



Oil Well Zoning Text Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: October 1, 2025
 Re: ZTA-006-2025 Section 16 – Oil Well Zoning

APPLICANT

Name: City of Dickinson Community
 Development
 Address: 38 1st Street West
 City: Dickinson North Dakota 58601

Public Hearing	October 8, 2025	Planning and Zoning Commission
Public Hearing	October 21, 2025	City Commission
Final Consideration	November 4, 2025	City Commission

Community Development staff is requesting approval of zoning text amendments to Section 16-170 - Zoning, and Section 16-174 – Distance limitations and spacing requirements, in Chapter 16-Environment of the Dickinson Municipal Code, to remove language regarding the requirement of a conditional use permit for oil wells. The intention of these amendments is to align the Dickinson Municipal Code with the North Dakota Century Code requirements regarding the permitting of oil well drilling.

Staff recommendation: Staff recommends approval of this text amendment.

STAFF ANALYSIS

BACKGROUND

The North Dakota Century Code states in Section 38-08-04: Jurisdiction of commission, that the North Dakota Industrial Commission (NDIC) has final authority over oil drilling activity. Additionally, Section 38-08-01: Declaration of policy, states *"It is hereby declared to be in the public interest to foster, to encourage, and to promote the development, production, and utilization of natural resources of oil and gas in the state"*. The NDIC requires that any organization proposing a new oil well must inform the municipality about the proposal prior to approval.

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Municipal Code

The proposed text amendment removes additional language referencing a conditional use permit for oil well drilling and clarifies all oil wells fall under the jurisdiction of the NDIC. This is a follow-up to ZTA-005-2025: Oil Well Recommendations text amendment, which was previously heard at the September 10th, 2025 Planning and Zoning Commission meeting. ZTA-005-2025 removed the requirement of a conditional use permit for all oil well construction and instead requires applicants attend a public hearing in front of City Commission prior to NDIC approval of the project.

PUBLIC INPUT AND STAFF RECOMMENDATION

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

Staff Recommendation: The City Development Team staff recommends **approval** of ZTA-006-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-006-2025: The Oil Well Zoning Text Amendment** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as 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 **ZTA-006-2025: The Oil Well Zoning Text Amendment** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*