



PLANNING AND ZONING COMMISSION MEETING AGENDA

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

Commissioners:

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

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. OCTOBER 8TH, 2025 MINUTES

3. REGULAR AGENDA:

A. REZONING (REZ-007-2025) - Presented by City Planner, Natalie Birchak

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

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

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

7. ADJOURNMENT

Link for viewing Planning and Zoning Commission Meeting:

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

This link will not be live until approximately 7:05 AM MT on November 12, 2025.

Teams Meeting: <https://tinyurl.com/dt7dpymu>

Teams Meeting ID: 531 248 291#
Teams Phone #: 1-701-506-0320
Local Phone #: 701-456-7006

Meeting Passcode: 531 248 291#
Phone Conference ID: 531 248 291#

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



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, October 08, 2025 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

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

CALL TO ORDER

ROLL CALL

PRESENT

- Chairman Jason Fridrich
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Val Decker
Commissioner Mathew Rothstein

ABSENT

- Vice Chairman Scott Bullinger
Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve as presented.

Motion made by Commissioner Franchuk, Seconded by Commissioner Johansen.

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

2. MINUTES

A. SEPTEMBER 10TH, 2025 MINUTES

Motion to approve as presented.

Motion made by Commissioner Decker, Seconded by Commissioner Schwab.

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

3. REGULAR AGENDA:

A. FINAL MAJOR PLAT (FLP-009-2025) - Presented by City Planner, Natalie Birchak

To consider a Major Subdivision Plat for the Stockert's 3rd Subdivision, being a replat of Lots 1-3 of Block 2 of the Stockert's 1st Subdivision and Lot 1 of Block 1 of the Stockert's 2nd Subdivision, located in the W ½ of Section 22, Township 139 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 8.27 acres.

City Planner Natalie Birchak presents the final major plat. The preliminary plat for this item was previously approved at the August 13th Planning and Zoning Commission meeting. The purpose of the plat is to combine the lots to allow for the construction of a commercial building. Previous rezoning and preliminary plat requests have received recommendations of approval from both the Planning and Zoning Commission and staff. No public comments have been received.

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

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

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

B. REZONING (REZ-007-2025) - Presented by City Planner, Natalie Birchak

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

Ms. Birchak presents the rezone request. The purpose of the rezone is to allow construction of four, four-unit multi-family residential buildings. One letter was received in opposition, citing concerns about increased traffic and cold storage. A development agreement will be required for the extension of 2nd Avenue SW to provide access to the lots, which will be dedicated as public right-of-way. The applicant is also vacating an easement within the plat to allow reconfiguration of the lot lines.

Chairman Fridrich opens the public hearing.

Kevin Praus, a neighbor to the property, speaks on behalf of the surrounding residents and submits a petition in opposition to the rezone. He states that neighbors have concerns regarding traffic, proximity to the school and fire station, property values, access, parking, and safety for children in the area. He notes that a previous rezone request for this property was denied. Mr. Praus highlights traffic issues along 7th Street SW, explaining that vehicles from weekly fire station meetings already create congestion. Chairman Fridrich notes that the proposal includes construction of an additional street to provide alternate access. Discussion follows regarding access to garages.

Ryan Fisher, neighbor, speaks in opposition echoing Mr. Praus' comments. He says he has had six mailboxes hit.

Brian Koskovich, a neighboring property owner, speaks in opposition to the request. He expresses concern regarding access to garages and believes there will be increased traffic issues along the newly constructed 2nd Avenue SW.

Presley Krebs, a recent resident in the area, also speaks in opposition. She states that they were informed 2nd Avenue was a public road and notes that their property does not have front access. They had intended to construct a shop in the rear of their property. She also comments that the roadway is already being used as a drag strip. Ms. Birchak clarifies that the developer will maintain access to the properties.

Commissioner Johansen states he has difficulty supporting the request given that all neighboring property owners are in opposition. Commissioner Franchuk asks about the previous denial mentioned by residents and whether there are records of that action. Ms. Birchak responds that staff has not yet researched that information but can do so. A neighbor notes that they have documentation of the prior request.

Parking requirements are discussed, with clarification that the proposal includes a total of 16 units—four buildings with four units each. Commissioner Decker asks whether the developer has held a town hall meeting with the neighbors. Mr. Skluzacek states that staff can request the developer to do so. Chairman Fridrich suggests tabling the item to allow additional coordination with neighboring residents and to obtain a site plan from the applicant. It is also noted that the adjacent property to the west is zoned R-2.

Motion to table.

Motion to table made by Commissioner Schwab, Seconded by Commissioner Johansen.

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

C. ZONING TEXT AMENDMENT (ZTA-006-2025) - Presented by City Planner, Natalie Birchak

To consider text amendments to Section 16-170 “Zoning” of the Environments chapter of the City of Dickinson Municipal Code regarding submittal of a site plan for oil well drilling in accordance with the North Dakota Century Code, and to Section 16-174 “Distance limitations and spacing requirements” of the Environments chapter of the City of Dickinson Municipal Code regarding City inspections of oil well sites.

Ms. Birchak presents the text amendment, which removes the language referencing a “conditional use permit.” She explains that the amendment aligns the Dickinson Municipal Code with the North Dakota Century Code regarding the permitting of oil wells within city limits. Cities do not have the authority to permit or deny oil wells, as all approvals are handled through the State Industrial Commission. The amendment allows applicable uses to proceed following approval by the Industrial Commission. No public comments have been received.

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

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

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

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. SHORT - TERM RENTAL PROPOSAL

Ms. Birchak presents the discussion on short-term rentals. She explains that the current Municipal Code does not include a specific provision for this use, which means it is currently considered prohibited. Short-term rentals are defined as stays of fewer than 30 consecutive days and may be either hosted or un-hosted.

The Commission discusses both the benefits and potential negative impacts of short-term rentals, as well as how they relate to existing lodging services and bed-and-breakfast operations. Commercial uses within residential zoning districts and comparable regulations in other cities are also reviewed. Three potential regulatory approaches are presented: allowing the use through a Special Use Permit (SUP), by right, or by a simple license.

Chairman Fridrich asks whether property owners operating short-term rentals are currently paying applicable taxes. Mr. Josephson speaks about licensing processes and notes that many communities are still determining how best to address this issue. Staff expresses support for limiting short-term rentals to single-family homes and clarifies that accessory dwelling units (ADUs) would not be eligible for this use.

Chairman Fridrich states he would be in favor of a simple licensing process. Mr. Skluzacek comments that the City could make it an allowable use, keeping the process simple, with the option to escalate to an SUP if problems arise. Mr. Josephson notes that the County has also received similar inquiries. The Commission discusses possible limitations, noting that the existing housing shortage is a concern. Commissioner Decker adds that maintaining local ownership of short-term rental properties is important.

7. ADJOURNMENT

Motion made by Commissioner Decker, Seconded by Commissioner Schwab.

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

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/hoaOW-HJQKI>

This link will not be live until approximately 7:10 AM MT on October 8, 2025.

From: Jotform
To: Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Natalie Birchak
Subject: Re: Unified Development Application
Date: Wednesday, August 20, 2025 12:13:25 PM



Unified Development Application

Have you met with Planning Staff regarding your application? Yes

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

Type of Development

Name

Applicant Email

Applicant Phone #

Owner Name

Owner Address

Owner Email

Owner Phone #

Is the owner present to Sign Yes

Signature

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

	1/4 Section	Township	Range
	5th		

Description principle 147N 96

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	32-36	1	Heart River 4th Subdivision

Property Address / General Project Location

7th St SW - adjacent to 267 7th St SW
Need to abandon easement between lots 35-36 and 34

Total Square Footage or Acreage of Subject Property

49,400 SF

Transmittal Letter (Explanation of Request & Proposed Operations)

[transmittal.pdf](#)
[easement 7th St lots.pdf](#)

Existing Zoning

R1 - Low Density Residential

Proposed Zoning

R2 - Medium Density Residential

Rezone Calc Multiplier

1

Overlay District Description

n/a

Map of Area to be Rezoned

[Lots 34, 35 & 36 Heart 4th.pdf](#)

Minor Platting Multiplier

0

Prelim Platting Multiplier

0

Major Platting Multiplier

0

Application Calc

350

Deed for Property

[purchase agreement 7th St Lots.pdf](#)

Application Fees

Applicable Fees 350.00 USD

Total: \$350.00

Transaction ID: qypnr9e1

Payment Information

First Name: Winn

Last Name: winn

E-Mail wwinn@ndsupernet.com

Applicant Signature

Date

08-20-2025

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

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

WINN HEART RIVER 4TH REZONE REQUEST (REZ-007-2025)



WINN HEART RIVER 4TH FUTURE LAND USE MAP (REZ-007-2025)



Name of Applicant	Willis and Billie Winn
Company/Firm	Winn Family Rev. Real Estate Trust
Phone Number	(701) 290-1190
Mailing Address	1872 7th St W Dickinson, ND, Dickinson, North Dakota, 58601
Email	wwin@ndsupernet.com
Owner of Property	Clint Heim Trust- Purchase agreement is signed – sale is contingent on rezoning these lots
Location of Property (address and/or legal description)	Lots 32-36 rezoning from R1 to R2
Description of Project:	Build 4 multifamily units and garages Proposal to Build One 4-plex and garage on Lot 32-Lot 33 Lot 35 and Lot 36 Lot 34 will later be split & combined with lots 32 and 33 City Replatting will be requested once the rezoning is approved Will install Roadway along entire length of the lots in the City Right of Way per City Specifications Will have Property Surveyed and Submit Engineered Drawings for the Structures and Roadway after rezoning is approved
What questions do you have for the Development Team?	Request to vacate utilities on lots 35&36 adjacent to lot 34
Supporting Documentation	Attached Plot map Petition for Vacation Unified Development Application <i>Purchase Agreement</i>

Wayne and Mary Adsero
730 1st Ave SW
Dickinson ND 58601

Since receiving the zoning change letter dated Sept. 22nd 2025 I (Mary) have contacted the city (Natalie Birchak) and the proposed buyer (Billie Winn from Winn Construction) and have received what I feel are two different stories. The city relayed 4-4 plexes with garages while Billie said 2-4 plexes on 7th St. SW and cold storage facility to the south of the 4 plexes. Billie also told me they would put in their own access road on west side of lot running north and south to the quonsets and when I looked at the city zoning map the designation for our access to our back lot had been changed from 2nd Ave SW to "private com". I asked Natalie about rumor of our dirt road (which should be 2nd Ave SW) being closed off to use and she replied we would still have access thru our front lot. This is not true as we have overhead powerlines, many trees and underground sprinkler system making access impossible thru our front lot. Also the other issue I have with no access to our back lot is a decrease in property value and marketability for future sale. The property being considered for zoning change is already on a busy street (7th St SW) not only for vehicles but also heavy pedestrian traffic flow. The front of Heart River Elementary School, which is located 5 blocks to the west, has students from kindergarten thru fifth grade in attendance. The back of Heart River Elementary School lies on an equally busy street (6th St SW) with the schools parking lot entrance being located half way between 6th St.SW and 7th St. SW. We need to think about the safety of our children traveling to and from the neighborhood elementary school and not increasing traffic flow on already busy streets. Gress Softball Complex, located north of Heart River Elementary School and the adjacent dog park and playground area attracts many people by car, on foot and on bicycles adding to traffic flow also. We also have the Dickinson Rural Fire Department located off of Highway 22 and 7th St. SW which holds trainings and meetings for local volunteer fire departments as well as responding to emergency calls adding even more traffic to the area. We have always had a problem with trash blowing into our yard from the already existing apartment buildings and feel this would only increase with more apartments being built. As a property owner for 35 years we would request that the zoning stay the same and ask the city to stay with the original R-1 designation until such time as it can be developed. Please keep in mind that your decision affects me and all of my tax paying neighbors. Thank you,

Wayne and Mary Adsero

Natalie Birchak

From: Matthew Hanson
Sent: Thursday, October 9, 2025 10:21 AM
To: Natalie Birchak
Cc: Joshua Skluzacek
Subject: RE: 7th Street SW Speeding Complaints

Here are the details for accidents, traffic stops, and complaints from January 1, 2024, to the present.

Drive complaints:

24-11365 11/27/24 188 7 St SW vehicle spinning around and believed to have shattered rp's window
CFS202405091 2/8/24 at Heart River Elementary vehicle cut off rp and almost hit vehicle
CFS202537628 9/11/25 multiple people blowing through stop sign at Heart River Elem

Accidents:

24-0600 7/20/24 234 7 St SW Hit n Run
24-00646 1/24/25 Heart River Elementary

*Citations/warnings: There 7 traffic stops in that area from 2024-current. Had to manually search to see what the citation was for and only found 1 for speeding
10 7 St SW 3/8/25 citation speeding*

From: Natalie Birchak <Natalie.Birchak@dickinsongov.com>
Sent: Wednesday, October 8, 2025 11:20 AM
To: Matthew Hanson <Matthew.Hanson@dickinsongov.com>
Cc: Joshua Skluzacek <Joshua.Skluzacek@dickinsongov.com>
Subject: 7th Street SW Speeding Complaints

Hi Matt!

At the Planning and Zoning Commission meeting this morning, we had multiple residents bring forward complaints about residents speeding along 7th Street SW, particularly along the stretch between Highway 22 and Heart River School. Do you have any records of complaints from residents about speeding, or any accident or speeding ticket data along this street?

Thanks!
Natalie

NATALIE BIRCHAK
PLANNER
PLANNING

Natalie.Birchak@dickinsongov.com
O: 701.456.7812





Vacated

Proposed



Winn Heart River 4th Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: November 5, 2025
 Re: REZ-007-2025 Winn Heart River 4th Zoning Map Amendment

APPLICANT

Billie and Willis Winn
 1872 7th Street West
 Dickinson, ND, 58601
 wwinn@ndsupernet.com
 (701) 290-1190

OWNER

Clint Heim Trust
 3448 115th Avenue SW
 Dickinson, ND, 58601

Public Hearing	November 12, 2025	Planning and Zoning Commission
Public Hearing	November 18, 2025	City Commission
Final Consideration	December 2, 2025	City Commission

The applicants are requesting the approval of a zoning map amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lots 32-36 of Block 1 of the Heart River Fourth Subdivision, located within the City of Dickinson. The purpose of this rezoning is to allow for the construction of three four-unit multifamily residential buildings, which would also require a future replat of the property.

Staff recommendation: Staff recommends approval of this rezoning request.

LOCATION

The property is generally located on the southwest corner of 7th Street Southwest and 2nd Avenue Southwest, and it is legally described as Lots 32-36, Block 1, of the Heart River Fourth Subdivision, located within the SE1/4 of the SE1/4 of Section 9, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota.

CURRENT ZONING	R-1
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 1.14 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-1	Single-family residential
East	R-1	Single-family residential
South	R-1	Quonset storage structures
West	R-2; R-1	Multi-family residential; single-family residential

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Consistency with the Comprehensive Plan

According to the City’s Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated RESIDENTIAL. Medium Density Residential (R-2) is an acceptable zoning district within the RESIDENTIAL FLUM designation.

Compatibility

The proposed rezoning is comparable to and compatible with the R-2 zoning district of the adjacent properties to the west along this segment of 7th Street Southwest.

Compliance with The Zoning Ordinance

The site is currently zoned R-1, and the applicant is proposing to rezone the site to R-2. The applicant has indicated an interest in re-platting the property in order to construct three four-

unit multi-family residences. According to Table 62-162-2: Permitted Uses by Zoning Districts, in the City's Municipal Code, multi-family residences with up to four units are permitted in the R-2 zoning district. The proposed lots shall utilize the existing 2nd Avenue Southwest right-of-way for access. As part of the subdivision process, the applicant shall enter a development agreement with the City to construct a portion of 2nd Avenue Southwest up to the south lot line of Lot 32.

According to Table 62-162-3a. Summary of Site Development Regulations, a four-plex constructed in the R-2 zoning district would require a minimum lot size of 16,000 square feet. The total lot size of the site being rezoned is 49,400 square feet, which would be large enough for a maximum of three four-plex structures. The applicant has indicated they are looking to replat the property to create three lots of roughly 16,467 square feet in order to place each four-plex on a separate lot. No building permit for a four-plex shall be issued for the property until both this rezone and a subdivision of the property have been approved.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Community Development staff has received numerous calls from nearby property owners stating that they do not want to see an increase in the density of the surrounding area. Community Development staff received one letter from an adjacent property owner expressing concern on the impact to traffic in the area. A petition opposing the project with fifteen signatures was submitted by a nearby property owner.

As per the request of the Planning and Zoning Commission, a public engagement meeting was held by the applicant in the City Commission Chambers on October 29, 2025. During this meeting, the applicant presented the planned lot layout and site plan for the proposed construction. There was a discussion over how the construction of 2nd Avenue Southwest would be funded, and conversation about whether development would be possible or feasible without approval of the rezone.

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of REZ-007-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-007-2025: The Winn Heart River 4th Rezoning Request** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

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

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **REZ-007-2025: The Winn Heart River 4th Rezoning Request** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

Industrial Off-Street Parking Standards

Presented by: City Planner, Natalie Birchak



Questions to Consider

- What are the current regulations around off-street parking and traffic circulation areas within the Municipal Code?
- What impacts can permitting unpaved traffic circulation areas have on surrounding properties?
- How do other cities handle these issues?

Section 62-592. - Off-street parking design standards. (Relevant excerpts)

- b) Pavement and drainage.
- 1) *Off-street parking facilities shall be paved.*
 - 2) *Acceptable surfacing materials shall include, but not necessarily be limited to, asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards.*
 - 3) *Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties.*
 - 4) *In the LI or GI Districts only, rear yard vehicular circulation areas, not including parking spaces, may be crushed concrete or similar material as approved by the City Administrator or designee.*
 - 5) *All parking areas containing four or more spaces or containing angled parking shall have parking spaces and aisles clearly marked on the pavement.*
- c) Landscape and screening requirements. *Unless otherwise noted, each unenclosed parking facility of over 3,000 square feet shall comply with the following regulations:*
- 1) *Each unenclosed parking facility shall provide a minimum landscaped buffer of ten feet along any street property line.*
 - 2) *Each parking facility that abuts a residential district shall provide a ten-foot landscaped buffer along its common property line with the residential district.*
 - 3) *Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the City Administrator or designee.*
 - 4) *Each unenclosed parking facility of over 4,500 square feet within a street yard shall provide interior landscaped area equal to no less than five percent of the total paved area of the parking facility. Parking facilities within the GI District shall be exempt from this requirement.*
 - 5) *Interior landscaping shall be credited toward the satisfaction of overall landscaping requirements set forth in Article VIII of this chapter.*
- These requirements may be waived as part of the lot modification process described in Section 62-590.*
- g) Maintenance. *All parking facilities shall be maintained to ensure the continued usefulness and compatibility of the facility. Acceptable maintenance includes keeping the facility free of refuse, debris, and litter; maintaining parking surfaces in sound condition; and providing proper care of landscaped areas.*

What are other communities doing?

Bismarck – Current Requirements

14-03-10. Off-Street Parking and Loading.

5. Design Standards for Required Off-Street Parking and Loading Spaces.

- f) Surfacing. All applications for required off-street parking and loading spaces and all driveways on private property leading to such parking areas shall be surfaced with a dustless all-weather hard surface material. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards. Crushed rock, crushed asphalt, crushed concrete, or gravel shall not be considered an acceptable surfacing material.*

Watford City – Current Requirements

SECTION 1. - PARKING AND LOADING REGULATIONS

PARKING

D. Construction and Design Requirements

4. *Surface: All required off-street parking spaces shall consist of improved all-weather surfacing with a minimum of two (2) inches compacted asphaltic concrete over a ninety-five (95) percent compacted base or double-layer chip sealed using an approved dust palliative.*

Williston – Current Requirements

Section 25-H. Off-street parking requirements.

6. Design Standards.

- e) *Property within R-1,-R-2, R-3, R-4, R-5, R-6, R-7, C-1,-C-2 and C-3 zoned areas of the city limits and C-2 or C-3 zoned areas of the extraterritorial jurisdiction (ETJ) accessing a paved street or alley must pave with a hard surface all parking areas to include:*
 - i. *When used for temporary or long-term vehicle storage.*
 - ii. *Driveways and driving aisles for all new-construction; or*
 - iii. *Expansion as defined in this ordinance which results in increased parking demand.*
 - iv. *When required as a special permitted use or as required by state or federal law.*

- f) *Property located in M-1, M-2, M-3, and HCC zoned areas of the city limits and extraterritorial jurisdiction (ETJ) accessing a paved street or alley must pave, with a hard surface:*
 - i. *All driveways accessing the building and/or required parking lots.*
 - a) *When access is from an unpaved road or alley, only parking pads for the required parking stalls shall be paved.*
 - ii. *Other driveways accessing the property from paved streets or alleys must be paved with a hard surface from the street surfacing to the property line and all traffic aisle width into the property a minimum of 20 feet in length.*
 - iii. *All long-term vehicle storage which directly access a public street or hard surface alley by a driveway or driving aisle shall have an approved surface.*

- j) *Surfacing: Paved, hard surfacing shall include hot-mix asphalt, concrete, interlocking brick, mortared stone, brick, or pervious pavers.*
 - i. *Applicants proposing pervious pavers must provide product specifications to be approved by the City Engineering Department.*
 - ii. *Crushed rock, recycled asphalt, crushed concrete, or gravel are not permitted as a paved, hard surfacing materials.*
 - iii. *All parking areas including driveways must be well drained and maintained in a good operating and safe condition.*

Grand Forks – Current Requirements

Section 25-H. Off-street parking requirements.

12. Construction and maintenance:

- A. *In all districts, except as otherwise provided herein, required off-street parking areas and access drives leading from the public right-of-way shall be paved and provided with proper surface drainage.*
1. *In I-2 districts that are not within a corridor overlay district as provided for in section 18-0224, heavy equipment and trailer circulation areas, storage areas, and laydown yards, not including required parking areas and access drives leading to it, may consist of crushed concrete or similar material approved by the city planner.*
 1. *Circulation areas, storage areas, laydown areas, shall not be within fifteen (15) feet of any property line. The area between the circulation areas, storage areas and laydown yards and the property line shall be landscaped as provided for in section 18-0309.*
 2. *For those areas where an access drive from a paved public right-of-way enters a loading or storage area that is not paved, a paved entrance of fifty (50) feet, or such other equivalent means to catch gravel or sediment prior to entering the public right-of-way, is required.*

Findings

- The City currently allows crushed concrete, scoria, and other similar materials to be utilized in the LI and GI zoning districts, provided they are only used in rear yard vehicle circulation areas.
- The use of crushed concrete or scoria can lead to maintenance issues, as loose aggregate can be tracked onto public streets, and high winds can lead to dust that gets blown onto adjacent streets or properties.
- There are roughly 52 properties that utilize some form of unfinished scoria within City limits.
- Most other ND communities do not allow industrial developments to consider anything other than pavement a finished surface.

Suggestions

- Add a requirement akin to Watford City that requires all-weather surfacing or chip-sealing within City limits. This would eliminate scoria and other materials that generate significant dust.
- Add a requirement akin to Grand Forks that requires a 50-foot paved drive aisle to catch loose gravel or dust prior to reaching public ROW.
- Look into feasibility of requiring all property owners that do not meet this requirement must be brought into compliance within two (2) years of the ordinance being approved.

Comments? Questions?