



Lot Modification Requirements Zoning Text Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
From: City of Dickinson Community Development Services
Date: September 3, 2025
Re: ZTA-003-2025 Section 52 – Lot Modification Requirements

OWNER/APPLICANT

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

Public Hearing	September 10, 2025	Planning and Zoning Commission
Public Hearing	September 16, 2025	City Commission
Final Consideration	October 7, 2025	City Commission

Community Development staff is requesting approval of a zoning text amendment to Section 52-1. – Definitions, and Section 52-4. – Procedure, in Chapter 52-Subdivision of the Dickinson Municipal Code, to include a requirement that implements a maximum lot size for lot combinations, prevents the administrative lot modification process from being utilized in conjunction with a rezone request, and requires the City Planner signature for any lot modification. The intent of this amendment is to prevent the administrative lot modification process from significantly altering the characteristics of surrounding areas while circumventing the typical subdivision process.

Staff recommendation: Staff recommends approval of this text amendment.

STAFF ANALYSIS

BACKGROUND

The North Dakota Century Code allows for the creation and recording of the irregular plats involved in the City of Dickinson's administrative lot modification process within NDCC Section 57-02-39: Irregularities of land to be platted into lots if required. As of now, the process requires a signature from the City Engineer with input from the City Planning Director or designee.

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Comprehensive Plan

The current Municipal Code does not include a limit to the size or number of lots that can be involved in a lot combination irregular plat. The proposed text amendment allows for lot combinations up to the minimum lot size of the next-lowest-density zoning district of that classification. This means lots in the Low Density Residential (R-1), Medium Density Residential (R-2) and Mobile Home (MH) zoning districts may utilize the lot combination process for lots under one (1) acre in size, lots in the Rural Residential (RR) zoning district may be ten (10) acres, and lots in the Limited Commercial (LC) zoning district may be 12,000 square feet.

Multi-family residential is a permitted use within the High Density Residential (R-3) zoning district and has a variable minimum lot requirement, established in Table 62-162-3a. Summary of Site Development Regulations of Section 62-162: Development Regulations as *"7,000 for the first unit, 3,000 for the next three units and 1,000 thereafter"*. If the proposed text amendment were to be approved, lot combinations that result in lots less than 17,000 square feet in the R-3 zoning district would be eligible for the lot combination process. However, proposed lots that are equal to or greater than 17,000 square feet would be required to go through the minor or major subdivision process, as these lots could be utilized for larger-scale multi-family residential complexes that may impact the characteristics of the surrounding area.

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-003-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-003-2025: The Lot Modification Requirements 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-003-2025: The Lot Modification Requirements 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."*