

**ORDINANCE NO. \_\_\_\_\_**

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 “R-2” 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 portions of Fischer’s Addition Subdivision and Replat of Riverview Addition Subdivision, City of Dickinson, from R-2 to Planned Unit Development (PUD). The subject property is legally-described as follows:

Lots 15 through 20, Block 2 of Fischer’s Addition Subdivision; and  
Lots 20-24, Block 1 of the Replat of Riverview Addition Subdivision

Located within the City of Dickinson.

The site consists of +/- 2.08 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” of the Staff Report.
2. Uses in the Planned Unit Development (PUD) shall be limited to those of the underlying Medium Density Residential (R2) zoning district.
3. Lot sizes and lot widths shall be as shown on the site plan in Attachment A in the Staff Report.
4. The location and number of off-street parking spaces shall be as shown on the site plan in Attachment A in the Staff Report.
5. The PUD shall become effective upon recordation of the companion subdivision plats.
6. In the event that any existing structures within in the PUD are damaged or destroyed to the extent that the cost of restoration of the structure exceeds 50% of the replacement cost of the structure, the replacement structure shall meet the minimum building setback and off-street parking requirements the City’s code in effect at the time of reconstruction.

7. 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3:** **Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.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.

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Scott Decker, President  
Board of City Commissioners

ATTEST

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Dustin Dassinger, City Administrator

First Reading:  
Second Reading:  
Final Passage: