



Short-term Rentals Text Amendment Staff Report

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

APPLICANT

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

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

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

Staff recommendation: Staff recommends approval of this text amendment.

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

STAFF ANALYSIS

BACKGROUND

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

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

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

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Municipal Code

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

PUBLIC INPUT AND STAFF RECOMMENDATION

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

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

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-002-2026: The Short-term Rentals Zoning Text Amendment** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

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

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **ZTA-002-2026: The Short-term Rentals Zoning Text Amendment** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*