



32nd Street SW Access Road ROW Vacation Petition Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: May 6, 2026
 Re: 32nd Street SW Access Road Right-of-way Vacation Petition

APPLICANT

Brent Smith
 11085 32nd Street SW
 Dickinson, ND, 58601

Public Hearing	May 13, 2026	Planning and Zoning Commission
Final Consideration	May 19, 2026	City Commission

The applicant is requesting approval of a right-of-way vacation petition for a 66-foot-wide portion of a 467-foot-long section of the access road along 32nd Street SW along the south edge of Lots 8 & 9 of Block 1 of the Northgate Industrial Site Subdivision, located in the S ½ of Section 10, Township 140 North, Range 96 West, in the City of Dickinson’s Extra-Territorial Zone (ETZ). The lots to the north are zoned General Industrial (GI). The portion of right-of-way being vacated consists of +/- 0.71 acres.

Staff recommendation: Staff recommends **approval** of this right-of-way vacation petition.

LOCATION

The property is generally located to the north of 32nd Street SW, and it is legally described as a 30,822 square-foot section of an access road to the south of Lots 8 & 9 of Block 1 of the Northgate Industrial Site Subdivision, located in the S ½ of Section 10, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota.

CURRENT ZONING	N/A
FUTURE LAND USE MAP DESIGNATION	N/A
GROSS SITE ACREAGE	+/- 0.71 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	GI	Industrial
East	GI; LI	Industrial; undeveloped
South	GI; LI	Undeveloped; industrial
West	AG; GI	Industrial

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility and Compliance with The Municipal Code

The applicant is requesting the vacation of existing platted right-of-way. The procedure for a right-of-way vacation is outlined in North Dakota Century Code (NDCC) Chapter 40-39, which requires the signatures of the adjoining properties and a public hearing in front of the municipality’s governing body and relevant committees. Lots 8 & 9 of Block 1 of the Northgate Industrial Site Subdivision, which are the adjoining properties, are both owned by the applicant. The petition has been completed and is being brought forward to both the Planning and Zoning Commission and City Commission in compliance with NDCC Chapter 40-39.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of this right-of-way vacation.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **32nd Street SW Access Road Right-of-way Vacation Petition** 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 **32nd Street SW Access Road Right-of-way Vacation Petition** 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."*