



PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, April 10, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Dean Franchuk

Jo Marie Kadrmas

Troy Bosch

Val Decker

Rick Haugen

Aaron Johansen

Mike Schwab

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. MARCH 13TH, 2024 MEETING MINUTES

3. REGULAR AGENDA:

A. PRELIMINARY MAJOR PLAT (PLP-004-2024) - *Presented by: Josh Skluzacek, City Engineer/Community Development Director*

To consider a Preliminary Plat for the Energy Center 6th Addition Subdivision, the Replat of Lot 1, Block 1 Energy Center 3rd Addition, located in the SE ¼ of Section 1, Township 139 North, Range 96 W, located in the City of Dickinson. The site consists of +/- 44.64 acres.

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. RENAISSANCE ZONE TEN YEAR RENEWAL UPDATE - *Presented by: City/County Planner, Steve Josephson*

B. GROUP LIVING FACILITIES PROPOSED ZONING ORDINANCE AMENDMENT -

Presented by: City/County Planner, Steve Josephson

7. ADJOURNMENT

Link for viewing Planning and Zoning Commission Meeting:

<https://www.dickinsongov.com/meetings>

This link will not be live until approximately 7:05 am on April 10, 2024.

Teams Meeting: <https://tinyurl.com/PZ-04-10-2024-Teams>

Teams Meeting ID: 266 120 103 96 **Meeting Passcode:** FR3E93

Teams Phone #: 1-701-506-0320 **Phone Conference ID:** 613 199 578#

Local Phone #: 701-456-7006



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, March 13, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Jo Marie Kadrmas
Troy Bosch
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Jo Marie Kadrmas
Commissioner Troy Bosch
Commissioner Val Decker

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Order of business presented for approval.

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

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

2. MINUTES

A. FEBRUARY 21ST, 2024 MEETING MINUTES

Minutes presented for approval.

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

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

3. REGULAR AGENDA:

A. SPECIAL USE PERMIT (SUP-002-2024) - *Presented by City/County Planner, Steve Josephson*

To consider a Special Use Permit to allow for above-ground chemical storage in the General Industrial (GI) zoning district. The property is legally described as Lots 2 & 3, Block 2, Replat of Dickinson Industries Subdivision within the City of Dickinson's Extra-Territorial Zone.

Mr. Josephson presents the SUP request for above ground chemical storage. The applicant is moving locations a number of blocks away. Staff recommends approval with conditions on the staff report. Fridrich asks about the police department on the staff report and that should be changed to the Stark County Sheriff's office and Rural Fire Dept.

Mr. Haugen asks about bulk storage. Mr. Josephson says they would have to come back if they make those changes; bulk is determined by the number of gallons. Mr. Josephson says this SUP application has been sent to the rural fire chief and stark county emergency management.

Bill Kainz from GEO Chemicals is present. He explains they are just moving a mile down the road outside of city limits. Their operations will remain the same. They are only a storage facility.

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

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

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

Commissioner Bosch, Commissioner Decker

B. FINAL MINOR PLAT (FLP-008-2023) *Presented by: City Engineer/Community Development Director, Josh Skluzacek*

To consider a Preliminary/Final Plat for Heart River Bottoms Subdivision located in the NE1/4 and in a portion of SE 1/4 of Section 8, Township 139N, Range 96W located within the City of Dickinson's Extra-Territorial Zone. The site consists of +/- 17.35 acres.

Mr. Skluzacek presents the final minor plat request. He explains this is two separate lots. This was originally submitted in 2023 and tabled due to some floodplain concerns. He explains where the floodplain lies in this plat. There is an access easement to connect to the southern lot.

Jordan Selinger is present to speak. He explains that along the west side of the lot there is an easement to access the back lot. Mr. Skluzacek states that floodplain concerns have been rectified, staff has no concerns. Mr. Selinger explains that where the structures will be built there are no floodplain concerns. The only concern on the conditions in the staff report he has is about the CO not getting issued until the road is in. Mr. Skluzacek states the approach permit would go through the county. If it's paved then the driveway is paved, vice versa with gravel. They will have to work through that with the county.

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

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

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

C. PRELIMINARY MAJOR PLAT (PLP-003-2024) *Presented by: City Engineer/Community Development Director, Josh Skluzacek*

To consider a Preliminary Plat for Southfork Acres 2nd Subdivision located in the SE 1/4 of Section 16, Township 139 North, Range 96 W, located in the City of Dickinson's ETZ. The property is currently legally described as Southfork Acres Subdivision Lot 1B Block 2. The site consists of +/- 51.11 acres.

Mr. Sluzacek presents the preliminary major plat request. He explains this is a replat of Southfork Acres, it is south of the urban service area boundary. The original plat of

this was approved last year. The number of lots is what brought this to the major plat category. It meets all codes and applicable requirements.

Chairman Fridrich asks about the FLUM showing residential. He asks why we are approving AG here. He says he remembers in the past being 40ac or more lots. Mr. Skluzacek states the intended use is residential. He says there could be concerns for future development - that being said the intended use is residential and keeping it AG for the 5 acres lots. Chairman Fridrich comments on it being able to be RR. Discussion ensues on what is allowed in RR vs AG. Chairman Fridrich is concerned about how close they are to the city boundary. Ms. Kadrmas asks about this from a tax standpoint. Chairman Fridrich asks about the adjacent properties. Mr. Josephson states they are AG and a mixture of commercial, R1. Chairman Fridrich mentions that not long ago this area was going to come into the city. He asks about a connection to State Ave – Mr. Skluzacek states due to drainage they would most likely not extend it to the south. He states there are some concerns with connectivity. Chairman Fridrich also mentions taking any ROW dedication. Mr. Skluzacek says future development of this area would be very complex and road connectively would be difficult and it would be difficult to define where the best place would be. Mr. Josephson mentions that when the plan was adopted it wasn't anticipated there would be development outside of the urban service area. There isn't much in the comp plan for guidance in situations like this, and needs to be addressed in the comp plan update. Chairman Fridrich is concerned about east/west access. He states we have to consider the future. Chairman Fridrich asks about the option of ghost platting.

Andrew Schrank, Highlands Engineering, is present representing the applicant. Mr. Bosch asks about them considering rezoning to RR/R1. Mr. Schrank says there would be no reason for the applicant to rezone since they are doing what is already allowed by the code so it wouldn't make sense for the applicant. Going from AG to RR - the taxes are 10 times more without a residence on the property. He adds that the other issue is that the residences to the west have concerns with density. They feel the five-acre lots fit the property. SW water has given the applicant eight taps so they are pushing those limits with water. He recommends changing the code if we don't want to allow it. He speaks on access and ghost platting - access to the west is not viable right now. There is no east to west access in Decker's Subdivision. The ROW shown to the north was never actually dedicated - it's shown as a future ROW. The east access already is connected to this roadway - Dvorak Drive. The next available access point is to the north east and there is an opening for an access option – that would be in their opinion the best place to put an east to west connection. They are proposing access easements that run northerly through this property. If this is ever annexed and becomes denser these access easements run to the north; now you can subdivide these lots and run the road if the city needs the ROW in the future. He states they did review the Comp Plan and updates. This was originally in the urban

service area, but those development plans fell through. He discusses some of the improvements that would need to be made such as pressure zones, sanitary sewer, and major infrastructure changes – so they felt the five-acre parcels were appropriate for that reason.

Mr. Fridrich states he is not concerned with the five acre lots. He is concerned with transportation issues and future access in this area. He says if we approve this our east/west access is cut off. Mr. Skluzacek states there is some ROW dedicated for 12th Street SW which is just north and east of this, which extends out to Hwy 22 that does make a connection across. 13th Street would be highly difficult. He explains that ghost platting can be very challenging from a buildable lot and an enforcement standpoint.

Chairman Fridrich asks for what the allowable differences are in AG and RR. Mr. Josephson reads from the code on what is allowed in AG vs RR. He mainly touches on animal production uses, duplexes/townhomes, restaurants, kennels, etc. Chairman Fridrich thinks this should definitely be RR. He says just because our code allows it doesn't mean it's the right thing to do. Mr. Schrank says if it is required, they will go to RR, but if everything is allowed why cause the applicant more time and money with uses that are already allowed. Chairman Fridrich says if their intent is to sell these off it should be zoned RR. Mr. Skluzacek says we can make it a condition of approval or Mr. Josephson says you can table this item until a rezone application comes in and approved.

Mr. Johansen agrees with Mr. Fridrich. This also doesn't make sense to him.

Chairman Fridrich opens the public hearing.

Kevin Kovash is a resident in the Decker Subdivision. He is concerned about the low-income housing proposed in 2017 and wouldn't want to go back there. In general, there are a couple of lots that drain into their subdivision. If there are animals there are different types of drainage will be running to their yards. He would like restrictive covenants on housing.

The public hearing is closed.

Motion to table until a rezone to RR is approved.

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

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

Additional discussion ensues on future transportation plan.

D. FUTURE LAND USE MAP AMENDMENT (FLM-002-2024) *Presented by City/County Planner, Steve Josephson*

To amend the Future Land Use Map from Industrial to Agricultural for a parcel of unplatted land located in the SW ¼ of Section 11, Township 139N, Range 96W, located in the City of Dickinson's ETZ. The site consists of +/- 27.83 acres.

Mr. Josephson presents the FLUM amendment request. He explains there is also a rezone application following this request. The applicant wants to rezone to AG and live on it. It is unusual as it is in the IN use area. He states much of the property will be difficult to develop due to the flood mapping. The staff recommendation of approval is based on the other properties in the area and the physical attributes of the area. Due to the flood hazard area, it cuts it off from the surrounding areas.

Mr. Schrank is representing the applicants. He states they are building a residence and hobby farm. He adds that it is trending to more an AG/ residential use in this area.

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

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

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

E. REZONE (REZ-002-2024) - *Presented by City/County Planner, Steve Josephson*

To consider a Zoning Map Amendment from General Industrial (GI) to Agricultural (AG) for a parcel of unplatted land located in the SW ¼ of Section 11, Township 139N, Range 96W, located in the City of Dickinson's ETZ. The site consists of +/- 27.83 acres.

Mr. Josephson presents the rezone request. This is a companion to the last item. Eh says AG zoning seems to be the most suitable to this area. Staff recommends approval.

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

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

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

F. FINAL MAJOR PLAT (FLP-002-2024) *Presented by: City Engineer/Community Development Director, Josh Skluzacek*

To consider a Preliminary Plat for Dickinson South Cemetery Second Subdivision being a parcel of unplatted land located in the south half of the southwest quarter of the northwest quarter (S1/2SW1/2NW1/4) of Section 16, Township 139 North, Range 96 West, located in the City of Dickinson’s ETZ. The site consists of +/- 7.60 acres.

Mr. Sluzacek presents the final plat request. The preliminary plat was heard and approved at last months meeting. This is for the new cemetery, it is an extension to the already platted section. Staff recommends approval.

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

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

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

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

Mr. Fridrich would like to see a work session on AG zoning code changes.

Mr. Franchuk brings up parking at the old hospital. This used to be a one way and people are parking at the wrong angle.

6. WORK SESSION

7. ADJOURNMENT

Motion made by Commissioner Kadrmas, Seconded by Commissioner Decker.

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



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: [241279_Pre-Application.pdf](#)

Type of Development **Major Subdivision Preliminary Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **A Portion of Lot 1, Block 1, Energy Center 3rd Addition**

Name **Tracy Tooz**

Company **Dickinson Energy Park, LLC**

Applicant Email **tracyt@toozconstruction.com**

Applicant Phone # **(701) 260-4431**

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

Applicant Representative Company **Highlands Engineering**

Applicant Representative Email **schrank@highlandseng.com**

Applicant Representative Phone # **(701) 483-2444**

Owner Name **Dickinson Energy Park LLC**

Owner Address 555 Highway 1804 NE, Bismarck, ND, 58503

Owner Email tracyt@toozconstruction.com

Owner Phone # (701) 260-4431

Is the owner present to Sign

Owner Signature Upload [241279_Owner Signature_2024-02-28.pdf](#)

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

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

A TRACT OF LAND IN LOT ONE (1), BLOCK ONE (1), ENERGY CENTER 3RD ADDITION LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION ONE (1), THENCE S 89°34'27" E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION ONE (1), A DISTANCE OF 216.91 FEET; THENCE N 0°08'27" W, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 0°08'27" W, A DISTANCE OF 100.02 FEET; THENCE N 89°35'04" W, A DISTANCE OF 99.94 FEET; THENCE N 0°07'24" W, A DISTANCE OF 526.79 FEET; THENCE S 89°34'23" E, A DISTANCE OF 489.95 FEET; THENCE N 0°07'23" W, A DISTANCE OF 122.37 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 366.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°34'37" AND AN ARC DISTANCE OF 578.60 FEET; THENCE S 89°34'37" E, A DISTANCE OF 1097.59 FEET TO THE WESTERLY RIGHT-OF-WAY OF ENERGY CENTER DRIVE; THENCE S 0°06'55" E ALONG THE WESTERLY RIGHT-OF-WAY OF SAID ENERGY CENTER DRIVE, A DISTANCE OF 562.36 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 803.93 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND ALONG THE WESTERLY RIGHT-OF-WAY OF SAID ENERGY CENTER DRIVE THROUGH A CENTRAL ANGLE OF 40°54'06" AND AN ARC DISTANCE OF 573.90 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF EAST VILLARD STREET; THENCE S 81°42'06" W ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID EAST VILLARD STREET, A DISTANCE OF 210.32 FEET; THENCE CONTINUE N 89°34'27" W ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID EAST VILLARD STREET A DISTANCE OF 1845.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 44.64 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

	1/4 Section	Township	Range
Description	SE1/4 Section 1	T139N	R96W

Property Address / General Project Location: Property is generally located west of Energy Drive and north of E Villard Street.

Total Square Footage or Acreage of Subject Property: 44.64 acres

Rezone Calc Multiplier: 0

Minor Platting Multiplier: 0

Prelim Platting Multiplier: 1

Major Platting Multiplier: 0

Name of Preliminary Plat: Energy Center 6th Addition

Preliminary Number Lots: 1 to 10 Lots

Preliminary Number of Block(s): 2

0

Application Calc: 500

Required Documentation Upload: [241279_Closure Report_02-29-24.pdf](#)
[241279_Development Agreement_2024-03-01.docx](#)
[241279_Energy Center 6th Addition-Final_03-01-24.pdf](#)
[241279_Energy Center 6th Addition-Prelim_03-01-24.pdf](#)
[241279_FEMA Map_02-29-24.pdf](#)
[241279_Parcel Map_02-29-24.pdf](#)
[241279_Transmittal-Prelim Plat_2024-03-01.pdf](#)
[241279_Utility Map_02-29-24.pdf](#)
[241279_X-Site_2024-03-01.pdf](#)
[241279_Zoning Map_02-29-24.pdf](#)

Deed for Property: [3109483_Deed.pdf](#)

Application Fees: Applicable Fees 500.00 USD

Total: \$500.00

Transaction ID: 8zj10f8k

Payer Information

First Name: Andrew
Last Name: Schrank
E-Mail: tracyt@toozconstruction.com

Applicant Signature

Date: 03-01-2024

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.



Transmittal Letter

To: Joshua Skluzacek – Development Director
City of Dickinson
38 1st Street West
Dickinson, ND 58601

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

Date: March 1, 2024

Re: Preliminary Plat Application – Energy Center 6th Addition

Message: Enclosed you will find the following Preliminary Plat application documents for the above referenced project being submitted for consideration at the April Planning and Zoning Meeting:

- Written Statement (included, below)
- Deed for the Property
- Preliminary Plat drawing with Aerial Imagery Overlay
- Draft of Final Plat drawing
- Mathematical solution for closure of lots
- Preliminary Site Improvement Plan
- Draft Development Agreement
- Parcel map from the City's GIS page
- Zoning map from the City's GIS page
- Utility map from the City's GIS page
- FEMA map from the City's GIS page

WRITTEN STATEMENT

General Project Description

These proposed preliminary plat application for Energy Center 6th Addition is intended to provide the public right-of-way necessary to provide access to the ND National Guard Readiness Center, which is currently being constructed, as well as the City's proposed training facility northwest of this subdivision. This subdivision will also provide for the creation of five (5) new industrial lots around this proposed right-of-way for future development. This plat will allow the City to meet the requirements for land ownership for a federal grant application that could help fund some or all of the roadway improvements if received. This development will help to provide the necessary infrastructure for the City's Public Training Facility, as well as provide new industrial development opportunities within the City.

This property is already zoned General Industrial (GI), so no change in zoning will be required. This subdivision is also located within the City's Corporate Limits. The owner does not own or intend to purchase surrounding property. We have not informed neighboring properties of this request with the exception of the City. This application is being submitted in accordance with local, state, and federal requirements to the best of our knowledge.

Roadway Improvements, Access, and Projected Traffic

The proposed public right-of-way depicted by this plat is to include a 40-foot wide (measure face of curb to face of curb) urban roadway meeting City of Dickinson standards. Sidewalk is not anticipated to be required due to the industrial nature of this development. Storm sewer and inlets will be provided to meet stormwater spread rates as required by City of Dickinson policy and to convey runoff through this right-of-way.

This proposed roadway is intended to provide access to each of these proposed lots with the exception of Lot 4, Block 1 which does not have frontage along this proposed roadway. This lot will be accessed from E Villard Street. The proposed roadway will also be utilized to gain access to the ND National Guard Readiness Center, which is currently being constructed, as well as the City's proposed training facility northwest of this subdivision. A non-access line has been provided to restrict access from Energy Drive to this subdivision as requested by Staff due to concerns with the curve, elevation, and snow accumulation on Energy Drive.

Since exact uses of this property are unknown at this time, ITE Trip Generation Manual, 10th Edition, was utilized to project anticipated traffic volumes that can be expected once this site is developed. Since development plans are not available at this time, traffic

projections based on the acres of industrial area proposed were utilized. The most applicable use category from the ITE Manual with data available based on acreage was found to be Manufacturing (140). For a typical weekend, the anticipated trip ends (50% entering and 50% leaving) for this category based on the developable area of 38.13 acres provided by the current plat is ±1,256 (±628 entering and ±628 leaving) per day. Approximately 7.3% of this traffic is anticipated to be truck traffic.

We anticipate the majority of this traffic will enter and leave the site along the Energy Drive intersection on the way to or from I-94 where this industrial traffic is anticipated to be heading. Traffic may utilize E Villard Street when heading southbound, or when coming from certain areas of the City. We would anticipate that ±70% of the traffic will utilize the Energy Drive intersection, and ±30% percent utilize the E Villard Street intersection. These percentages are based strictly on our understanding of the area and assumptions, so these rates could vary greatly. However, they do seem to somewhat coordinate with the existing ADT percentages for these two roadways. The nearest and most recent traffic count data from 2023 indicates an average daily traffic (ADT) of 710 vehicles for Energy Drive and 445 vehicles for E Villard St. Therefore, the current approximate traffic distribution between these two roadways is ±61% Energy Drive and ±39% E Villard St.

Topography and Drainage

This site has a fair amount of topography with elevations ranging from ±2464' at the northeast corner to ±2382' at the southwest corner. The site generally drains from north to south. The proposed east-west portion of the public right-of-way follows a ridge line that separates the north-south drainage. Therefore, the area north of this roadway where the proposed ND National Guard Readiness Center is being built all drains to the north, and the area south of this roadway drains to the south. The subdivision is separated by a north-south ridge just east of the north-south portion of the proposed public right-of-way. The area east of this ridge drains to a low point at the southern edge of the subdivision near the middle of Block 1. The area west of this ridge drains to a low point at the southwest corner of this subdivision, which is on the edge of a 100-year floodplain.

The proposed development will drain in a similar manner, but stormwater management facilities will be added at these low points to detain runoff to pre-development rates as required by the City’s Code. Block 1 will drain to the proposed Tract 1, Block 1 either overland or through the proposed ditch in the drainage easement that is to be provided in the center of this block. This Tract will include a detention pond with an appropriately designed outlet structure to release runoff at pre-development rates into the E Villard St right-of-way. Block 2 and the proposed public right-of-way will drain to the proposed Tract 1, Block 2, which will also include a detention pond with an appropriately designed

outlet structure to release runoff at pre-development rates. This pond will outlet into the E Villard St right-of-way at the southwest corner of the subdivision. The roadway will include a storm sewer system to convey runoff to this Tract, and Lot 1 of Block 2 is anticipated to drain overland into this Tract.

A portion of the City's property northwest of this subdivision where the proposed training facility is to be built also drains through the northwest portion of Block 2. This runoff will be routed this runoff around Lot 1, Block 2 without routing this flow through the proposed detention ponds.

Water and Sewer Improvements, Services, and Demand

A new water main is proposed to run within the proposed public right-of-way shown by this plat. This water main will connect to an existing 12-inch water main within the E Villard Street right-of-way, and either the 12-inch main along Energy Drive, or the 8-inch main that was installed in the ND Readiness Center as allowed by the City. Since pressure and flow data in this area is not available outside of the City's water model, we would request that the City analyze this proposed water main to determine the appropriate connection point and pipe diameter. It is anticipated that the water demand will be driven by the requirement noted by *Table 6-6: City of Dickinson Desired Fire Flows* of the City's Comprehensive plan which indicates 4,000 gpm for 4 hours should be provided for industrial areas. Fire hydrants will be provided at ±400-foot increments along this route to provide appropriate fire suppression for this development. Fire hydrants already exist within the E Villard St right-of-way to the south and the Energy Drive right-of-way to the east of this subdivision.

Due to the site topography and locations of existing sanitary sewer infrastructure, the sanitary sewer mains will not be located within the public right-of-way. The site topography has a significant drop in elevation from North to South. Therefore, the existing sanitary sewer in Energy Drive at the northeast corner of this subdivision cannot be used to serve this site by gravity. Therefore, the site will connect to the sewer infrastructure at the southwest corner of this site near the City's existing lift station. This sewer will be extended east along the southern edge of the development to the middle of the southern edge of Block 1 where it will be routed north to the center of this block. This new main will serve all proposed lots within Block 1. Block 2 can either connect to this proposed main or the existing sanitary sewer main that runs along its western edge. We anticipate that the proposed City of Dickinson Training Facility located northwest of this subdivision will also connect to this existing sanitary sewer which lies at the southwest corner of the City's property. All of this proposed sanitary sewer will be able to flow by gravity to the existing sewer infrastructure at the southwest corner of the site without the need for lift stations.

Industrial uses have a typical water and sewer demand of around 13 gallons per employee per day. However, this demand can vary greatly, especially for manufacturing processes that require large amounts of water. Based on the previously projected ±628 vehicles entering and leaving this site each day, we could assume that ±628 employees will work within this development. Therefore, the anticipated average daily water and sewer demand for this site is ±8,164 gallons (628 employees x 13 gal/employee). Please note that this flow does not include water or sewer required for industrial processes, which vary greatly and are difficult to predict.

Development Agreement

This subdivision and the infrastructure proposed will provide a benefit to not only this developer, but also the City of Dickinson Training Facility and the ND National Guard Readiness Center. In fact, it is the City's need for the access that will be provided by this development and the current federal grant opportunity that is available to the City that spurred this proposal. With the multiple party interest in the proposed public infrastructure, a draft development agreement has been drafted and is being submitted for the City's consideration outlining the proposed share in the cost of this infrastructure that is to be provided by each party.

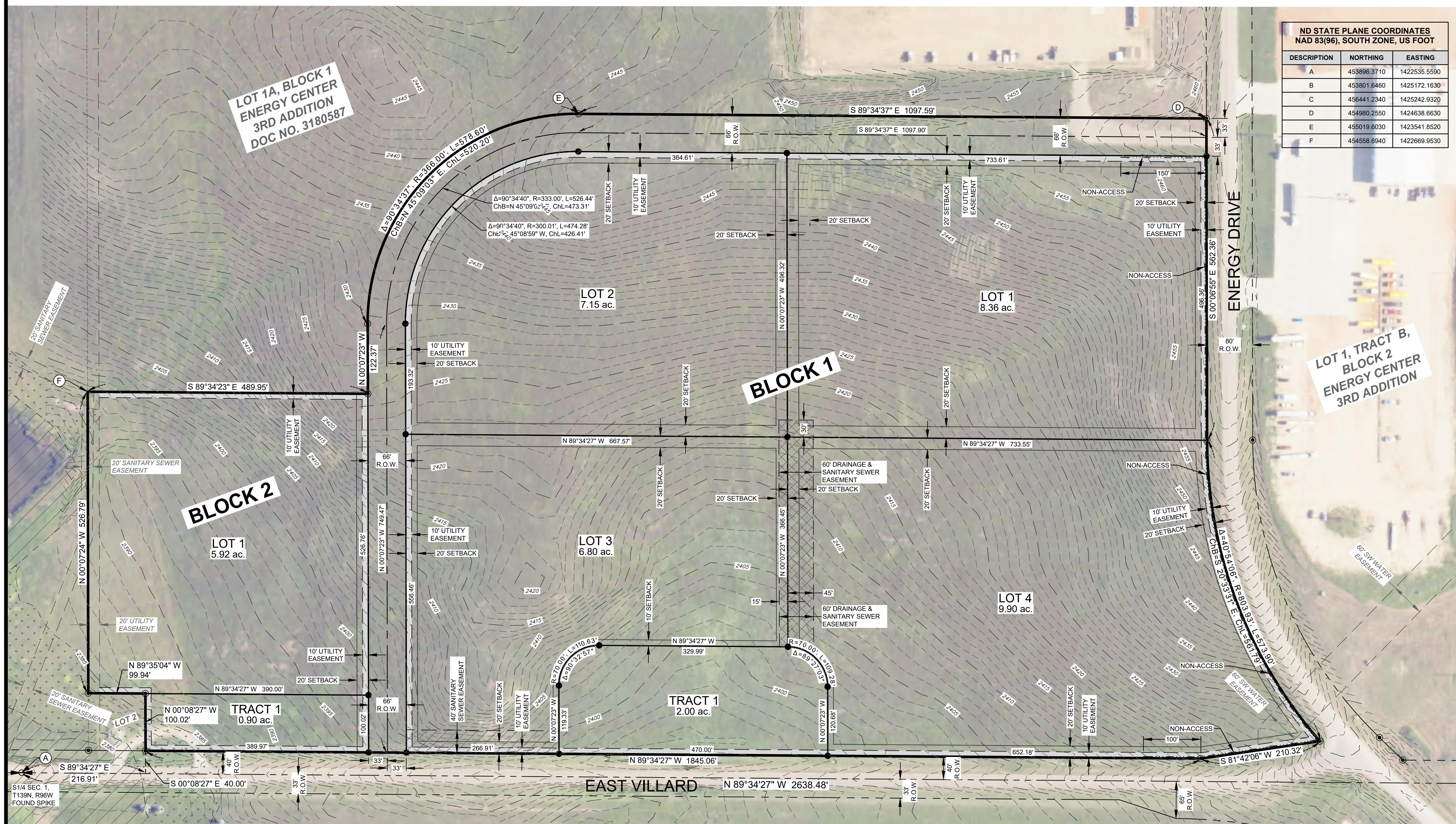
Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!



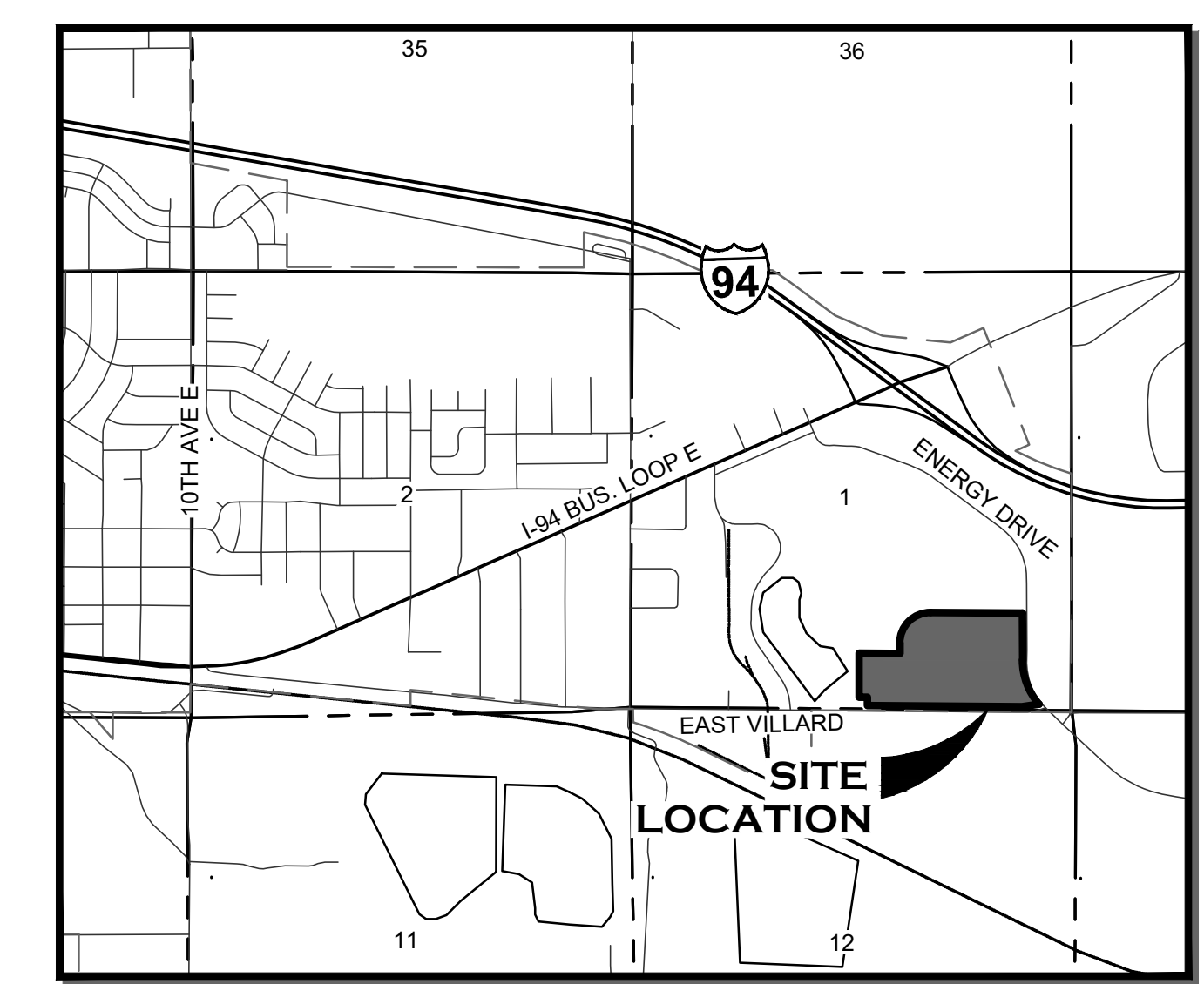
Andrew Schrank, PE, CFM
Highlands Engineering

ENERGY CENTER 6TH ADDITION

THE REPLAT OF A PORTION OF LOT 1, BLOCK 1, ENERGY CENTER 3RD ADDITION
SE 1/4 SECTION 1, T139N, R96W, OF THE 5TH PRINCIPAL MERIDIAN
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



ND STATE PLANE COORDINATES NAD 83(96), SOUTH ZONE, US FOOT		
DESCRIPTION	NORTHING	EASTING
A	453896.3710	1422535.5590
B	453801.6460	1425172.1630
C	456441.2340	1425242.9320
D	454900.2550	1424638.6630
E	455019.6030	1423541.8520
F	454558.6940	1422669.9530



VICINITY MAP
1" = 2000'
LEGEND

- PROPERTY BOUNDARY
- - - PROPOSED LOTS
- - - EXISTING LOTS
- - - PROPOSED NON-ACCESS LINE
- FOUND MONUMENT
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
- - - SECTION LINE
- ⊕ SECTION CORNER
- ⊕ QUARTER CORNER
- - - RIGHT OF WAY LINE
- - - PROPOSED UTILITY EASEMENTS
- - - PROPOSED DRAINAGE & SANITARY SEWER EASEMENTS
- - - PROPOSED SANITARY SEWER EASEMENT
- - - EXISTING EASEMENTS
- - - BUILDING SETBACK
- - - 5' MAJOR CONTOURS
- - - 1' MINOR CONTOURS
- - - 100-YEAR FLOODPLAIN
- - - REGULATORY FLOODWAY

- NOTES**
- A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE 0.2% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "AE" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0213F, PANEL 213 OF 850, WITH AN EFFECTIVE DATE OF NOVEMBER 4, 2010.
 - THIS PLAT DEDICATES A TOTAL OF 3.60 ACRES OF PUBLIC RIGHT-OF-WAY AS DEPICTED BY THIS PLAT.

- SURVEY NOTES**
- DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
 - VERTICAL DATUM: NAVD 88
 - DATE OF LATEST FIELD WORK: FEBRUARY 29, 2024

LEGAL DESCRIPTION

A TRACT OF LAND IN LOT ONE (1), BLOCK ONE (1), ENERGY CENTER 3RD ADDITION LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION ONE (1), THENCE S 89°34'27" E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION ONE (1), A DISTANCE OF 216.91 FEET; THENCE N 0°08'27" W, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 0°08'27" W, A DISTANCE OF 100.02 FEET; THENCE N 89°35'04" W, A DISTANCE OF 99.94 FEET; THENCE N 0°07'24" W, A DISTANCE OF 526.79 FEET; THENCE S 89°34'23" E, A DISTANCE OF 489.95 FEET; THENCE N 0°07'23" W, A DISTANCE OF 122.37 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 366.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°34'37" AND AN ARC DISTANCE OF 578.60 FEET; THENCE S 89°34'37" E, A DISTANCE OF 1097.59 FEET TO THE WESTERLY RIGHT-OF-WAY OF ENERGY CENTER DRIVE; THENCE S 0°06'55" E ALONG THE WESTERLY RIGHT-OF-WAY OF SAID ENERGY CENTER DRIVE, A DISTANCE OF 562.36 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 803.93 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND ALONG THE WESTERLY RIGHT-OF-WAY OF SAID ENERGY CENTER DRIVE THROUGH A CENTRAL ANGLE OF 40°54'06" AND AN ARC DISTANCE OF 573.90 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF EAST VILLARD STREET; THENCE S 81°42'06" W ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID EAST VILLARD STREET, A DISTANCE OF 210.32 FEET; THENCE CONTINUE N 89°34'27" W ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID EAST VILLARD STREET A DISTANCE OF 1845.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 44.64 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE ENERGY CENTER 6TH ADDITION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____, STATE OF _____

PROPRIETOR'S CERTIFICATE

WE, DICKINSON ENERGY PARK, LLC, RESIDING AT 555 HIGHWAY 1804 NE, BISMARCK, ND 58503, OWNERS AND PROPRIETORS OF PROPERTY LYING IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____
DICKINSON ENERGY PARK, LLC REPRESENTATIVE

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____, STATE OF _____

CITY OF DICKINSON COMMISSION APPROVAL

PRESIDENT _____ DATE: _____

CITY ENGINEER APPROVAL

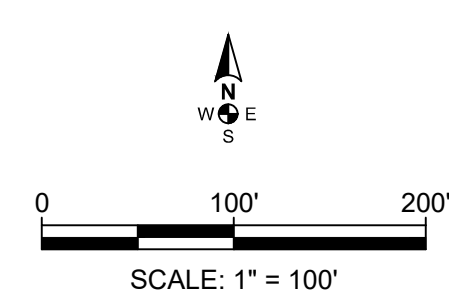
CITY ENGINEER _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

SECRETARY _____ DATE: _____

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

PROJECT NUMBER: 241279 SCALE: 1"=100'
DRAWN BY: AJA DATE: 03/01/24

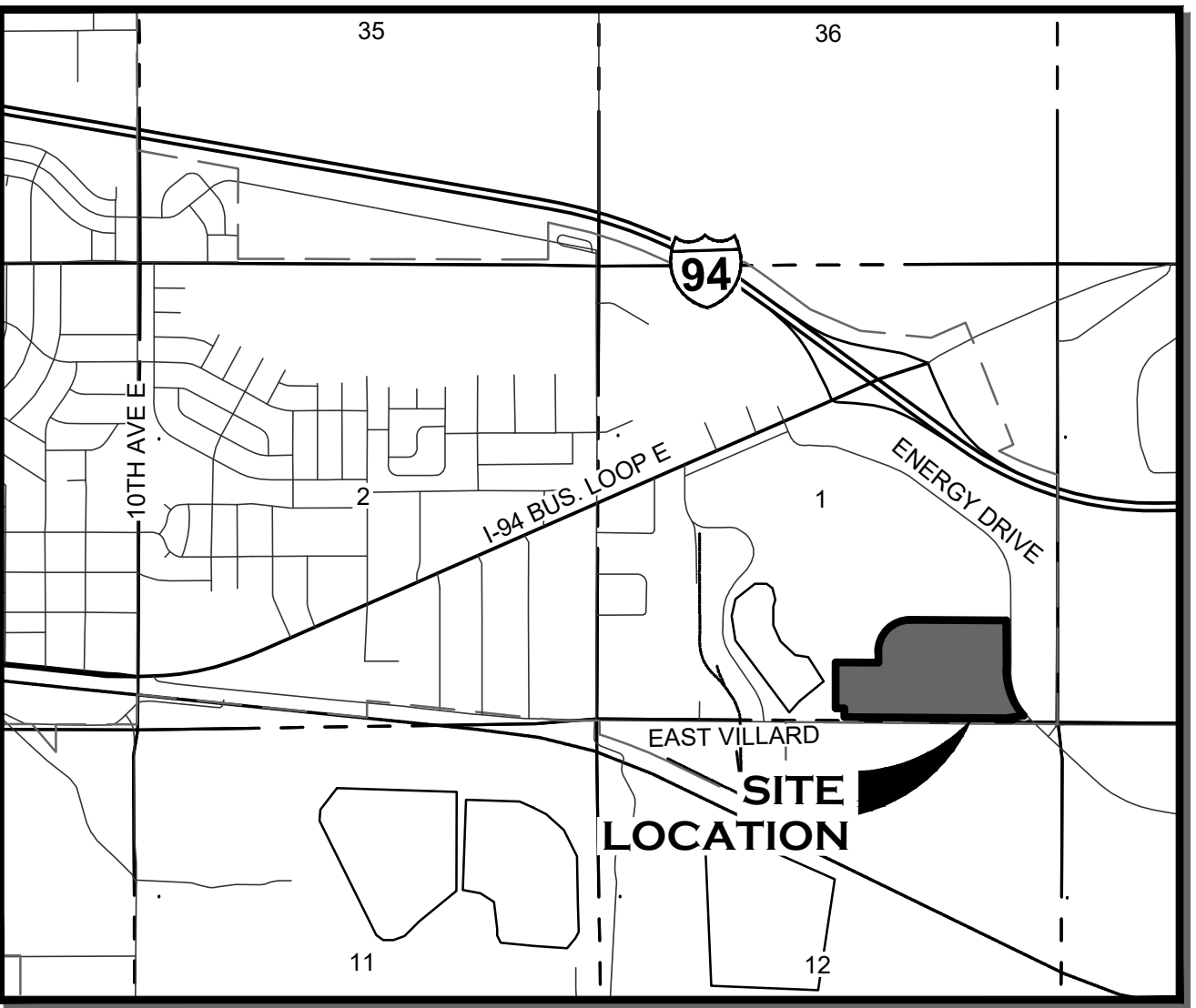


ENERGY CENTER 6TH ADDITION

THE REPLAT OF A PORTION OF LOT 1, BLOCK 1, ENERGY CENTER 3RD ADDITION SE¹/₄ SECTION 1, T139N, R96W, OF THE 5TH PRINCIPAL MERIDIAN CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

LOT 1A, BLOCK 1
ENERGY CENTER
3RD ADDITION
DOC NO. 3180587

ND STATE PLANE COORDINATES NAD 83(96), SOUTH ZONE, US FOOT		
DESCRIPTION	NORTHING	EASTING
A	453896.3710	1422535.5590
B	453801.6460	1425172.1630
C	456441.2340	1425242.9320
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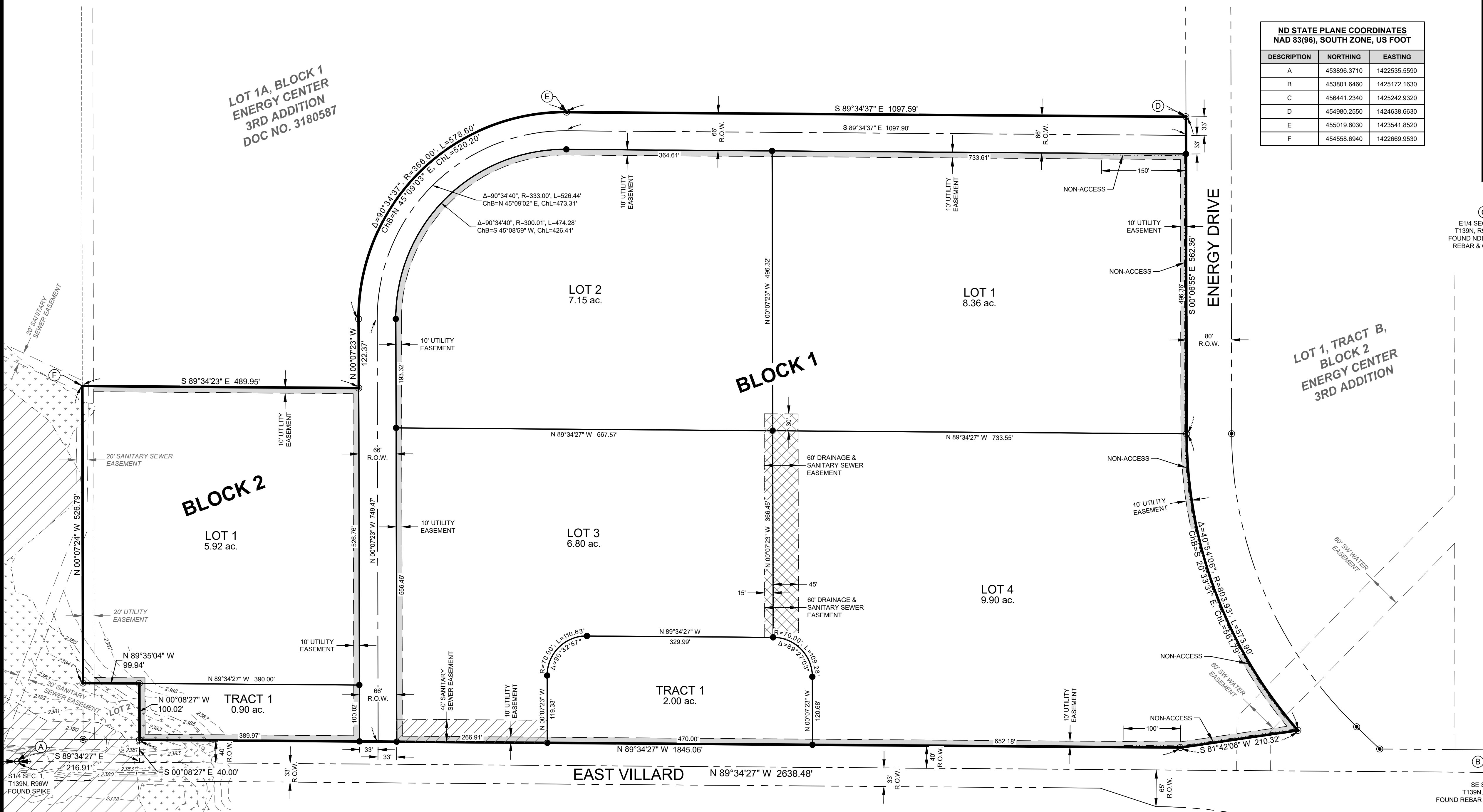


VICINITY MAP
1" = 2000'
LEGEND

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- PROPOSED LOTS
- EXISTING LOTS
- PROPOSED NON-ACCESS LINE
- FOUND MONUMENT
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DICKINSON ENERGY PARK, LLC REPRESENTATIVE

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COUNTY OF _____) SS

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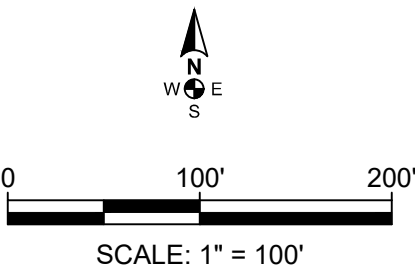
PRESIDENT _____ DATE: _____

CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

SECRETARY _____ DATE: _____



PROJECT NUMBER: 241279	SCALE: 1"=100'
DRAWN BY: AJA	DATE: 03/01/24

CITY OF **DICKINSON** | **DEVELOPMENT AGREEMENT** North Dakota

THIS AGREEMENT (the Agreement), made on the ____ day of _____, 20____ (“Effective Date”) between the City of Dickinson, a political subdivision, hereinafter called the CITY, and the OWNER as identified herein;

OWNER Name and Address: Dickinson Energy Park, LLC
555 Highway 1804 ND
Bismarck, ND 58503-6228

For the following described property:

A TRACT OF LAND IN LOT ONE (1), BLOCK ONE (1), ENERGY CENTER 3RD ADDITION LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Also referred to herein as “Energy Center 6th Addition”;

Also referred to herein as the “Subject Property”;

RECITALS

WHEREAS, the OWNER is the fee OWNER of the Subject Property, located in the City of Dickinson, Stark County, North Dakota, legally described as provided above; and

WHEREAS, the OWNER intends on platting the Subject Property; and

WHEREAS, the OWNER and CITY agree that the Subject Property will be improved and developed pursuant to the terms of this Agreement, the approved subdivision plat of the Subject Property, and all applicable CITY ordinances and regulations;

NOW THEREFORE, in mutual consideration of the promises, covenants and agreements of the parties contained herein, the parties hereby agree as follows:

1. Regulation of Development. This Agreement is executed in conformance with Article 34 of the City of Dickinson Municipal Code effective as of the date of this agreement and shall satisfy the requirements contained therein for a Subdivision Agreement to be completed prior to the filing and recordation of any **issuance of a Certificate of Occupancy on Subject Property**. This Agreement shall control the development of the Property and the construction of Municipal Improvements necessary to serve the Subdivision or Subject Property with municipal services. Remedies contained in this Agreement shall be in addition to those otherwise provided by law to the CITY for other violations of the City of Dickinson Municipal Code.

2. Infrastructure Improvements – Special Conditions. Public infrastructure improvements will be required to serve and provide public access to the proposed Lots within the Subject Property. The OWNER and CITY hereby agree that the following are the only public infrastructure improvements required to be constructed as indicated herein and accepted by the CITY prior to a Certificate of Occupancy being issued in the Subject Property as indicated in Section 1 of this Agreement. Phasing of public improvements may be allowed so that Lots may be granted a Certificate of Occupancy before all public infrastructure improvements for the Subject Property are complete as indicated by this section.

- a) OWNER shall prepare or have prepared plans and specifications for the construction of a public roadway, street lighting system (if applicable), storm sewer system, stormwater management facility within Tract 1, Block 2 to detain the increase in runoff from the public roadway, and water system within public right-of-way being dedicated by the plat of the Subject Property. The cost of designing these improvements and preparing these plans shall be paid by the OWNER. The roadway shall be an urban road with a width of 40-feet measured between the face of the proposed curb and gutter and shall be surfaced with either asphalt or concrete pavement. This roadway shall meet the requirements of City Standard Detail C2.29 with a revision date of 11/2017, except that sidewalk will not be provided due to the industrial nature of this development. The CITY will perform the geotechnical investigation and analysis as necessary to determine the required pavement and base section for this proposed roadway. The street lighting (if applicable), storm sewer system, stormwater management facility, and water system shall be designed to meet current CITY standards and policies.
- b) Within two (2) years of the final plat approval for the Subject Property, CITY shall construct or have constructed and shall pay all expenses for the contract preparation, advertising, bidding, awarding, construction, and construction administration of the roadway, street lighting system (if applicable), storm sewer system, stormwater management facility, and water system improvements as depicted by the plans and specifications approved by the CITY as noted by

Section 2. a) of this Agreement. The OWNER shall have no responsibility in the warranty or assurance of completion of these improvements completed by the CITY.

- c) CITY plans to submit an application in 2024 for federal grant funding from the Office of Local Defense Community Cooperation under the Defense Community Infrastructure Pilot Program for the design engineering and construction indicated by Sections 2. a) and 2. b) of this Agreement. Should the CITY be awarded this grant, CITY will reimburse OWNER for the following project costs incurred by the requirements of Sections 2. a) of this Agreement:
- i. Site Survey: \$3,250
 - ii. Roadway and Storm Sewer Design: \$25,000
 - iii. Street Lighting Design (if applicable): \$5,000
 - iv. Water System Design: \$7,000
 - v. Subdivision Platting, Application Fees, and Monumentation: \$9,500
 - vi. Tract 1, Block 2 Stormwater Management Plan and Design: \$6,000
- d) Should the CITY fail to apply for or be unsuccessful in obtaining the grant funding indicated by Section 2. c) of this Agreement, CITY will reimburse OWNER for 50% of the project costs outlined in Section 2. c) of this Agreement within sixty (60) days of the CITY's receipt of a notification of grant denial or, if the grant is not applied for, within sixty (60) days of the grant deadline passing.
- e) The OWNER shall prepare or have prepared design and plans and specifications for the stormwater management facility within Tract 1, Block 1, as well as for the proposed sanitary sewer system improvements to provide sewer service to Block 1 of the Subject Property. The cost of preparing these plans shall be paid by the OWNER. The stormwater management facility shall be designed in accordance with CITY standards and policies, and the sanitary sewer system shall meet all local and State requirements for a public sewer system.
- f) The OWNER shall construct or have constructed and shall pay all expenses for construction of the stormwater management facilities and sanitary sewer improvements as depicted by the plans and specifications approved by the CITY as noted by Section 2. e) of this Agreement. A Certificate of Occupancy shall not be issued for a Lot within Block 1 until acceptable sanitary sewer service is provided, and the stormwater management facility is constructed and approved by the City.
- g) OWNER shall allow CITY to perform inspection of the public infrastructure improvements to be constructed by OWNER as needed to ensure proper construction in accordance with the approved plans and specifications noted by this Agreement. OWNER shall pay CITY for said inspection services in accordance with the rates defined by the current CITY fee schedule.
- h) Title to Public Improvements after construction and acceptance shall be as defined by Section 8 of this Agreement.

3. Assurance of Infrastructure Completion. In the event that construction of the required public infrastructure that is to be paid for directly by the OWNER as indicated in Section 2, herein, is not complete at the time of final plat recording for a particular phase of the project, the OWNER hereby agrees that no private improvements shall be constructed within any land located within the Subject Property unless and until a plan for developing and constructing such improvements and infrastructure is approved by the CITY. Such approval will be memorialized by a public infrastructure permit which will be valid for one year from the date of issuance at a fee listed in the current CITY fee schedule. Prior to the CITY recording the Final Plat of the Subject Property, the OWNER shall post with the CITY security in the amount of 130% of the lesser of the estimated construction cost as approved by the City Engineer or actual bid amounts, if available, for said improvements to assure the completion of the required public infrastructure that is to be paid for directly by the OWNER for the Subject Property, as required under Dickinson City Code §34-60. The security posted by the OWNER shall be held by the CITY until the cost of each approved phase(s) of the infrastructure for the whole of the Subject Property has

been completed. A full release of the security remaining upon the completion of construction shall be made upon completion of the work, inspection, and final acceptance of the same. The Security remaining upon completion of construction shall remain in effect through warranty examination and final inspection by the CITY as indicated by Section 9, herein.

4. City Engineer Approval Required. No improvements within the Subject Property shall be made unless and until necessary plans and specifications therefore have been submitted to and approved by the City Engineer in accordance with the City of Dickinson Municipal Code for the Subject property covered by such plans and specifications.

5. Subdivision of Land. The OWNER shall otherwise conform to all requirements regarding the subdivision of land enacted by the City of Dickinson, as set forth in Chapter 34 of the City of Dickinson Municipal Code, as may be amended from time to time. The provision of remedies in this Agreement shall be in addition to those otherwise provided by law to the CITY for other violations of the City of Dickinson Municipal Code.

6. Permits. The CITY's approval of this Agreement does not include approval of permits for construction within the Subject Property. The OWNER shall separately apply to the CITY for any building permits, certificates of occupancy, right-of-way permits, or similar approvals for any and all construction within the Subject Property. The OWNER shall notify all prospective lot owners within the Subject Property that the CITY will not accept any building permit or development applications until the CITY has approved the final storm water management plan.

7. Repairs and Replacements. The OWNER shall replace, or have replaced, or repair, or have repaired, as the case may be, any and all pipes and monuments within the Subject Property that have been destroyed or damaged by the OWNER or OWNER's agents. The OWNER shall replace, or have replaced, or repair, or have repaired, as the case may be, the entire cost of such replacement or repair, of any and all property damaged or destroyed by reason of any work done pursuant to this Agreement, whether such property is owned by the United States, or any agency or entity thereof, or the State of North Dakota, or any agency or political subdivision thereof, or by the CITY or by any public or private corporation, or any person whomsoever, or by any combination of such owners. Any such repair or replacement shall be to the satisfaction and subject to the approval of the City Engineer or their designee.

8. Title to Public Improvements. Title to, and ownership of, any and all public municipal improvements including roadways, street lighting systems, water systems, sanitary sewer systems, storm sewer systems, and stormwater management facilities within the public rights-of-way, tracts, water easements, sanitary sewer easements, and/or drainage easements dedicated and granted by the subdivision plat of the Subject Property, shall vest in the CITY upon completion, acceptance, and satisfaction of any warranty issues for such improvements with the following additional requirements:

- a) The real property encumbered by easements for public infrastructure within the Subject Property shall be privately owned, but the CITY shall have the rights to access, maintain, repair, improve, remove, and replace the public improvements that are to be owned by the CITY within the easements. The OWNER shall not build, create, construct, or permit to be built, created, or constructed, any obstruction, building, engineering works, or other structures upon, over, or under the strip of land herein described or that would interfere with the public improvements. The OWNER shall not change the existing grade within the easements without prior approval from the CITY. This shall not restrict the OWNER from constructing pavement, fences, landscaping, or utility crossings within the easement that do not adversely affect the public infrastructure. Upon completion of any work within the easements, the CITY shall leave the

property in good repair so that there is no unreasonable damage. If the CITY is not able to have the property repaired to its existing condition, the CITY shall pay for damages to the property. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by the OWNER and one by CITY, and these two shall select a third person. The award determined by these three persons shall be final and conclusive.

- b) Tracts for stormwater management in the Subject Property (i.e. Tract 1, Block 1 and Tract 2, Block 2) shall be deeded to the CITY upon completion and acceptance of the improvements required for stormwater management within these tracts. After conveyance, the CITY shall own and maintain these tracts and the stormwater management facilities within the tracts.

9. Maintenance Warranty. For all public municipal improvements within the Subject Property constructed privately by the OWNER, and in accordance with Dickinson City Code §34-60 and Section 3, herein, assurance shall be provided by the OWNER. The amount of this assurance remaining at the completion of construction is to remain in full effect for a warranty period of no less than one (1) year following substantial completion of said improvements. Until the end of this one-year warranty period, the OWNER shall remedy at the OWNER's expense any damage to real or personal property, when that damage is the result of: (1) the OWNER's failure to conform to the requirements of the CITY; or (2) any defect of equipment, material, workmanship, or design furnished. The OWNER shall restore any work damaged in fulfilling the terms and conditions of this Section. The OWNER shall: (1) use commercially reasonable efforts to obtain all warranties that would be given in normal commercial practice; (2) to the extent possible, require all warranties be executed, in writing, for the benefit of the CITY; and (3) enforce all warranties for the benefit of the CITY. In the event the OWNER's warranty as provided herein has expired, the CITY may bring suit at its expense to enforce a subcontractor's, manufacturer's, or supplier's warranty. The OWNER shall have no liability for the improvements made upon expiration of the one-year warranty period.

10. Agreement Runs with the Land. This Agreement shall be binding on, and shall inure to the benefit of, the parties hereto and their respective heirs, administrators, representatives, successors, and assigns. This Agreement shall run with the land and shall be recorded with the Office of the Stark County Recorder against the Subject Property. As the OWNER sells individual lots within the Subject Property, the OWNER shall specifically notify the purchaser thereof of this Agreement. All obligations, promises and covenants of the OWNER contained herein shall similarly be binding upon purchasers of lots within the Subject Property.

11. Severability. In the event that any provision of this Agreement shall be held invalid, illegal or unenforceable by any court of competent jurisdiction, such holding shall pertain only to such section and shall not invalidate or render unenforceable any other section or provision of this Agreement.

12. Non-waiver. Each right, power or remedy conferred upon the CITY or the OWNER by this Agreement is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, or available to the CITY or the OWNER at law or in equity, or under any other agreement. Each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the CITY or the OWNER and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy. If either party waives in writing any default or nonperformance by the other party, such waiver shall be deemed to apply only to such event and shall not waive any other prior or subsequent default.

13. Governing Law – Venue. This Agreement shall be governed by and construed according to the laws of the State of North Dakota. The parties hereby stipulate and agree that the District Court, Southwest Judicial District, State of North Dakota, shall have personal jurisdiction over the parties hereto, and that such District Court,

Southwest Judicial District, State of North Dakota, is the appropriate and proper venue for resolving any dispute under this Agreement.

14. Entire Agreement. This Agreement contains the entire agreement between and among the parties hereto, and supersedes all prior and contemporaneous discussions, negotiations, understandings, and agreements, whether oral or written, express or implied, between or among them relating to the subject matter of this Agreement. This Agreement may not be amended orally, nor shall any purported oral amendment (even if accompanied by partial or complete performance in accordance therewith) be of any legal force or effect or constitute an amendment of this Agreement, but rather this Agreement may be amended only by an agreement in writing signed by the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF DICKINSON

By: _____

Title: President of the Board of City Commissioners

Signature: _____

ATTEST:

By: _____

Title: City Administrator

Signature: _____

STATE OF NORTH DAKOTA)
) ss
COUNTY OF STARK)

On this _____ day of _____, 20____, before me personally appeared _____ and _____

known to me to be, respectively, the President of the Board of City Commissioners and the City Administrator of the City of Dickinson, the persons who are described herein and who executed the within and foregoing instrument and acknowledged to me that the City of Dickinson executed the same.

Notary Public
Stark County, North Dakota

OWNER – Dickinson Energy Park, LLC

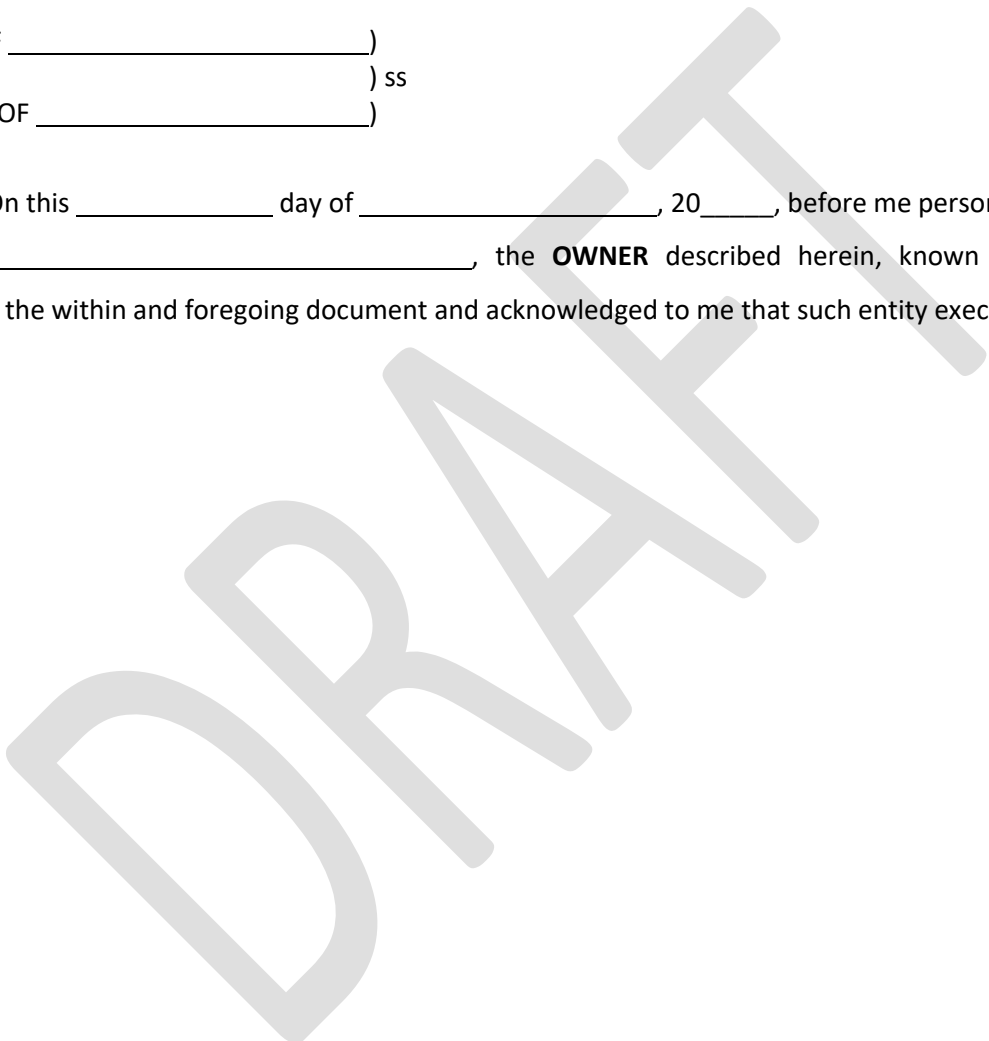
By: _____

Title: _____

Signature: _____

STATE OF _____)
) ss
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, the **OWNER** described herein, known to me, and who executed the within and foregoing document and acknowledged to me that such entity executed the same.



PRELIMINARY

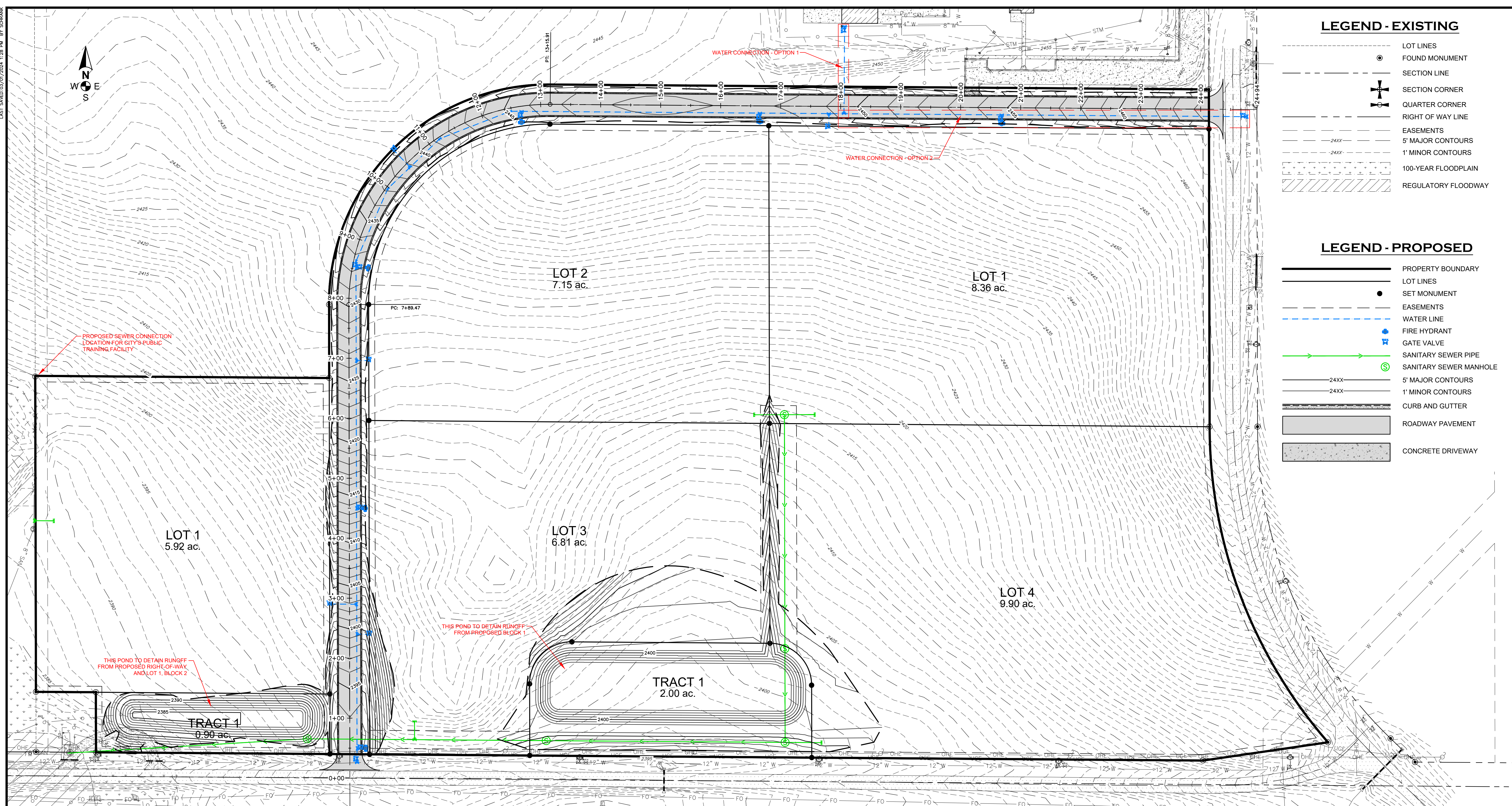
REV	DATE	DESCRIPTION

ENERGY CENTER 6TH ADDITION
CITY OF DICKINSON, ND
DICKINSON ENERGY PARK, LLC

SCALE: 1"=80'
DATE: 03/01/24
DRAWN BY: AWS / AJA
PROJECT NUMBER: 241279

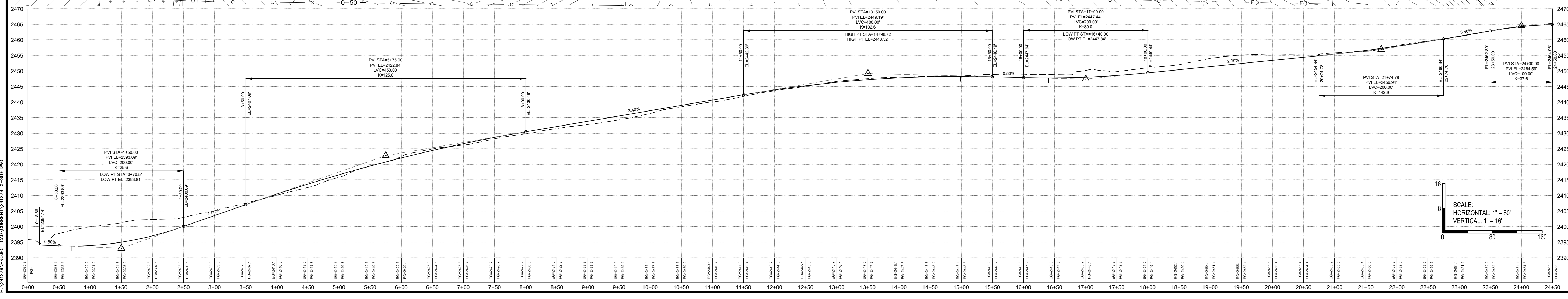
SHEET TITLE:
PRELIMINARY
SITE
IMPROVEMENT
PLAN

SHEET NUMBER:
S1
1 of 1



- LEGEND - EXISTING**
- LOT LINES
 - FOUND MONUMENT
 - SECTION LINE
 - SECTION CORNER
 - QUARTER CORNER
 - RIGHT OF WAY LINE
 - EASEMENTS
 - 5' MAJOR CONTOURS
 - 1' MINOR CONTOURS
 - 100-YEAR FLOODPLAIN
 - REGULATORY FLOODWAY

- LEGEND - PROPOSED**
- PROPERTY BOUNDARY
 - LOT LINES
 - SET MONUMENT
 - EASEMENTS
 - WATER LINE
 - FIRE HYDRANT
 - GATE VALVE
 - SANITARY SEWER PIPE
 - SANITARY SEWER MANHOLE
 - 5' MAJOR CONTOURS
 - 1' MINOR CONTOURS
 - CURB AND GUTTER
 - ROADWAY PAVEMENT
 - CONCRETE DRIVEWAY



H:\241279\PROJECT\CAD\CURRENT\241279_LX_SITE.DWG

Dickinson Zoning Information Map



2/29/2024

Street Markers 45k

Highway 10

Public Street Names 25K

Municipal Boundary

Extra Territorial Boundary
Dickinson Zoning

General Commercial - GC

General Industrial - GI

Limited Industrial - LI

Rural Residential - RR
ETZ Zoning

General Industrial - GI

Limited Industrial - LI

Agricultural - AG

World Imagery

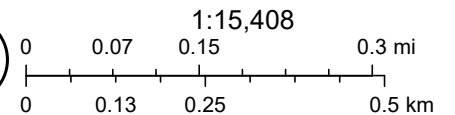
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

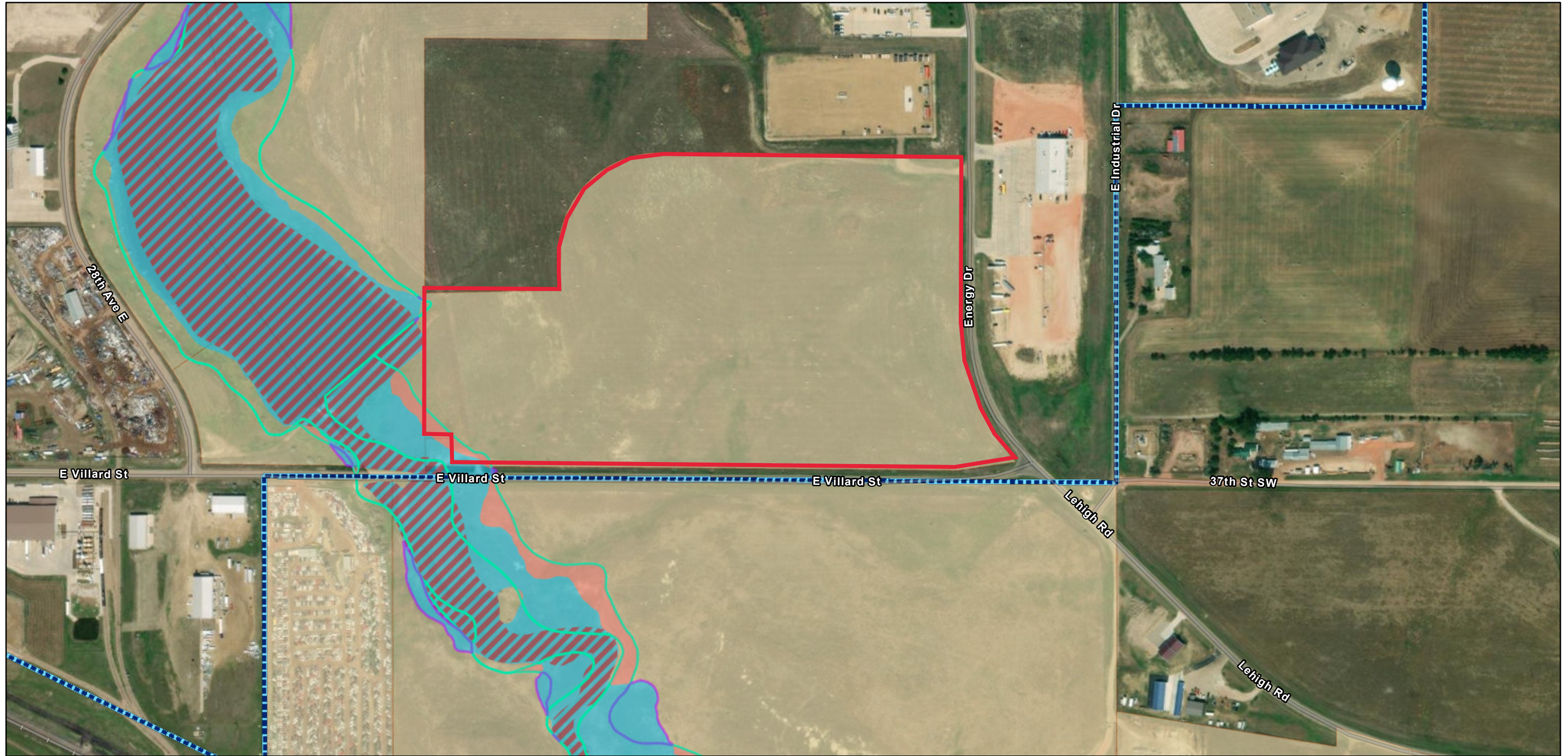
Citations

4.8m Resolution Metadata



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

FEMA Flood Hazard Changes Map



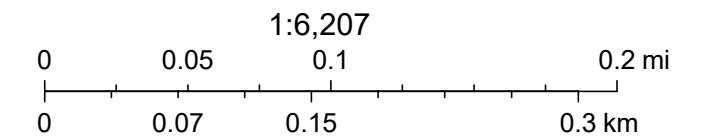
2/29/2024

- Municipal Boundary
- Extra Territorial Boundary
- North Dakota County Boundaries
- SFHA Area Changes**
- Decrease

- Increase
- Current SFHA Boundary
- FLOODWAY (AE)
- Preliminary SFHA Boundary

- Intersected by SFHA Zones (A or AE)
- Intersected by SFHA Zones (A or AE)
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 1.2m Resolution Metadata



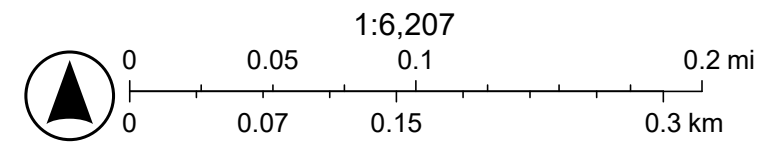
Dickinson Engineering Department, Maxar, Esri Community Maps Contributors, State of North Dakota, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Dickinson Utility Information Map



2/29/2024

- | | | | | | |
|------------------------|---------------------------------|-------------------------|------------------------------------|----------------------------|------------------------------|
| Public Street Names 8K | Water Manhole | Water Main Lines | Sanitary Gravity Mains | Storm Gravity Mains | Communication Lines |
| Private Street Names | Water Network Structures | Polyvinyl Chloride | Sanitary Pressurized Mains | Storm Culverts | World Imagery |
| Water Curb Stop Valve | Enclosed Storage Facility | Ductile Iron | Sanitary Casings | Storm Open Drains | Low Resolution 15m Imagery |
| Water System Valve | Water Lateral Lines | Sanitary Control Valve | Sanitary Network Structures | Storm Detention Structures | High Resolution 60cm Imagery |
| Water Hydrant | Fire | Sanitary Clean Outs | Lift Station | Electric Access Points | High Resolution 30cm Imagery |
| City of Dickinson | Hydrant | Sanitary Manhole | Storm Inlets | Service Box | Citations |
| Private or Other | Service | Sanitary Lateral Lines | Storm Discharge | Electric Lines | 1.2m Resolution Metadata |



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



STATE 9TH ADDITION MAJOR
PLAT STAFF REPORT

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Planning Department
Date: April 3, 2024
Re: **PLP-004-2024 Energy Center 6th Addition Subdivision Preliminary Plat**

OWNER/APPLICANT

Dickinson Energy Park LLC
P.O. Box 1316
Dickinson, ND, 58601
tracyt@toozconstruction.xom
701 260-4431

APPLICANT'S REPRESENTATIVE

Andrew Schrank
Highlands Engineering
319 24th Street East
Schrank@highlandseng.com
701 483 2444

Public Hearing	April 10, 2024	Planning and Zoning Commission
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EXECUTIVE SUMMARY

Current Plat Legal Description

To consider a Preliminary Plat for the Energy Center 6th Addition Subdivision. This is a proposed replat of a portion of Lot 1, Block 1 of the Energy Center 3rd Addition Subdivision located in the SE1/4 of Section 1, Township 139N, Range 96W in the City of Dickinson.

Request

The applicant wishes to replat the south portion of Lot 1 Block 1 of the Energy Center 3rd Addition Subdivision. The proposed replat would result in the following:

- The creation of five lots; and
- The provision of a public right-of-way necessary to provide access to the North Dakota National Guard Readiness Center on the adjacent property to the north.

Staff Recommendation: Approval subject to conditions.

LOCATION

The property is located north of East Villard Street and west of Energy Drive.

CURRENT ZONING	GI
FUTURE LAND USE MAP DESIGNATION	Industrial
GROSS SITE ACREAGE	44.64 acres
LOTS PROPOSED	5

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	GI	National Guard Readiness Center
East	GI	Undeveloped
South	GI	Undeveloped
West	GI	Undeveloped

STAFF ANALYSIS

City staff has identified the following issues. Many of these issues were conveyed to the applicant and their representative in an email dated March 22, 2024.

Platting

- T City prefers to avoid the possibility of a storm water tract being dedicated to the City of Dickinson. More discussion can be had about this topic as the project matures.
- Due to the proposed roadway ending at Energy Drive and East Villard, a 66-foot right-of-way will be sufficient.
- The City of Dickinson will provide feedback on the street name.
- Due to the right-of-way dedication required with this plat, the application will be a major plat.

Engineering

- Street lighting shall be included in the design. The City intends to connect to the street lighting network to include parking lot lighting within the Public Safety Training Center.
- Utilize the “Local” street typical section as per Figure 4-3: Typical Urban Roadway Sections in the Transportation Master Plan.
- Future drive approaches are encouraged to enter from the new right-of-way and avoid all new approaches onto Energy Drive and East Villard
- Please provide an auto-turn for the intersection of East Villard and Energy Drive utilizing a WB-67 design vehicle
- The water main can tie into the existing system in the North Dakota National Guard Readiness Center facility to complete the loop for their system.
- Please provide estimated ranges for the water system demand
 - If you need fire hydrant flow data, please feel free to request this information from the City of Dickinson.
 - The City of Dickinson will utilize the estimated water system demand to enter into the City water model for flow and pressure validation
 - The City will require water services at the two drive approach locations noted above. Please provide these water services on your plans.
- Please provide estimated ranges for the sanitary sewer system demand
 - We anticipate the majority of the sanitary sewer flow will go to the existing lift station #17.
 - The City of Dickinson will utilize the estimated sanitary sewer system demand to enter into the City sanitary sewer model to ensure the existing lift station #17 capacity is sufficient for this development

Development Agreement

- Further details and discussions will be required regarding the development agreement as the project platting and design processes mature. The document shall be filed immediately following the filing of the plat at the Stark County Courthouse.

STAFF REVIEW AND RECOMMENDATIONS

Compliance with Zoning and Subdivision Regulations:

According to Article 39.04 of the City's Zoning Ordinance, the purpose of the General Industrial (GI) district accommodates a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use

conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts. The proposed replat is in compliance with the purpose of the G1 zoning district.

The proposed subdivision plat would consist of five lots ranging in size from 5.92 acres to 9.90 acres. As each proposed lot exceeds the minimum G1 lot size of 10,000 square feet, and approval of this plat would result in legal conformity with both Chapter 34 Subdivision and Chapter 39 Zoning.

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 the preliminary plat subject to conditions.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-004-2024, the Energy Center 6th Addition Subdivision, subject to conditions, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "***

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

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **PLP-001-2024 State 9th Addition** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

RENAISSANCE ZONE TEN YEAR RENEWAL

**CITY OF DICKINSON PLANNING AND
ZONING COMMISSION MEETING**

APRIL 10, 2024

TIMELINE

- The current Memorandum of Agreement between the City and the North Dakota of Commerce expires on July 1, 2024
- Dickinson School Board voted to support the ten year extension on March 11, 2024
- Stark County Commission voted to support the ten year extension on April 2, 2024
- City staff is scheduled to appear before the Dickinson Park Board on April 8, 2024
- City staff requests a public hearing before the Planning and Zoning Commission on May 8, 2024

Group Living-the residential occupancy by a group of people who do not meet the definition of a family are found in Section 39.02.009*. The group living use does not apply to the Group Care Facility and Group Home uses found in Section 39.03.005. Group Living uses include, but are not necessarily limited to, the following:

- Group shelters;
- Unhoused persons shelters;
- Supportive housing; and
- Transitional housing.

Group living uses shall be allowed by Special Use Permit.

As part of the special use permit request, the applicant shall submit the following additional information:

- Information regarding the proposed group living facility operation, which includes, but is not necessarily limited to, the following:
 - A complete statement of the types of services to be provided, including a client case management plan as well as the provision of “wrap around” services;
 - Consent to a background investigation of the owner/operator of the facility;
 - A list of required licenses and/or certificates, if any;
 - A list of agencies expected to provide services at the facility;
 - The applicant’s history of residency, employment, and business ownership for five years prior to the date of the application;
 - A copy of the facility’s house rules and regulations;
 - A copy of the facility’s on-site security plan;
 - A copy of the facility’s on-site emergency management plan, to include contingencies for fire, tornado, and other natural disaster;
 - Any additional information deemed necessary by Development Services, the Planning and Zoning Commission, and/or the City Commissioner.

No Group Living use may be located within 300 feet of another Group Living use, measured by lot line to lot line, unless such location is otherwise reviewed and approved as a Special Use.

If located within 150 feet of a single family residential zoning district, including overlay districts and/or planned unit developments, all outdoor activity shall be screened from public view and from the view of adjacent properties.

Lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. Lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.

Group living facilities shall comply with all applicable local, state and federal requirements.

Group living facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions.

Group facility shall mean a type of facility that shelters multiple people of the same gender who are unrelated. In a women's facility, this could also include a single mother with children. Group facilities are supervised at all hours that the residents are present.

Supportive housing - these include, but are not limited to, a combination of subsidized permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

Transient resident means one who temporarily resides for generally less than 30 days or seasonally for less than three months during any 12-month period.

Transitional housing is generally described as a type of supportive housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

Unhoused person shall mean an individual who, or family which, lacks a fixed, regular and/or adequate nighttime residence.

Unhoused facility shall mean emergency housing with minimal supportive services for unhoused persons that is intended for occupancy of three months or less in a given year by an unhoused person.

***Section 39.02.009 F**

1. Family: One or more persons living together and sharing common living, sleeping, cooking, and eating facilities within an individual housing unit, no more than four of whom may be unrelated. The following persons shall be considered related for the purpose of this title:

- (a) Persons related by blood, marriage, or adoption;
- (b) Persons residing with a family for the purpose of adoption;
- (c) Not more than eight persons under 19 years of age, residing in a foster house licensed or approved by the State of North Dakota.
- (d) Not more than eight persons 19 years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the State of North Dakota.
- (e) Person(s) living with a family at the direction of a court.

ZONING ORDINANCE GROUP LIVING FACILITIES

CITY OF DICKINSON PLANNING AND ZONING
COMMISSION MEETING

APRIL 10, 2024

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.02 DEFINITIONS

- PROVIDE DEFINITIONS FOR THE FOLLOWING TERMS:
 - **Group facility** shall mean a type of facility that shelters multiple people of the same gender who are unrelated. In a women's facility, this could also include a single mother with children. Group facilities are supervised at all hours that the residents are present.
 - **Supportive housing** - these include, but are not limited to, a combination of subsidized permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.
 - **Transient resident** means one who temporarily resides for generally less than 30 days or seasonally for less than three months during any 12-month period.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.02 DEFINITIONS (CONTINUED)

- PROVIDE DEFINITIONS FOR THE FOLLOWING TERMS:
 - ***Transitional housing*** is generally described as a type of supportive housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.
 - ***Unhoused person*** shall mean an individual who, or family which, lacks a fixed, regular and/or adequate nighttime residence.
 - ***Unhoused facility*** shall mean emergency housing with minimal supportive services for unhoused persons that is intended for occupancy of three months or less in a given year by an unhoused person.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.03 USE TYPES

- **Group Living**-the residential occupancy by a group of people who do not meet the definition of a family are found in Section 39.02.009. The group living use does not apply to the Group Care Facility and Group Home uses found in Section 39.03.005. Group Living uses include, but are not necessarily limited to, the following:
 - Group shelters;
 - Unhoused persons shelters;
 - Supportive housing; and
 - Transitional housing.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.04 USE ZONING DISTRICT REGULATIONS

- A Group Living Facility would be allowed as a Special Use in the following zoning district:
 - Agricultural (AG);
 - Rural Residential (RR);
 - Single-Family Residential (R-1);
 - Medium-Family Residential (R-2);
 - High-Density Residential (R-3);
 - Mobile-Home Residential (MH);
 - Limited Commercial (LC);
 - Community Commercial (CC);
 - Downtown Commercial; and
 - General Commercial (GC).

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.06 ZONING DISTRICT REGULATIONS

In addition to the Special Use Permit requirements found in Section 39.12.003 of the Zoning Ordinance , an applicant for a group living facility use shall submit the following additional information:

- A complete statement of the types of services to be provided, including a client case management plan as well as the provision of “wrap around” services;
- Consent to a background investigation of the owner/operator of the facility;
- A list of required licenses and/or certificates, if any;
- A list of agencies expected to provide services at the facility;
- The applicant’s history of residency, employment, and business ownership for five years prior to the date of the application;
- A copy of the facility’s house rules and regulations;
- A copy of the facility’s on-site security plan;

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.06 SUPPLEMENTAL USE REGULATIONS

- A copy of the facility's on-site emergency management plan, to include contingencies for fire, tornado, and other natural disaster; and
- Any additional information deemed necessary by Development Services, the Planning and Zoning Commission, and/or the City Commissioner.
- No Group Living use may be located within 300 feet of another Group Living use, measured by lot line to lot line, unless such location is otherwise reviewed and approved as a Special Use.
- If located within 150 feet of a single family residential zoning district, including overlay districts and/or planned unit developments, all outdoor activity shall be screened from public view and from the view of adjacent properties.
- Lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. Lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.
- Group living facilities shall comply with all applicable local, state and federal requirements.
- Group living facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions.

CITY OF DICKINSON COMMUNITY DEVELOPMENT

- JOSHUA SKLUZACEK-ENGINEER-COMMUNITY DEVELOPMENT DIRECTOR
- STEVE JOSEPHSON, AICP-CITY/COUNTY PLANNER

