLUM amendment.

Policy 1.3.5 – Approval of FLUM amendments shall require a majority vote of the City Commission in favor of a FLUM amendment.

Policy 1.4 – Prior to submitting a formal request for voluntary annexation, the property owner(s) or their designated agent shall submit a report to the City that fully and completely addresses the following information related to the short-term and long-term fiscal impacts of the requested annexation:

- Any and all City infrastructure (water, sewer and roads) that will need to be extended to the annexation site.
- Any and all new or enlarged City infrastructure facility that will be needed to extend City services to the annexation site.
- A profile of planned development on the annexation site, including the approximate area of each proposed general land use type, the density of planned residential uses and the intensity of planned non-residential uses.
- The estimated water demand of the planned development of the annexation site.
- The estimated peak hour traffic that will be generated from the planned development of the annexation site.
- An evaluation of City Police and Fire Department’s ability to safely provide service to the annexation site.
- When applicable, the cost of providing urban services to existing rural development.
- A cost estimate, prepared by a licensed engineer, of the cost of providing or extending urban services specified in the above bullet points.

Policy 1.5 – Prior to City approval of the annexation request, the property owner(s) or their designated agent shall enter into a binding annexation agreement with the City that establishes the general framework of the assignment of financial responsibilities for all infrastructure costs identified through full and complete implementation of Policies 1.4.1 through 1.4.8. At the sole discretion of the City Commission, any of the informational requirements provided in Policies 1.4.1 through 1.4.8 may be waived due to the size of the requested Urban Service Area expansion or the nature of the proposed use(s).

Policy 1.6 – The City shall amend its adopted Urban Service Area to reflect Figure 5- 7 Urban Service Area Recommended changes as depicted in the **Direction 2050 Comprehensive Plan and Transportation Master Plan** document accepted on October 2025 by the Dickinson City Commission (Exhibit B). The Urban Service Area delineates the areas the City plans to provide urban services consistent with the City’s Capital Improvement Plan for the next five to ten years. The Urban Service Area shall only be amended by ordinance by the City Commission. In conjunction with any request to expand the Urban Service Area boundary, the applicant shall submit to the City all information specified in Policies 1.4.1 through 1.4.8, above. At the sole discretion of the City Commission, any of the informational requirements provided in Policies 1.4.1 through 1.4.8 may be waived due to the size of the requested Urban Service Area expansion or the nature of the proposed use(s).

Policy 1.7-The City shall adopt the amended Scenario B, as depicted in the **Direction 2050 Comprehensive Plan and Transportation Master Plan** document accepted on October 2025 by the Dickinson City Commission (Exhibit C), as the preferred vision of future land use across Dickinson and the study area boundary.

Policy 1.8-The City shall continue to consult the Future Land Use Map during preliminary and final platting processes, and with administrative reviews of other plan types as development applications and property owner inquiries are received over time.

Policy 1.9- The City shall continue to consult the Future Land Use Map during long-term planning efforts, including Capital Improvement Plan and annual budgeting processes, to align future public investments with the areas most likely to harness future development.

Policy 1.10- The City shall periodically evaluate changes in existing conditions and consider potential future land use map changes as warranted. To encourage development the City shall consider future land use map designation changes to vacant and undeveloped parts of Dickinson.

Policy 1.11-The City shall evaluate potentially future land use map changes based upon periodic consultation with Park District staff on future park siting and other innovative approaches to meet outdoor recreational space needs.

Objective 2: Promote sustainable and high-quality development that mitigates the impacts of new development adjacent to existing developed areas and enhances the visual qualities of gateways to the city.

Policy 2.1 – To avoid land use incompatibilities and promote the efficient use of sewer and water infrastructure, properties within the Urban Service Area shall not be rezoned into the Agricultural or Rural Residential zoning districts.

Policy 2.2 – As urban development abuts existing rural residential subdivisions, the following policies shall apply to mitigate the impact of abutting or adjacent urban uses on existing rural residential subdivisions.

Policy 2.2.1 – Except for neighborhood commercial centers shown on the FLUM at the intersection of existing or planned collector or arterial roadways, non-residential uses shall not abut existing rural residential subdivisions. When nonresidential development is allowed pursuant to this policy, a minimum 100-foot buffer shall be provided adjacent to the existing rural residential subdivisions. The minimum setbacks for structures shall be established from the interior boundary of the buffer area. The City shall establish minimum buffer area standards in the zoning ordinance that apply to this interface of land uses, and in the absence of approved standards the specifications for buffer area landscaping and/or screening improvements shall be established in a development order.

Policy 2.2.2-The City shall utilize the Rural Reserve future land use map category to designate land which shall be protected from counterproductive land uses and reserved for future annexation.

Policy 2.4 – With the exception of commercial corridors along Highway 22, 30th Avenue NW and Business I-94, the following standards should apply: Non-residential, commercial development along collector or arterial roadways as designated by the Transportation Plan should generally be located at the nodes of intersecting collector and/or arterial roadways and non-residential commercial nodes should be separated by a minimum distance of one-half mile.

Policy 2.5 – New industrial uses or industrial parks shall not be developed along Highway 22 or Business I-94. However, such uses or parks may receive access from Highway 22 and Business I-94 so long as any industrial use or park is setback a minimum of 500 feet from the above-

referenced highways. To implement this policy, the City of Dickinson shall amend its zoning regulations to require industrial uses or industrial parks be setback a minimum of 500 feet from Highway 22 and Business I-94.

Policy 2.6 – Future industrial FLUM categories shall be extensions of existing industrial areas or extensions of existing FLUM industrial categories. The intent of this policy is to generally discourage the development of isolated or spot industrial uses.

Policy 2.7 – All rezoning requests that allow multi-family and mobile home parks/mobile home subdivisions as defined in the City of Dickinson Municipal Code shall be located along an arterial or collector roadway as designated by the Transportation Plan. The City shall continue to require a minimum landscape buffer between single-family zoning and more intensive residential zoning districts. Development shall continue to utilize the minimum buffer area standards in the zoning ordinance that apply to this interface of such land uses. In the absence of approved standards, the specifications for buffer area landscaping and/or screening improvements shall be established in a development order.

Policy 2.8 – All rezoning requests that would allow any non-residential use should be located along an arterial or collector roadway as designated by the Transportation Master Plan. When such non-residential development abuts any residential use, the City shall require a landscape buffer between the proposed non-residential use and existing residential use(s). The City shall continue to implement the landscaping and screening standards in the zoning ordinance that apply to this interface of such land uses.

Policy 2.9 – Temporary worker housing (also known as crew camps) shall be approved in accordance with the provisions of the City’s zoning ordinance. If such temporary worker housing is permitted within the extraterritorial zoning jurisdictional area of the City of Dickinson, the City should seek an equitable revenue sharing agreement with Stark County pursuant to Section 57-02.4-02 of the Century Code.

Policy 2.11 – When any proposed FLUM amendment or rezoning application could result in potential land use incompatibilities between adjacent or abutting land uses, the City Planning Department staff shall require the applicant to contact all property owners within 300 feet of the subject property. The City may also require the applicant conduct neighborhood meetings prior to any public hearing on the application. These neighborhood meetings shall be held at a location and time that will not hinder the attendance of neighboring residents.

Objective 3: Amend the City’s zoning regulations and other land development regulations to enhance the design standards for development and implement land use goals.

Policy 3.2 – Whenever appropriate, the City shall encourage the use of a planned unit development (PUD), due to the combined benefits of providing greater design flexibility as well as city direct involvement in the establishment of development specific site standards. The

approval of a PUD, as well as any subsequent PUD amendments, shall be executed in accordance with the requirements of the City's zoning ordinance.

Policy 3.3 – The City shall consider establishing land use policies and implement zoning standards to require minimum open space, landscaping and recreational amenities for high density residential development.

Policy 3.4 – City staff shall continue to require pre-application meetings.

City staff shall evaluate, and if necessary, recommend the adopted zoning standards for the screening of outdoor storage and roadway buffer standards in the LI and GI zoning districts. City staff shall evaluate, and, if necessary, recommend amending the landscaping and screening standards found in the zoning ordinance. City staff shall consider establishing a list of recommended landscaping materials to developers and the public. Policy 3.8 – To improve quality of place, the City shall continue to enforce the sign regulations in the zoning ordinance that reduce the number, size and height of detached signs in non-residential zoning districts.

Policy 3.9 – Commercial and industrial centers comprised of three or more tenants or uses shall comply with the unified sign program found in the zoning code.

Policy 3.10 – The City shall continue to utilize the adopted underground mining overlay district as found in the Zoning Ordinance of the City.

Policy 3.11 – City staff shall evaluate and, as necessary, amend the Corridor Overlay District development standards to enhance the appearance of development along designated community gateways.

Policy 3.12 – The City shall consider adopting additional zoning regulations to allow a mix of residential, civic, office and commercial uses to implement the Mixed Use FLUM designation. The land use mix requirement could establish a maximum percentage of area developed as non-residential uses and a minimum percentage of area for residential development. When appropriate, development in the mixed-use future land use category should be required to be processed and approved as a PUD. Additionally, the implementing zoning regulations should address the following topics:

Policy 3.12.1 – A mixed use development should provide commercial services in close proximity to residential areas to provide shorter, more convenient vehicular or pedestrian trips for purchases of goods and services. An example of mixed-use development is a Regional Center concept that includes a mixture of residential types to accommodate housing options for nearby employment and commercial centers.

Policy 3.12.1 – A mixed use development should provide commercial services in close proximity to residential areas to provide shorter, more convenient vehicular or pedestrian trips for purchases of goods and services. An example of mixed-use development is a Regional Center concept that includes a mixture of residential types to accommodate housing options for nearby employment and commercial centers.

Policy 3.12.2 – A mixed use development should be allowed as multiple uses in a single building or multiple uses within a development site.

Policy 3.12.3 – The following uses shall be prohibited from being developed in a mixed-use development: • The following automotive and equipment services: 1) equipment rental and sales, 2) equipment repair services and 3) vehicular storage (short-term)

- Campgrounds
- Crematorium
- Kennels
- Vehicle Storage (short-term)

Policy 3.12.4 – The following land use mix requirements shall apply to a mixed-use development: • Any non-residential use types: 70% maximum • Residential land use types: 30% minimum

Policy 3.12.5 – Implementation of the Mixed-Use Future Land Use Map designation shall be subject to the following development standards.

- Minimum Area: 2 acres
- Maximum Residential Density: 16 dwelling units per gross acre
- Minimum Residential Density: 10 dwelling units per gross acre
- Maximum Floor Area Ratio: 1.0
- Minimum Open Space: A minimum of 20 percent of the open space is required to recreational space for residential uses.

Policy 3.13 – Site plans shall continue to be reviewed by City staff to ensure high quality development. The following site factors shall be subject to staff required conditions of approval related to the following site plan considerations. • Building orientation and design

- Appropriate screening of site characteristic that may potentially impact adjacent residential land uses or be visual from any public right-of-way
- Safe and convenient access to the site
- Safety of internal traffic circulation
- Adequate provisions for safe pedestrian circulation

Policy 3.14 – City staff shall encourage requirements for green buildings such as USGBC LEED or the State Energy Program for development approvals.

Policy 3.15 – City staff shall encourage new and infill development to accommodate basic retail services within walking distance of residential areas.

Objective 4: Promote the sustainable redevelopment of the downtown area.

Policy 4.1 –

Policy 4.2 – Continue to implement the Downtown Overlay

District and the West Villard Overlay District to eliminate the legal nonconforming status of residential properties and to facilitate redevelopment of such properties for commercial uses. The Downtown Overlay District and West Villard Overlay District shall promote the following: 1) professional service businesses (financial, legal, real estate), 2) personal services, 3) civic uses, 4) entertainment businesses (restaurants, night clubs, bars, coffee shops, etc.), 5) residential, 6) specialty retail, and 7) walkability.

Policy 4.3 – Civic uses shall be promoted in the downtown area.

Policy 4.5 – The City shall continue to promote downtown residential development and ensure the viability of existing downtown neighborhoods.

Policy 4.6 – Promote the establishment of a downtown Business Improvement District.

Policy 4.7 – Establish a downtown capital improvement fund for public improvement projects

Policy 4.8 – Consider establishing a Tax Increment Finance District in the downtown to support the object of revitalizing the downtown.

Policy 4.9 – The City shall continue to promote its adopted Renaissance Zone program.

Policy 4.10 – Establish a Revolving Loan Fund for downtown commercial businesses. The loan fund should be reserved for façade improvements and other exterior improvements to enhance the appearance of the downtown.

Policy 4.11 – The City and the Park Board shall continue to coordinate planning for and developing downtown civic/recreational amenities. The objective of the amenities is to create a pleasant outdoor gathering place that will increase activity in the downtown. Amenities that should be pursued include an urban landscaped park and a plaza, both of which should be designed to accommodate special events. Policy

4.12 – The City should evaluate feasibility and cost of establishing quiet railroad crossing zones to encourage downtown residential development

# Transportation Master Plan Update Adoption

Presented by: City Planner, Natalie Birchak



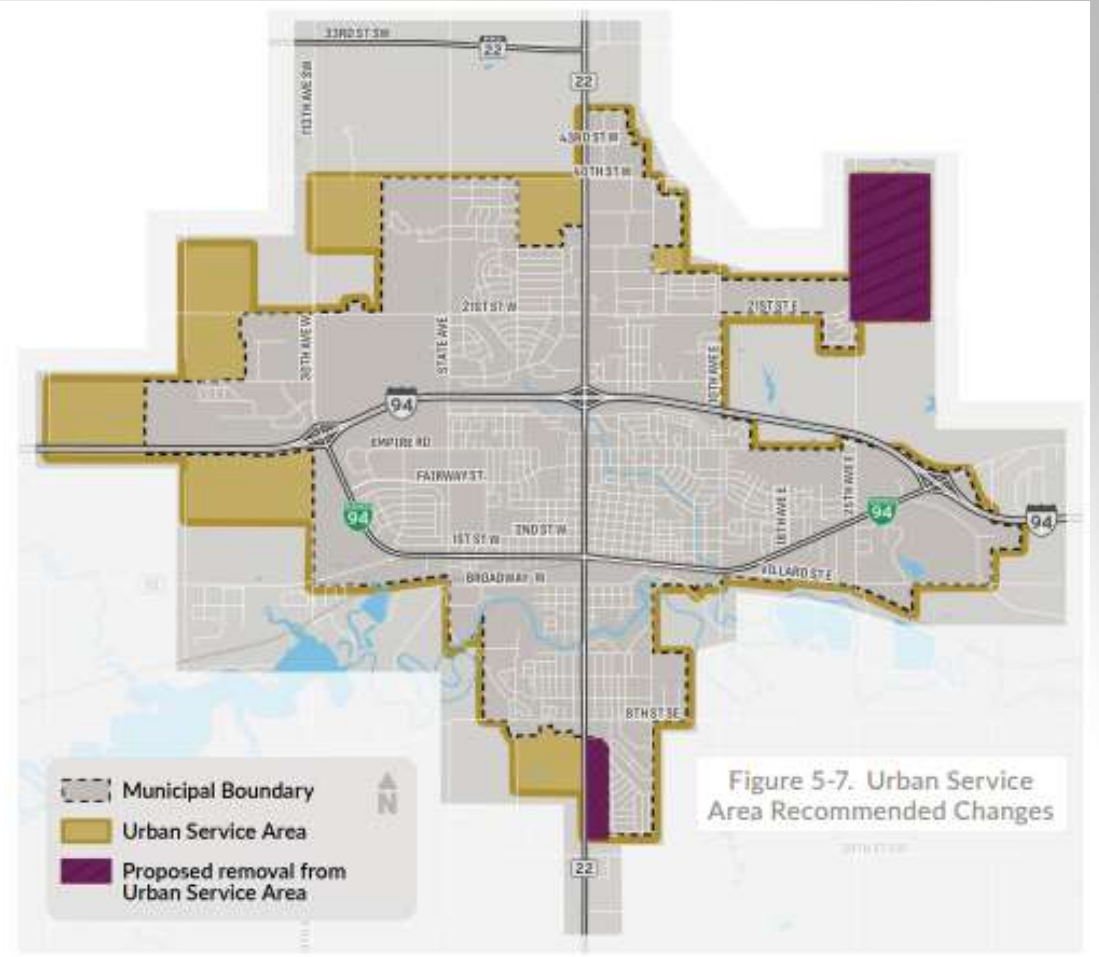
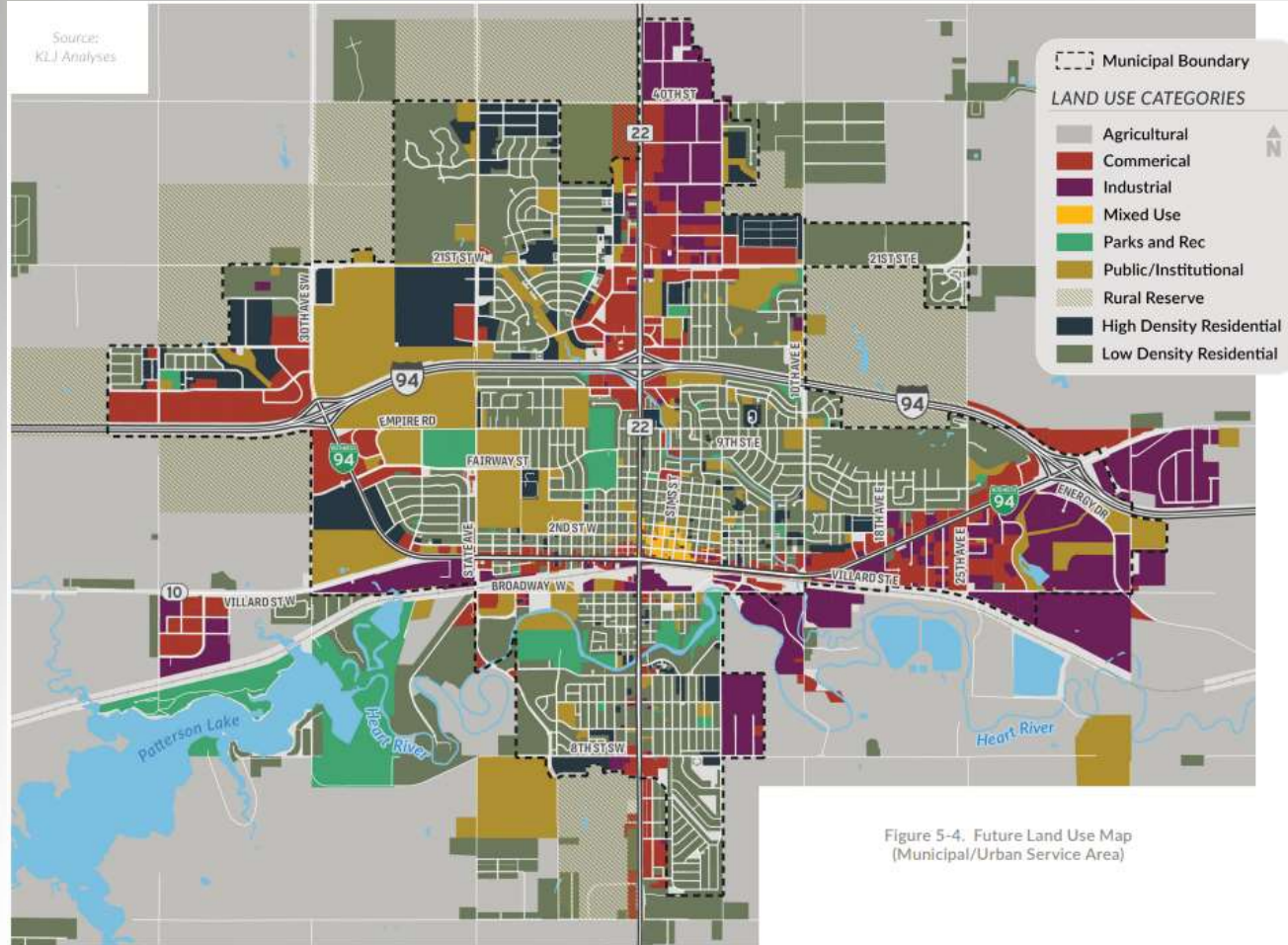
# Overview:

- The Transportation Master Plan & Comprehensive Plan Update was accepted by resolution at the October 21<sup>st</sup>, 2025 City Commission meeting.
- There are policies in the existing Comprehensive Plan that were not included in the updated plan. These policies must be included in the plan prior to adoption by ordinance to ensure they are still enforceable.

# Major Policy Changes:

- Outlines three new FLUM categories through the separation of RESIDENTIAL into High Density Residential and Low Density Residential, and the introduction of the Urban Reserve category, which reserves areas adjacent to City limits where development is likely for urban uses
- General updates to the language from the existing Comprehensive Plan
- Removal of Policy 2.10, which encouraged the City to amend its oil well standards to comply with State requirements. This was completed through ZTA-005-2025 & ZTA-006-2025
- Removal of Policy 3.1, which encouraged the establishment of an R-4 zoning district

# FLUM & USA Amendments



# Transportation Policy Updates:

Table 10-1. City of Dickinson/Stark County Urban Access Management Guidelines 1

CLASSIFICATION	MINIMUM INTERSECTION SPACING		MINIMUM INTERSECTION SETBACK
	SIGNALIZED	UN-SIGNALIZED	
Principal Arterial	1,000'	1,000'	300**
Minor Arterial	990'	650'	150'
Collector	660'	300'	60'
Local	N/A	100'	25'

\* Can be approved through submittal of a traffic impact study

Table 10-2. City of Dickinson/Stark County Access Management Guidelines

INTERSECTION CROSSROADS*	ACCESS POINT*	MINIMUM DISTANCE FROM INTERSECTION*		
		LOW DENSITY RESIDENTIAL	COMMERCIAL/HIGH DENSITY	RURAL RESIDENTIAL
Local/Local	Local	25'	100'	75'
Local/Collector	Local	25'	100'	75'
Local/Collector	Collector	60'	100'	100'
Collector/Collector	Collector	60'	100'	100'
Local/Minor Arterial	Local	75'	150'	N/A
Local/Minor Arterial	Minor Arterial	300' *	650' *	N/A
Collector/Minor Arterial	Collector	75'	150'	N/A
Collector/Minor Arterial	Minor Arterial	300' *	650' *	N/A
Minor Arterial/Minor Arterial	Minor Arterial	300' *	650' *	N/A
Minor Arterial/Principal Arterial	Minor Arterial	300' *	1,000'	N/A
Minor Arterial/Principal Arterial	Principle Arterial	650' **	1,000' **	N/A
Local/Principal Arterial	Local	100'	150' **	100' **
Local/Principal Arterial	Principle Arterial	650'	1000' **	1000' **
Collector/Principal Arterial	Collector	100'	300' **	150' **
Collector/Principal Arterial	Principle Arterial	650'	1,000' **	1,000' **
Principal Arterial/Principal Arterial	Principle Arterial	650'	1,000' **	1,000' **

\*Roadway classification is based on the functional classification map

\*\*Minimum distance is based on measurement from property corner pins near the intersection

Note: Access alternative to be approved by city/county engineer; on Principal Arterials

Access will be considered at ¼-mile spacing or 5 accesses per mile per side including crossing arterial routes  
Principal arterial streets shall not allow driveway access points if possible, minor arterial streets shall limit access points as needed, and collector and local streets shall permit one access point per lot unless more are required by fire code.

Table 10-3. City of Dickinson/Stark County Rural Access Management Guidelines

FUNCTIONAL CLASSIFICATION	MINIMUM INTERSECTION SPACING	
	SIGNALIZED (OR FUTURE SIGNAL)	UNSIGNALIZED
Interstate	1,320'	750' - Off ramp to unsignalized stop control
Principal Arterial	1 mile	1 mile
Minor Arterial	1/2 mile	1/4 mile
Collector	1/2 mile	650'
Local	NA	300'

Note: in the event rural guidelines differ between Dickinson and Stark County, the more stringent guideline shall be met  
Source: NDDOT Traffic Operations Manual (2025)



# Updated Road Sections:

Figure 10-6. Urban Local Option 1

## Urban Local Option 1



Figure 10-7. Urban Local Option 2

## Urban Local Option 2



## Collector Option 1 Local Commercial & Local Industrial

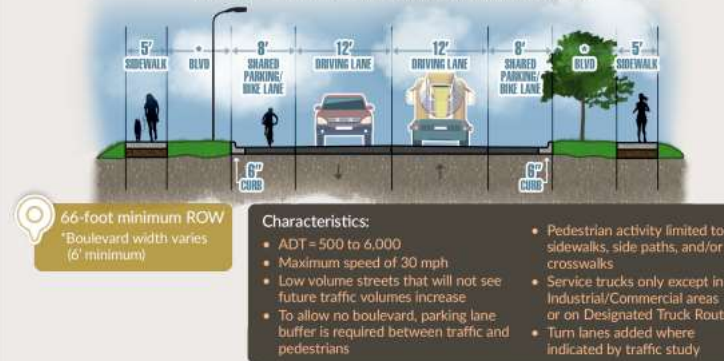
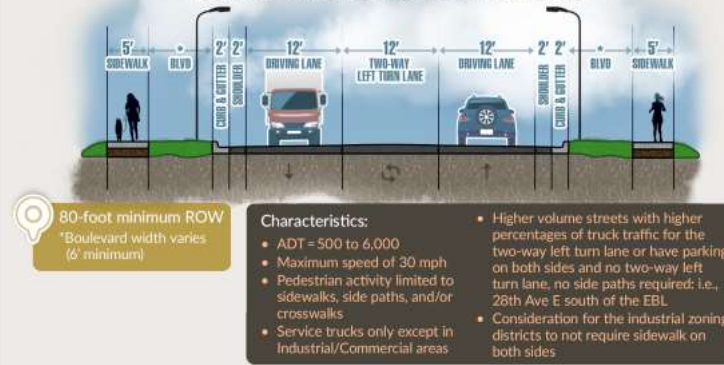


Figure 10-5. Urban Collector Option 2

## Collector Option 2 Local Commercial & Local Industrial

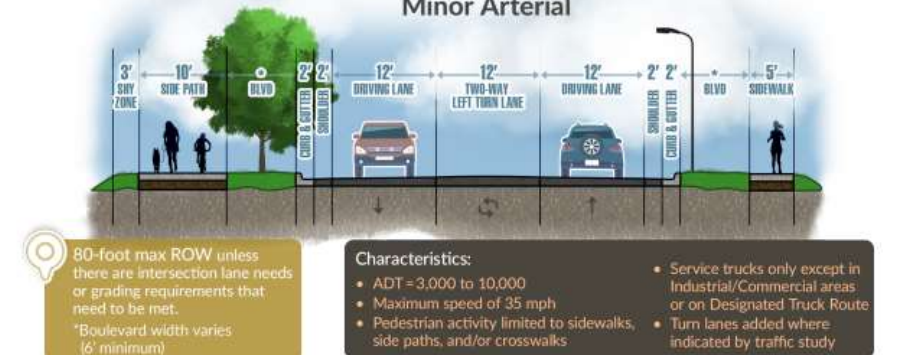


## Urban Principal Arterial



Figure 10-3. Urban Minor Arterial

## Urban Minor Arterial



Comments? Questions?