

ORDINANCE NO. 1794

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP

WHEREAS, the City of Dickinson has adopted its Comprehensive Plan and Transportation Plan; and

WHEREAS, the Comprehensive Plan and Transportation Plan contains a Future Land Use Map, along with procedures to amend the Future Land Use Map; and

WHEREAS, the City has received an application to amend the Future Land Use Map; and

WHEREAS, in amending the Future Land Use Map, the Board of City Commissioners has taken into consideration the following:

- Impact to the Future Land Use Map;
- Consistency with the Comprehensive Plan policies and all other City plans;
- Availability of city infrastructure to serve the property in which the Future Land Use Map 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 Future Land Use Map amendment is proposed; and
- Short-term and long-term fiscal impacts to the City of approving the Future Land Use Map amendment;

NOW, THEREFORE, BE IT ORDAINED by the Board of City Commissioners of the City of Dickinson, North Dakota, as follows:

Section 1: An amendment to the Future Land Use Map of the City of Dickinson is hereby approved as follows

1. To reclassify the following legally-described property from a future land use designation of Industrial to Agricultural:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION ELEVEN (11), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY

DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION ELEVEN (11), SAID POINT BEING A REBAR AND CAP LS-2884; THENCE S 00°04'18" W ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4), A DISTANCE OF 558.76 FEET; THENCE N 89°39'28" E, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A REBAR; THENCE CONTINUING N 89°39'28" E, A DISTANCE OF 646.24 FEET TO A REBAR; THENCE S 28°22'03" E, A DISTANCE OF 384.74 FEET TO A REBAR; THENCE N 89°38'49" E, A DISTANCE OF 439.88 FEET TO A REBAR; THENCE N 28°56'24" W, A DISTANCE OF 111.04 FEET TO A REBAR; THENCE N 89°37'47" E, A DISTANCE OF 60.00 FEET TO A REBAR, A POINT WHICH LIES ON THE APPROXIMATE CENTERLINE OF THE HEART RIVER; THENCE S 31°47'04" E ALONG SAID CENTERLINE, A DISTANCE OF 196.80 FEET; THENCE S 20°35'56" E ALONG SAID CENTERLINE, A DISTANCE OF 387.42 FEET; THENCE S 11°25'32" E ALONG SAID CENTERLINE, A DISTANCE OF 111.01 FEET; THENCE S 20°56'41" W ALONG SAID CENTERLINE, A DISTANCE OF 83.98 FEET; THENCE S 42°44'22" W ALONG SAID CENTERLINE, A DISTANCE OF 122.50 FEET; THENCE S 54°11'50" W ALONG SAID CENTERLINE, A DISTANCE OF 129.93 FEET; THENCE S 62°06'30" W ALONG SAID CENTERLINE, A DISTANCE OF 141.10 FEET; THENCE S 63°03'58" W ALONG SAID CENTERLINE, A DISTANCE OF 103.76 FEET; THENCE S 84°05'20" W ALONG SAID CENTERLINE, A DISTANCE OF 276.28 FEET; THENCE S 89°39'57" W ALONG SAID CENTERLINE, A DISTANCE OF 37.39 FEET, A POINT AT WHICH SAID CENTERLINE INTERSECTS WITH THE EAST RIGHT-OF-WAY LINE OF EAST BROADWAY STREET; THENCE N 14°59'18" E ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 40.32 FEET, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 132.93 FEET; THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°54'15" AND AN ARC DISTANCE OF 164.50 FEET (CHORD DIRECTION N 20°27'49" W, CHORD DISTANCE 154.20 FEET) TO A REBAR; THENCE N 54°25'00" ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 836.90 FEET TO A REBAR, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 157.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°29'18" AND AN ARC DISTANCE OF 149.31 FEET (CHORD DIRECTION N 27°10'21" W, CHORD DISTANCE 143.74 FEET) TO A REBAR; THENCE N 00°04'18" E ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 460.98 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 27.83 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: 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 4: 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
Dickinson City Administrator

First Reading: March 18, 2024
Second Reading: April 2, 2024
Final Passage: April 2, 2024