



Dickinson South Cemetery 2nd Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: May 6, 2026
 Re: PLP-003-2026 Dickinson South Cemetery 2nd Preliminary Major Subdivision

APPLICANT

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

APPLICANT'S REPRESENTATIVE

Curtis Freeman
 KLJ Engineering
 677 27th Avenue East
 Dickinson ND 58601

Public Hearing	May 13, 2026	Planning and Zoning Commission
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The applicant is requesting approval of the Dickinson South Cemetery 2nd preliminary major subdivision, being a parcel of land located in the S ½ of the SW ¼ of the NW ¼ of Section 16, Township 139 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site is zoned Agricultural (AG). The site consists of +/- 7.59 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision subject to the approval of the associated REZ-003-2026 and SUP-003-2026.

LOCATION

The property is generally located along 20th Avenue SW, and it is legally described as a 7.59-acre parcel of the NW1/4 Less 2.11-acre Tract 16-139-96 155.87 Acres, in the S ½ of the SW ¼ of the NW ¼ of Section 16, Township 139 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota.

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	PUBLIC/CIVIC
GROSS SITE ACREAGE	+/- 7.59 acres
LOTS PROPOSED	121

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Undeveloped
East	AG; R-3	Undeveloped
South	RR	Single-family residential
West	AG	Undeveloped

BACKGROUND

This proposed subdivision received final approval from the City Commission at the March 19th, 2024 City Commission meeting. However, the final subdivision plat was not officially recorded at the Stark County Courthouse. Section 52-4(d)(5) in the Dickinson Municipal Code states that *“Following final approval by the Board of City Commissioners, a plat in recordable form shall be furnished to the City Administrator or designee within 365 days following approval. The City Administrator or designee may grant extensions in 30 days increments for good cause shown in writing”*. Neither the City nor the contractor have records of an extension being granted to the subdivision project. To comply with the Dickinson Municipal Code, the proposed subdivision must go back through the subdivision process as outlined in Section 52-4: Procedure.

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility and Compliance with The Municipal Code

A major subdivision plat is defined in Section 52-1 of the City Subdivision chapter as a subdivision that does not meet at least one of the following conditions:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;
- Does not land-lock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;
- Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and
- Consists of four lots or less.

The Dickinson South Cemetery Second Subdivision will add 24 blocks, five lots per block, and 20 plots per lot. The plot sizes and layout for the drive aisles matches what was platted for the Dickinson South Cemetery. Therefore, the proposed subdivision does not meet the above requirements and is classified as a major subdivision.

The property is generally located 1,800 feet southwest of the City of Dickinson city limits, 4,000 feet west of Highway 22, and 2,000 feet south of 8th Street SW.

The proposed subdivision consists of approximately 7.60 acres. When the plat was previously approved, the minimum lot size for a property zoned AG was five (5) acres. In August of 2025, the City Commission approved an ordinance increasing the minimum lot size for AG-zoned lots to ten (10) acres. The proposed subdivision no longer meets the minimum lot size requirements of the AG zoning district. Prior to approval of the final subdivision plat, the property shall be rezoned to the Public (P) zoning district.

The proposed subdivision is expanding the existing Dickinson South Cemetery, which falls under the Cemetery use as defined in Section 62-131: Civic use types. According to Table 62-162-2: Permitted Uses by Zoning Districts, in Section 62-162: Development regulations, a Cemetery use is permitted by right in the AG zoning district, but requires a Special Use Permit (SUP) in the P zoning district. An SUP application shall be submitted alongside a rezone request.

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 PLP-003-2026 contingent on the approval of REZ-003-2026 and SUP-003-2026.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-003-2026: The Dickinson South Cemetery Second Preliminary Major Subdivision** 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 **PLP-003-2026: The Dickinson South Cemetery Second Preliminary Major Subdivision** 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."*