



PLANNING AND ZONING MEETING MINUTES

Wednesday, February 11, 2026 at 7:10 AM MT
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
Mathew Rothstein

CALL TO ORDER ROLL CALL

PRESENT

Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Val Decker
Commissioner Zach Keller
Commissioner Rothstein

ABSENT

Chairman Jason Fridrich

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve as presented.

Motion made by Commissioner Decker, Seconded by Commissioner Johansen.

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

2. MINUTES

A. JANUARY 14TH, 2025 MINUTES

Motion to approve as presented.

Motion made by Commissioner Johansen, Seconded by Commissioner Schwab.
Voting Yea: Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Keller, Commissioner Rothstein

3. REGULAR AGENDA

A. CHAIRMAN APPOINTMENT

Johansen nominates Fridrich, Decker seconds.

Motion made by Commissioner Johansen, Seconded by Commissioner Decker.
Voting Yea: Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Keller, Commissioner Rothstein

B. VICE CHAIR APPOINTMENT

Decker nominates Bullinger, Franchuck seconds.

Motion made by Commissioner Decker, Seconded by Commissioner Franchuk.
Voting Yea: Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

C. ZONING TEXT AMENDMENT (ZTA-002-2026) - Presented by City Planner, Natalie Birchak

To consider zoning text amendments to Section 62-133 “Commercial use types.”, Table 62-162-2 “Table of Permitted Uses by Zoning District” in Section 62-162 “Development Regulations”, and to Section 62-469 “Commercial uses.” of the Zoning Ordinance regarding the permitting and licensing of short-term rental uses.

Ms. Birchak presents the ZTA. She explains Community Development staff is requesting approval of zoning text amendments to Section 62-133 – Commercial use types, Table 62-162-2. Permitted Uses by Zoning Districts in Section 62-162 – Development Regulations, and Section 62-469 – Commercial uses, in Chapter 62- Zoning of the Dickinson Municipal Code, to permit and license short-term rental uses in the Rural Residential (RR), Low Density Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Mobile Home (MH) and Downtown Commercial (DC) zoning districts. This proposed amendment also establishes a licensing process for short-term rental uses in resident-owned homes that are residential in appearance. This amendment has been heard at prior PZ meetings. Suggestions from the commission have been added. No public comments have been received and staff recommends approval.

*a list of all changes can be found in the accompanying agenda packet for this item

Vice Chair Bullinger opens the public hearing. There being no comments, the hearing is closed.

Motion made by Commissioner Johansen. Second Rothstein

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

D. ZONING TEXT AMENDMENT (ZTA-003-2026) - Presented by City Planner, Natalie Birchak

To consider a zoning text amendment to Section 62-56 “Amendment procedure.” of the Zoning chapter of the City of Dickinson Municipal Code regarding notice and protest requirements for rezoning, special use permits, and text amendments.

Ms. Birchak presents the ZTA. She explains Community Development staff is requesting approval of zoning text amendments to Section 62-56 – Amendment procedure, in Chapter 62-Zoning of the Dickinson Municipal Code, to remove the requirement placed on rezoning and Special Use Permit (SUP) applicants to notify adjacent property owners through petition signature collection. This amendment also clarifies the specific procedure the City utilizes to notify adjacent properties of any public hearings. This has been heard at prior PZ meetings. Suggestions from the commission have been added. No public comments have been received and staff recommends approval.

* a list of all changes can be found in the accompanying agenda packet for this item

Vice Chair Bullinger opens the public hearing. There being no comments, the hearing is closed.

Motion made by Commissioner Decker, Seconded by Commissioner Haugen.

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

E. ZONING TEXT AMENDMENT (ZTA-004-2026) - Presented by City Planner, Natalie Birchak

To consider zoning text amendments to Section 62-10 “Definitions.”, Section 62-471 “Accessory uses.”, and to Section 62-594 “Parking of certain vehicles.” of the Zoning Ordinance regarding updating the definitions of personal, commercial, recreational, heavy, and heavy recreational vehicles.

Ms. Birchak presents the ZTA. She explains Community Development staff is requesting approval of zoning text amendments to Section 62-10 – Definitions, Section 62-471 – Accessory uses, and Section 62-594 – Parking of certain vehicles, in Chapter 62-Zoning of the Dickinson Municipal Code, to update the definitions of personal, commercial, heavy, and recreational vehicles. This proposed amendment also clarifies that heavy vehicles cannot be parked or stored on residential lots. This

has been heard at prior PZ meetings. Suggestions from the commission have been added. No public comments have been received and staff recommends approval.

* a list of all changes can be found in the accompanying agenda packet for this item

Vice Chair Bullinger opens the public hearing. There being no comment the hearing is closed.

Motion made by Commissioner Haugen, Seconded by Commissioner Johansen.

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

4. PUBLIC COMMENTS

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. CURALEAF ANNUAL SUP REVIEW

Ms. Birchak presented the item, noting that the applicant has appeared before the board for the past four years regarding the marijuana dispensary. Staff reported no issues with the Special Use Permit and confirmed the applicant is current with all required state licensing. No action is required.

Amber Wanner, manager is present for any questions.

B. FOOD TRUCK PERMITTING - Presented by City Planner, Natalie Birchak

Ms. Birchak presented proposed regulations for mobile food units (food trucks) operating within the City of Dickinson. The presentation outlined licensing requirements, operational standards, permitted zoning districts, parking regulations, and enforcement provisions. Vendors would be required to obtain an annual city license, provide documentation such as health department approval, insurance, and inspections, and comply with operational rules including distance requirements from buildings and restaurants, noise regulations, and cleanup responsibilities. The proposal also identified designated mobile vendor corridors and approved operating areas, and established administrative penalties and possible license revocation for violations.

* a list of all proposed changes can be found in the accompanying agenda packet for this item

Discussion:

Vice Chair Bullinger asked about the process for food trucks operating on roadways. Ms. Birchak explained they would only be permitted within designated corridors and would be required to obtain a license. Food trucks may also operate on private property with the property owner's approval. Commissioner Schwab asked whether

this could create issues with farmers markets. Ms. Birchak indicated that those situations would be addressed through the event permit process.

B. **RESIDENTIAL STORAGE CONTAINERS** - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented proposed regulations regarding residential storage containers. The presentation addressed questions raised at a previous meeting, including whether storage containers should be prohibited only within city residential zoning districts or also within the ETZ, how they should be regulated in commercial and industrial districts, and whether the proposed requirements could be enforced.

Staff determined that storage containers should be prohibited in residential zoning districts, including Rural Residential (RR), and that enforcement would be feasible. In commercial and industrial zoning districts, storage containers would be permitted but required to be screened from adjacent rights-of-way and neighboring properties in accordance with outdoor storage screening requirements.

The proposal also included language clarifying that intermodal shipping containers, as defined by the International Building Code, would not be permitted in residential zoning districts for more than 30 days, while remaining subject to screening requirements in other zoning districts.

* a list of all proposed changes can be found in the accompanying agenda packet for this item

Discussion:

Commissioner Johansen asked whether existing storage containers currently in violation would be grandfathered in. Building Official Schwindt stated there are not many cases of noncompliance and that staff would work with property owners to bring them into compliance, primarily through screening requirements.

Commissioner Haugen expressed concern about residents using old vehicles, trailers, and similar items for storage. Mr. Schwindt noted that the proposed regulations are a first step toward providing enforceable standards, as the City currently has limited ability to address issues such as junk vehicles within the ETZ.

City Attorney Wenko explained that enforcement authority in the ETZ is limited and that addressing issues such as junk vehicles has been difficult. She cautioned against overextending the City's jurisdiction. Mr. Schwindt added that enforcement would largely be complaint-driven or addressed during the building permit process, noting that without these regulations the City currently has little mechanism for enforcement.

Commissioner Decker asked whether there are any outstanding complaints, and staff indicated there are none at this time. Commissioner Rothstein questioned why the City is focusing on storage containers when other forms of storage are also used. Mr. Schwindt explained that permits are currently required for accessory structures larger than 10 by 12 feet.

C. **TRANSPORTATION AND MASTER PLAN UPDATE ORDINANCE** - Presented by City Planner, Natalie Birchak

Ms. Birchak presented the amended plan and major policy changes. She noted that the Transportation Master Plan and Comprehensive Plan Update were accepted by resolution at the October 21, 2025 City Commission meeting. The amendments incorporate policies from the existing Comprehensive Plan that were not included in the updated plan to ensure they remain enforceable prior to adoption by ordinance. Major changes include updates to plan language, the creation of two residential Future Land Use Map categories—High Density Residential and Low Density Residential—and the addition of an Urban Reserve category for areas adjacent to the City expected to develop for urban uses. The amendments also remove Policy 2.10, related to oil well standards, and Policy 3.1, which encouraged establishment of an R-4 zoning district.

7. **ADJOURNMENT**

Motion made by Commissioner Schwab, Seconded by Commissioner Haugen.

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

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/l-rK-CGTgzY>