

ORDINANCE NO. 1781

AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCKS OR TRACTS OF LAND WITHIN THE ZONING JURISDICTION OF THE CITY OF DICKINSON, NORTH DAKOTA.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

Section 1: That the City of Dickinson Zoning Map as provided in the City Code Section 39.04.006, designating the area and boundaries of “CC” and “PUD” zoning districts within the zoning jurisdiction of the City of Dickinson, North Dakota, is hereby amended as follows:

1. To reclassify and rezone Lot 4, Block 1 of The District Addition Subdivision, City of Dickinson, from CC to Planned Unit Development (PUD). The subject property is legally-described as follows:

Lot 4, Block 1 of the District Addition Subdivision located in the NE ¼ of Section 32, Township 140N, Range 96W located within the City of Dickinson.

The site consists of +/- 5.47 acres

Section 2: That the afore-mentioned rezoning overlay is conditioned as follows:

1. The Planned Unit Development shall be in substantial conformance at all times with the file materials included in Attachment “A” in the Staff Repot.
2. Uses will be limited to those of the Limited Commercial Zoning District.
3. One residential unit per lot shall be permitted as part of a mixed-use building.
4. Minimum lot size and lot width shall be as follows:
 - a. Minimum lot size-7,000 square feet; and
 - b. Minimum lot width-50 feet
5. Building setbacks shall be as follows:
 - a. Front yard-50 feet;
 - b. Street side yard front 19th Street West-20 feet;
 - c. Interior Side Yard-five (5) feet.
6. Unless otherwise specified above, the development standards shall be those of the Community Commercial zoning district. Maximum building footprints shall be in accordance with the notes and table in the development plans submitted by the applicant.

7. Access to the property shall be provided from 19th Street West by means of a privately maintained road.
8. Landscaping shall be in accordance with the notes and table in the development plan submitted by the applicant.
9. The exterior appearance of the buildings within the PUD shall be in substantial conformance with the material found in Attachment A of the Staff Report.
10. A minimum of 106 off-street parking spaces shall be provided within the PUD.
11. Parking requirements shall comply with the notes and table in the development plans submitted by the applicant.
12. Prior to lot development within the PUD, the developer shall submit a Pre-Application Meeting Request to discuss the proposed development with City Development staff.
13. In addition to the conditions listed above the PUD shall also comply with all applicable City, County, State, and Federal regulations.

Section 3: **Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4: **Severability.** In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 5: **Effective Date:** This Ordinance shall be in full force and effect from and after final passage.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: July 18, 2023
Second Reading: August 1, 2023
Final Passage: August 1, 2023