

ORDINANCE NO. 2026

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62,
RELATING TO THE USE OF STORAGE CONTAINERS AS ACCESSORY
STRUCTURES IN RESIDENTIAL ZONING DISTRICTS**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

SECTION 2: Notes to Tables 62-162-2. And 62-162-3, as outlined in Section 62-162. Development Regulations. of Chapter 62 of the Municipal Code of the City of Dickinson, is hereby amended and re-enacted as follows:

Sec. 62-162. – Development regulations.

Notes to Tables 62-162-2 and 62-162-3.

Note 1: Rural Residential development situated within one of the designated rural development areas of the Comprehensive Plan may occur on minimum lot sizes below 1.0 acres, if such development is approved by the City as a conservation subdivision, designed in conformance with the Comprehensive Plan, to ensure compatible installation of infrastructure and sanitary waste collection systems in the future.

Note 2: Six feet for single-story construction, one foot for each four feet for any building over 24 feet in height. See Section 62-467 for supplemental regulations governing single-family attached and townhouse residential use types.

Note 3: See Section 62-467 for supplemental regulations regarding modifications of lot width for townhouse residential use type.

Note 4: Height limit for residential structures. 65 feet for other permitted uses.

Note 5: Setback ten feet for single-story construction, five feet for each additional story.

Note 6: The 3,000 square feet per townhouse unit applies for up to ten units in townhouse developments in the R-2 District.

Note 7: All allowable accessory **buildings structures** to a residence shall be limited to a maximum of 1,800 **square feet** and for a maximum of three detached structures for the first one acre or less. The total area of all accessory **buildings structures** may be increased by 70 square feet for each additional one-tenth acre of land area above one acre. Accessory **buildings structures** shall include the following: barns, stable, storage buildings, and detached personal vehicle garages. **Intermodal storage containers as defined in the International Building Code are not permitted within City limits in the R-1, R-2, R-3, MH, or DC zoning districts for a period of greater than 30 days. In all other zoning districts, storage containers shall be subject to outdoor storage screening requirements.**

Note 8: Toxic gaseous storage: Storage facilities of toxic gaseous, materials, tanks/or bulk facilities shall not be built within two miles of any residential subdivision or within one mile of any building for human occupancy generally, unless approved by a special use permit after a finding that storage will not pose a potential public health hazard.

Note 9:

- 1) Adequate direct road access to the site is provided with such access designed to minimize traffic congestion; and
- 2) Sufficient off-street parking areas are provided in conformance with Article IX of this chapter, Table 62-589-1; and
- 3) The site is located at least one mile from any residentially zoned area.

Note 10: Density for retirement residential is 7,000 square feet for four units and 1,000 square feet for each additional unit.

Note 11: Attached garages shall not exceed the total square footage and height of the residence.

Note 12: Detached structures shall not exceed the height of 15 feet or the height of the primary residence, whichever is less, unless the detached structure is setback from the side and rear property line a minimum of two horizontal feet for every one foot in height exceeding the maximum height of the structure in residential districts.

Note 13: Accessory structures larger than 250 square feet shall be constructed with similar materials of the primary residence or building in residential and commercial zoning districts.

Note 14: Residential use in multi-story structures in the DC zoning district, as well as family and group cares, emergency residential, group care, group home, religious assembly, and bed and breakfast uses will be located in the floor or floors above commercial uses.

Note 15: In addition to the off-street parking requirements in Article IX of this chapter, parking and loading areas in the P zoning district abutting or directly across the street from a residential zoning district shall be set back the minimum front yard setback of the adjacent residential district.

Note 16: All service, repair, processing or storage on property abutting or across the street from a residential zoning district shall be contained wholly within an enclosed building unless screened from residential zoning by a site-obstructing fence or wall.

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.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: _____, 2026

Second Reading: _____, 2026

Final Passage: _____, 2026