



Moore 1st Subdivision
staff report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: September 4, 2024
Re: **FLP-017-2024 Moore 1st Subdivision**

OWNER/APPLICANT

Dawson Moore
3983 Villard Street East
Dickinson, ND 58601
mooredawson040@gmail.com
(701) 690-3727

APPLICANT'S REPRESENTATIVE

Highlands Engineering/Andrew Schrank
319 24th Street SW
Dickinson, ND 58601
schrack@highlandseng.com
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Public Hearing	September 11, 2024	Planning and Zoning Commission
Final Action	September 17, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting the approval of a Minor Subdivision Plat for the Moore 1st Subdivision located in the SE ¼ of the SW ¼ of Section 6, Township 139 North, Range 95 West, of the 5th Principal Meridian, Stark County, North Dakota, within the City of Dickinson's Extra-Territorial Zone (ETZ). According to the applicant, the purpose of this subdivision is to convey a parcel of land to his grandson to allow him to construct a single-family residence. The lot is currently zoned Agriculture (AG), and the proposed subdivision will be +/- 5.22 acres.

Staff Recommendation: Staff recommends approval of the proposed minor subdivision.

LOCATION

The site is located in the SE ¼ of the SW ¼ of Section 6, Township 139 North, Range 95 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's ETZ.

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	GI
GROSS SITE ACREAGE	+/- 5.22
LOTS PROPOSED	1

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Undeveloped
East	AG	Undeveloped
South	AG	Undeveloped
West	GI	Lumber Mill; Undeveloped

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 39.04 of the Municipal Code, the minimum AG lot size is five acres. This proposed lot is roughly 5.22 acres and therefore would meet that requirement. Additionally, the construction of a single family detached residence is permitted in AG districts, as detailed in Table 4-2: Permitted Uses by Zoning Districts found in Section 39.04 of the Municipal Code.

According to Section 34.030 of the Municipal Code, a minor subdivision shall meet the following criteria:

- Does not require the dedication of a public right-of-way or the construction of new public streets or 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.

Staff finds the proposed Moore 1st Subdivision meets those criteria.

PUBLIC COMMENT AND STAFF RECOMMENDATION

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

Staff Recommendation: The Community Development staff recommends **approval** of this development project.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-017-2024 Moore 1st Subdivision** as being compliant with the City of Dickinson Comprehensive Plan, 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 **FLP-017-2024 Moore 1st Subdivision** as NOT being compliant with the City of Dickinson Comprehensive Plan, as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*