



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, September 10, 2025 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Keller
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Matthew Rothstein

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Val Decker
Commissioner Mathew Rothstein

ABSENT

Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve as presented.

Motion made by Commissioner Decker, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

2. MINUTES

A. AUGUST 13, 2025 MINUTES

Motion to approve as presented.

Motion made by Commissioner Schwab, Seconded by Commissioner Johansen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

3. REGULAR AGENDA:

A. REZONING (REZ-006-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from Low Density Residential (R-1) to General Commercial (GC) for Lot 3 of Block 2 of the Stockert's 1st Addition Subdivision, located in the W ½ of Section 22, Township 139 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 3.4 acres.

City Planner Birchak presents the rezone request. The purpose of the request is to align the zoning with the property to the west and to subdivide the area into one lot. This item was previously heard at the August meeting; however, an issue was identified with the public notice, requiring it to be re-advertised. No public comments have been received. Staff recommends approval.

Chairman Fridrich opens the public hearing. There being no comment, the hearing is closed.

Motion to approve made by Vice Chairman Bullinger, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

B. SPECIAL USE PERMIT (SUP-004-2025) - Presented by City Planner, Natalie Birchak

To consider a Special Use Permit for a medical office at 109 7th Street West, legally described as Lot 1 of Block 3 of the Hilliard & Manning First Addition Subdivision, and for off-street parking associated with the proposed medical office on a property legally described as Lot 11 of Block 4 of the Hilliard & Manning First Addition Subdivision. Both lots are located in the NW ¼ of Section 3, Township 139 North, Range 96 West, in the City of Dickinson. Both lots are zoned High Density Residential (R-3). The site consists of +/- 0.162 acres.

Ms. Birchak presents the SUP request. The purpose of the request is to operate a chiropractic medical office and utilize a portion of the property for off-street parking. There is a history of the building being used as a medical office. Staff has not received any public comments and recommends approval subject to the conditions listed in the staff report.

Chairman Fridrich opens the public hearing.

Dustin Young, a nearby resident, states he is pleased to see the building and parking lot being improved. His concern is the potential increase in traffic and possible damage to his fence. He asks about protective pillars, noting that the existing ones have

deteriorated. Eric Seiler, the applicant, states that if this is an issue, they are willing to install replacements and will speak with Mr. Young to address the concern.

The public hearing is closed.

Motion to approve made by Commissioner Johansen, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

- C. FINAL MINOR PLAT (FLP-008-2025)** - Presented by City Planner, Natalie Birchak
To consider a Minor Subdivision Plat for the Prairie Creek Third Addition Subdivision, being a replat of Lot 1A of Block 2 of the Prairie Creek First Addition Subdivision, located in the NW ¼ of Section 33, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 5.35 acres.

Ms. Birchak presents the final minor plat request. The purpose of this plat to divide the property of three lots to be able to sell. Staff recommends approval.

Chairman Fridrich opens the public hearing. There being no comment, the hearing is closed.

Motion to approve made by Commissioner Decker, Seconded by Commissioner Haugen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

- D. ZONING TEXT AMENDMENT (ZTA-003-2025)** - Presented by City Planner, Natalie Birchak
To consider a zoning text amendment to Section 52-1 “Definitions” of the Subdivisions chapter of the City of Dickinson Municipal Code regarding requirements for the administrative lot modification process.

Ms. Birchak presents the text amendment. This item has been heard at prior work sessions. The purpose of the amendment is to clarify and update definitions and procedures related to lot combinations, lot splits, and lot line adjustments within the City’s Municipal Code.

The proposed changes include adding additional requirements for administrative lot combinations and lot splits. For lot combinations, the amendment sets size limits based on zoning district — for example, combinations in residential zones may not exceed 17,000 square feet in R-3, one acre in R-1, R-2, or MH districts, or ten acres in RR. In the Limited Commercial (LC) district, the combined lot may not exceed 12,000 square feet. The lot must not have been rezoned within the past year and cannot involve easement vacations or multiple zoning classifications.

For lot splits, the amendment allows a single platted lot to be divided into no more than four lots, provided that no new utility easements or rights-of-way are created and all

resulting parcels meet zoning requirements for lot area, width, and depth. Minor right-of-way dedications may be permitted at the discretion of the City Engineer. The property must not have been rezoned within the past year, and the legal descriptions must remain simple and clear.

The amendment also revises Section 52-4 (Procedure) to establish a consistent process for administrative review of lot modifications, lot line adjustments, lot splits, and lot combinations. Under the proposed language, applications meeting the listed criteria may be reviewed and approved by the City Planner and City Engineer without requiring a hearing before the Planning and Zoning Commission or City Commission. The updated language clarifies that a signature from both the City Planner and City Engineer or designees is required for all administrative lot modifications.

Chairman Fridrich opens the public hearing. There being no comment, the hearing is closed.

Motion to approve made by Commissioner Johansen, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

E. ZONING TEXT AMENDMENT (ZTA-004-2025) - Presented by City Planner, Natalie Birchak

To consider zoning text amendments to Section 62-10 “Definitions”, Table 62-162-2 “Table of Permitted Uses by Zoning District” of the Zoning Ordinance regarding the removal of the Vehicle Storage commercial use, and to Section 62-469 “Commercial uses.” of the Zoning Ordinance regarding the screening requirements for outdoor storage relating to auto repair, equipment repair, and body repair uses.

City Planner Birchak presents the proposed text amendment. The purpose of this amendment is to clarify the City’s definitions and standards regarding outdoor storage and auto repair uses within commercial districts. Letters have been sent to 26 repair shops and residents within 300ft. 12 calls have been received by City staff with one not in favor.

The amendment clarifies the definition for “Outdoor Storage” to specify that it applies to materials, parts, or products related to the primary use of a property when stored for more than three days. It also clarifies that motor vehicles, regardless of their mechanical condition, are not considered outdoor storage — even when they are part of business operations.

Additional revisions are made to Section 62-469, which governs auto repair, equipment repair, and body repair uses. The amendment clarifies that motor vehicles do not constitute outdoor storage and must instead meet the screening requirements for vehicle storage (short-term) as outlined in Article VIII. Outdoor storage is still required to be completely screened from adjacent properties and rights-of-way, and any repairs or spray painting must take place within an enclosed structure.

Leonard Schwindt, Building Official speaks. He states this clarifies how we have been enforcing this for 25 years.

Chairman Fridrich opens the public hearing.

Jay Wilhelm, owner of Dickinson Econo Storage located near Sims Street and 22nd Street, states he has experienced ongoing issues since an auto repair shop opened nearby. He explains that vehicles associated with the business are being parked along his street, which prevents snow removal. He feels that allowing vehicles to remain for up to 21 days is excessive and notes that ice buildup has become a problem in the winter. City Engineer Skluzacek clarifies that this amendment does not change existing rules related to the 48-hour parking limit. Mr. Wilhelm responds that enforcement has been inconsistent in that area and states he has been exploring the possibility of installing “No Overnight Parking” signs. It is noted that this amendment does not impact on-street parking regulations.

Kurt Jorgenson, a nearby resident, speaks to request clarification on how the proposed amendment may affect his property after receiving a public notice letter.

The public hearing is closed.

City Attorney Wenko comments on off-street parking and related violations, asking whether the business owner would be held responsible for parking violations. She notes that this issue is occurring in several locations and advises that enforcement will continue to be handled on a case-by-case basis.

Motion to approve made by Commissioner Franchuk, Seconded by Commissioner Decker.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

F. ZONING TEXT AMENDMENT (ZTA-005-2025) - Presented by City Planner, Natalie Birchak

To consider text amendments to Section 16-166 “Conditional use permit, site plan” of the Environments chapter of the City of Dickinson Municipal Code regarding submittal of a site plan for oil well drilling in accordance with the North Dakota Century Code, and to Section 16-167 “Inspections” of the Environments chapter of the City of Dickinson Municipal Code regarding City inspections of oil well sites, and to Section 62-162 “Development Regulations” and to Table 62-162-2 “Table of Permitted Uses by Zoning District” of the Zoning Ordinance regarding permitting oil wells and resource extraction in the Agricultural (AG) and General Industrial (GI) zoning districts after a public hearing in front of City Commission and approval from the North Dakota Industrial Commission.

Ms. Birchak presents the text amendment. The purpose of this amendment is to update and clarify the City’s regulations governing oil, gas, and disposal wells within the City’s zoning jurisdiction and to align with Century Code.

The amendment revises Section 16-166 to no longer require a conditional use permit for oil wells. The updated language specifies that applicants must provide detailed information including property dimensions, site access, drainage systems, locations of wells and related equipment, pollution prevention measures, screening details, and proof of insurance to the City Commission for a public hearing regarding the proposed project. After the public hearing, the City Commission shall issue a list of recommendations by resolution, which in turn is sent to the North Dakota Industrial Commission as proof the City was made aware of the project. Last, the amendment eliminates the Energy Committee, which has not met since 2019.

Revisions to Section 16-167 remove language referring to any conditional use permit, instead clarifying that requirements put in place by the North Dakota Industrial Commission must be followed. The applicant, by seeking a permit, grants the City the right to access the property for inspection purposes.

Updates to Section 62-162 clarifies that oil, gas, and service wells are permitted in the Agricultural (AG) and General Industrial (GI) zoning districts, subject to public hearing and approval by the City Commission. The amendment removes reference to requiring a special use permit.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion to approve made by Commissioner Johansen, Seconded by Commissioner Schwab.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. TRANSPORTATION AND COMP PLAN

KLJ presents the updated Transportation and Comprehensive Plan. Once approved by the City Commission, this will be available on our website.

7. ADJOURNMENT

Motion made by Commissioner Johansen, Seconded by Commissioner Schwab.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/nGBBXUrKhM8>

This link will not be live until approximately 7:10 AM MT on September 10, 2025.

Teams Meeting: <https://tinyurl.com/mt6ad8x8>

Teams Meeting ID: 297 020 763 881 2

Teams Phone #: 1-701-506-0320

Local Phone #: 701-456-7006

Meeting Passcode: K4pV2Jz2

Phone Conference ID: 540 149 284#

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.