



Zowie Heights Future Land Use Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commission
 From: City of Dickinson Community Development
 Date: September 2, 2026
 Re: FLM-001-2026 Zowie Heights Future Land Use Map Amendment

APPLICANT

Jason Tormaschy
 2845 10th Avenue East
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

Nick Jensen
 Western Edge Surveying, PLLC
 1175 Lincoln Street
 Dickinson ND 58601

Public Hearing	September 9, 2026	Planning and Zoning Commission
Public Hearing	October 6, 2026	City Commission
Final Consideration	October 20, 2026	City Commission

To consider a Future Land Use Map amendment for a 30-acre property located in the SE ¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The subject property is legally described as Lots 1, 2, and 3, Block 1 of the Zowie Heights Addition Subdivision. The applicant seeks to rezone the subject lots from Agricultural (AG) to General Commercial (GC) and to annex the property.

The applicant seeks to change the Future Land Use Map designation of the subject lots from Agricultural category and the Rural Reserve overlay district into the Commercial category.

Staff recommendation: Staff recommends **approval** of this future land use map amendment contingent on the approval of the associated REZ-005-2026, PLP-005-2026, ANX-001-2026, and the associated development agreement.

The companion Zowie Heights Addition preliminary major subdivision is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (PLP-005-2026).

The companion Zowie Heights rezone request is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (REZ-005-2026).

The companion Zowie Heights annexation is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (ANX-001-2026).

LOCATION

The property is generally located to the east of 4th Avenue East, and is legally described as Lots 1, 2, and 3, Block 1 of the proposed Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson’s Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURAL/RURAL RESERVE
GROSS SITE ACREAGE	+/- 30.00 acres
LOTS PROPOSED	N/A

ZONING & LAND USE IN THE GENERAL VICINITY		
Direction	Zoning	Land Use
North	PUD, AG, RR	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG, MH, GC	Undeveloped; oil well; mobile home park
West	GC	Commercial

STAFF ANALYSIS

BACKGROUND

When the FLUM was adopted in October 2025 as part of the Direction 2050: Dickinson Transportation Master Plan and Comprehensive Plan Update, the subject property was placed in the Agricultural and Rural Reserve categories. According to Chapter 4 Land Use of the Comprehensive Plan, the FLUM designations were determined as follows:

- City planner input on general mapping strategies as well as the location of specific FLUM designations;
- Public comment received on specific FLUM designations;

- Existing land use pattern;
- Development trends;
- Land use compatibility; and
- Preferred future development of existing properties.

These factors are listed on page 110 of Chapter 4 Land Use of the Comprehensive Plan.

CONSISTENCY, COMPATIBILITY, AND RECOMMENDATIONS

Consistency with Comprehensive Plan

The site is located in the Agricultural Category with the Rural Reserve overlay category on the future land use map (FLUM). According to Table 5-2. Zoning District Compatibility with Future Land Use Categories, the General Commercial (GC) zoning district is not permitted in the Agricultural category of the FLUM. The GC zoning district is permitted in the Commercial category of the FLUM.

The subject property is located in the Rural Reserve category in the Dickinson future land use map (FLUM). According to page 77 of the 2050 Comprehensive Plan Update, properties located in the Rural Reserve category are reserved for future annexations. As mentioned in the previous section of this staff report, the proposed annexation (ANX-001-2026) is also scheduled for public hearing at this September 9, 2026 meeting. City staff reviewed the annexations request and recommends approval as the request meets the requirements outlined in the 2050 Comprehensive Plan Update.

Policy 1.3.4 of the Chapter 4 Land Use of the City of Dickinson Comprehensive Plan states the following:

The City shall review FLUM amendments applications and shall take into consideration and record as findings of fact in an ordinance that approves a requested Future Land Use Map Amendment the following factors:

- *Impact to the FLUM.*
- *Consistency with comprehensive plan policies and all other city plans.*
- *Availability of city infrastructure to serve the property in which the FLUM amendment is requested.*
- *Location of the property in relation to planned thoroughfares and the availability and cost to the City to provide infrastructure.*
- *Compatibility of the requested future land use designation in relation to abutting or adjacent future land use designations.*

- *Extent to which the requested future land use designation establishes or reinforces an urban sprawl pattern of development as opposed to an orderly, compact form of development.*
- *Whether the first two phases of the Capital Improvement Program include programmed improvements in the area where the FLUM amendment is proposed.*
- *Short-term and long-term fiscal impacts to the City of approving the FLUM amendment.*

Staff finds the following:

- Properties within the general vicinity are developed with commercial uses and high-density residential uses.
- Approval of the request to amend the subject property from AGRICULTURAL/RURAL SERVICE should not result in uses that would be incompatible with the emerging development pattern in the general vicinity.
- The adjacent property to the south is located within the Rural Reserve area, and that property is currently developed with an oil well. The current use on the adjacent property limits its ability
- Approval of the proposed amendment would be consistent with the adjacent FLUM categories. The proposed Commercial category would be contiguous with the existing commercial developments to the west of the subject property.

Compatibility with Local Uses

The applicant has indicated they are intending to utilize the property for future commercial development. The site is currently zoned AG. If the FLUM is approved, the proposed rezoning from AG to GC would permit the following commercial uses:

- Auto rental/sales/services;
- Equipment rental/sales/repair;
- Business support services
- Business/trade school;
- Communication service;
- Construction sale/service;
- Food sales;
- Gaming facility;
- General retail services;
- Personal improvement/services; and
- Research services.

STAFF RECOMMENDATIONS

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 FLM-001-2026 contingent upon the approval of PLP-005-2026, REZ-005-2026, ANX-001-2026, and the associated development agreement.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLM-001-2026: The Zowie Heights Future Land Use Map Amendment** as being consistent 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 **FLM-001-2026: The Zowie Heights Future Land Use Map Amendment** as NOT being consistent with the City of Dickinson Comprehensive Plan, NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*