



Bright Start Daycare Special Use Permit Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: October 14, 2026
Re: **SUP-004-2026 Bright Start Daycare Special Use Permit**

APPLICANT

Marta Munoz
 Bright Start LLC
 832 3rd Avenue W
 Dickinson, ND, 58601

Public Hearing	October 14, 2026	Planning and Zoning Commission
Final Consideration	October 20, 2026	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Special Use Permit (SUP) application for a home-based group daycare business. The business would be located in a primary residence on a 12,210-square-foot parcel at 832 3rd Avenue W in the City of Dickinson. The property is zoned Medium Density Residential (R-2).

Staff Recommendation: Staff recommends approval of this special use permit subject to conditions.

LOCATION

The properties are located within the NW1/4 of the NW1/4 of Section 3, Township 139 North, Range 96 West, City of Dickinson, of the 5th Principal Meridian, Stark County, North Dakota. The property is legally described as the North 92 feet of Lot 5, Block 2, South Dickinson Subdivision.

CURRENT ZONING	R-2
FUTURE LAND USE MAP DESIGNATION	LOW DENSITY RESIDENTIAL
GROSS SITE ACREAGE	+/- 0.29
LOTS PROPOSED	N/A

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-2	Single-family residential; multi-family residential
East	R-1	Single-family residential
South	R-2	Single-family residential; undeveloped
West	R-3; R-1	Multi-family residential; single-family residential

STAFF ANALYSIS

BACKGROUND

The applicant previously obtained a Special Use Permit (SUP) for a day care business at the subject property in September of 2021. However, operations of the business ceased in 2024. According to Section 62-55(g)(1) of the Dickinson Municipal Code, an SUP is voided if the operations do not occupy the property for two (2) years. The applicant is reapplying for a new SUP for the group day care use.

There is an existing single-family residence located at 832 3rd Avenue W. The applicant has indicated there will be no significant changes to the exterior of the residence, and it will continue to be residential in appearance. Hours of operation shall be limited to normal business hours of 6AM to 6PM Monday through Friday. Customers must utilize the alleyway for pick-up and drop-off to limit traffic impacts to 3rd Avenue W.

CURRENT ORDINANCE REVIEW

The proposed home-based occupation is located within a R-2-zoned district. Per Table 62-162-2: Permitted Uses by Zoning Districts, in the City Municipal Code, group day care uses are allowed in R-2 zoning upon obtaining a Special Use Permit, which is subject to a public hearing before the City Planning and Zoning Commission and approval by the City Commission.

The applicant has submitted a site plan demonstrating that all business operations would be limited to the first floor of the residence. Additionally, all outdoor play areas are screened with a six-foot privacy fence. This conforms with the regulations outlined in Sec. 62-471: Accessory uses, in the City's Municipal Code.

The applicant has indicated they will have a tenant living on the property. This tenant shall be an employee of the daycare.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public comments regarding this proposal.

Staff Recommendation: City of Dickinson Community Development Staff recommends **approval** of SUP-004-2026 subject to the conditions listed below:

- Hours of operation shall be limited to 6:00 a.m. to 6:00 p.m. Mondays through Fridays.
- The maximum number of children shall be limited to 12 children at any one time.
- Any tenants living on the property shall be employees of the daycare.
- Operation of the group day care use shall be as described in this staff report as well as in the material found in Attachment A.
- The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.
- Operation of the group day care use shall comply with all applicable City, County, State and Federal regulations.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-004-2026: Bright Start Group Day Care Special Use Permit** as meeting all the requirements of the Dickinson Municipal Code and also 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 **SUP-004-2026: Bright Start Group Day Care Special Use Permit** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*