Bismarck Planning and Zoning Commission

MEETING
August 19, 2026

Tom Baker Meeting Room City-County Office Building 5:00 PM

The City of Bismarck is encouraging citizens to provide their comments for public hearing items on the Planning & Zoning Commission agenda via email to planning@bismarcknd.gov. The comments will be sent to the Planning and Zoning Commissioners prior to the meeting and included in the minutes of the meeting. To ensure that comments are compiled and forwarded to the Planning and Zoning Commissioners with enough time to review all comments, please submit your comments no later than 8am the day of the meeting. Comments received after 8am the day of the meeting will not be included for consideration by the Planning and Zoning Commission. Comments should also include which agenda item number your comment references and your name (anonymous comments will not be forwarded to the Planning & Zoning Commissioners or included in the minutes of the meeting). If you would like to appear via video or audio link for a 3-5-minute comment on a public hearing item, please provide your e-mail address and contact information to planning@bismarcknd.gov at least one business day before the meeting.

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, DakotaMediaAccess.org, RadioAccess.org, ROKU, Apple TV and Fire TV.

1. **APPROVAL OF MEETING MINUTES**

   A. Consider approval of minutes

   B. Guide to Public Participation

   C. Map of all items on the agenda

2. **PUBLIC COMMENT**

   A. Public Comment

3. **CONSENT AGENDA**

   A. **Paradise Commercial Center Addition** (IJ)

      Complete Plat | PPLT2026-007 | Consideration
      Staff recommends: Approve

4. **REGULAR AGENDA**

A. **Cottage Grove Addition** (IJ)

Zoning Map Amendment | ZC2026-001 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2026-001 | Consideration
Staff recommends: Call for Public Hearing

B. **William Blackstone Addition Update** (DN)

Zoning Map Amendment | ZC2026-008 | Public Hearing
Staff recommends: Approve

C. **Governor Pierce, Block 49, Lots 1-24, Parts of Block 56** (LO)

Zoning Map Amendment | ZC2026-009 | Public Hearing
Staff recommends: Approve

D. **Elk Ridge Fourth Addition Update** (DN)

Zoning Map Amendment | ZC2026-010 | Public Hearing
Staff recommends: Approve

E. **Centennial Park Fourth Addition, Block 1, Lot 4** (LO)

Zoning Map Amendment | ZC2026-011 | Public Hearing
Staff recommends: Approve

F. **Updates to Title 14.1 Stormwater Management** (DN)

Zoning Ordinance Text Amendment | ZOTA2026-003 | Public Hearing
Staff recommends: Approve

5. **OTHER BUSINESS**

ADJOURN
The next regular meeting date is scheduled for September 23, 2026, at 5:00 pm in the Tom Baker Meeting Room.

A. Building Permit Data: **Month to Date** or **Year to Date**

BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
July 22, 2026

The Bismarck Planning & Zoning Commission met on July 22, 2026, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. The meeting was held in person and via Zoom. Dakota Media Access was present to record the meeting and archive on DakotaMediaAccess.org for public viewing. Chair Schwartz presided and was present in the Tom Baker Meeting Room.

Commissioners present were Cole Johnson, Gabe Schell, Mike Schwartz, Sheldon Sivak, and Al Wangler.

Commissioners not present were Mike Schmitz and Kendra Taylor. Due to an audio error on Zoom, Commissioners Conner Swanson and Brian Bitner were unable to participate.

Staff members present were Sarah Fricke – Senior Administrative Assistant, Isak Johnson – Planner, Daniel Nairn – Planning Director, and Jenny Wollmuth – Senior Planner.

MINUTES

Chair Schwartz called for consideration of the minutes of the June 24, 2026, meeting.

MOTION: Commissioner Johnson made a motion to approve the minutes of the June 24, 2026, meeting. Commissioner Wangler seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

PUBLIC COMMENT

Chair Schwartz opened the public comment period.

There being no comments, Chair Schwartz closed the public comment period.

CONSIDERATION

3A. UPDATE TO TITLE 14.1 STORMWATER MANAGEMENT
3B. WILLIAM BLACKSTONE ADDITION UPDATE
3C. ELK RIDGE FOURTH ADDITION UPDATE

MOTION: Based on the findings contained in the staff report, Commissioner Johnson made a motion to approve consent agenda items 3A, 3B, and 3C, calling for public hearings as recommended by staff. Commissioner Sivak seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Sivak, Wangler and Chair Schwartz voting in favor of the motion.

PUBLIC HEARING – PARADISE VALLEY THIRD ADDITION
ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT

Chair Schwartz called for the public hearing on the zoning map amendment from the RM30 – Residential zoning district to the CX-Commercial Mixed-Use and the RM-Residential Multi-Family zoning districts and a preliminary subdivision plat titled Paradise Valley Third Addition. The property is located in south Bismarck, along the south side of Burleigh Avenue between Rutland Drive and Boston Drive.

Mr. Johnson noted that the applicant chose to opt into the new Land Development Code processes and provided an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the zoning map amendment and preliminary subdivision plat titled Paradise Valley Third Addition would not adversely impact the public health, safety, and general welfare.

Mr. Johnson said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment from the RM30 – Residential zoning district to the CX-Commercial Mixed-Use and the RM-Residential Multi-Family zoning districts and a preliminary subdivision plat titled Paradise Valley Third Addition.

Chair Schwartz asked if there are any buffering requirements. Mr. Johnson replied there are buffering requirements in the Land Development Code and conformance to any relevant requirements would be determined during site development.

Chair Schwartz opened the public hearing.

Hannah Boese, Lowry Engineering, was available for questions.

There being no further comments, Chair Schwartz closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Wangler made a motion to approve the zoning map amendment from the RM30 – Residential zoning district to the CX-Commercial Mixed-Use and the RM-Residential Multi-Family zoning districts and a preliminary subdivision plat titled Paradise Valley Third Addition. Commissioner Sivak seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

PUBLIC HEARING – HERITAGE RIDGE SECOND ADDITION, BLOCK 1, LOTS 14-15
SPECIAL USE PERMIT – PERSONAL FLEX

Chair Schwartz called for the public hearing on a special use permit for personal flex buildings on Lots 14-15, Block 1, Heritage Ridge Second Addition. The property is located in northwest Bismarck, west of North Washington Street between 57th Avenue NW and 64th Avenue NW, along the east side of Tyler Parkway.

Ms. Wollmuth provided an overview of the request stating that personal flex buildings are a new use introduced with the adoption of the Land Development Code (LDC). They are defined as a non-habitable, non-commercial building used by an individual or household for

personal storage, hobbies, craftwork, or private recreation, and not open to the public. Personal flex uses are intended for use by residents of an adjacent neighborhood. Ms. Wollmuth explained that as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that special use permit for personal flex would not adversely impact the public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommend approval of the special use permit.

Commissioner Johnson asked about the difference between the proposed personal flex buildings and storage units. Ms. Wollmuth explained that personal flex buildings are non-habitable, non-commercial buildings used by an individual or household for personal storage, hobbies, craftwork, or private recreation, and not open to the public.

Commissioner Sivak asked if anything similar currently exists. Mr. Nairn compared the personal flex units to a planned unit development amendment approved for Misty Waters last year.

Chair Schwartz opened the public hearing.

Landon Niemiller, Swenson Hagen & Co. stated the goal is to provide additional storage for the residents of the 55+ community.

Commissioner Wangler asked for the size of the units. Mr. Niemiller replied that the units will be approximately 1,500 square feet.

Commissioner Johnson asked what would stop someone from renting a unit and using it for something other than storage. Mr. Niemiller explained that no commercial permit would be issued by the city, and they will have an HOA that will be managing the units.

Chair Schwartz asked if each unit would have its own water and sewer. Mr. Niemiller said that each unit would have its own water and sewer connection, but there will be a shared service for each building.

Commissioner Wangler asked if an individual bathroom will be in each unit. Mr. Niemiller replied yes.

There being no further comments, Chair Schwartz closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Sivak made a motion to approve the special use permit for personal flex buildings on Lots 14-15, Block 1, Heritage Ridge Second Addition. Commissioner Johnson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

PUBLIC HEARING – SILVER RANCH FOURTH ADDITION, BLOCK 1, LOTS 1 & 3 SPECIAL USE PERMIT – EMC SIGN

Chair Schwartz called for the public hearing on a special use permit for an electronic message center sign on Lots 1 & 3, Block 1, Silver Ranch Fourth Addition. The property is located in northeast Bismarck, east of 52nd Street NE, along the north side of Noble Drive.

Ms. Wollmuth provided an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the proposed special use would not adversely impact the public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings, staff recommends approval of the special use permit for an electronic message center sign on Lots 1 & 3, Block 1, Silver Ranch Fourth Addition.

Chair Schwartz opened the public hearing.

Shannon Schlinger, Mann Signs, was available for questions.

Commissioner Schell asked, because there is no ambient street lighting on 52nd Street, will the sign have constant frame in the evening hours. Mr. Schlinger replied that the operation of the sign is up to BPS, but they intend to follow ordinance. BPS was present and stated the sign will be turned off at night.

There being no further comments, Chair Schwartz closed the public hearing.

MOTION: Commissioner Johnson made a motion to approve the special use permit for an electronic message center sign on Lots 1 & 3, Block 1, Silver Ranch Fourth Addition. Commissioner Sivak seconded the motion. The motion was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:31 p.m. to meet again on August 19, 2026.

Respectfully submitted,

_____
Sarah S. Fricke
Recording Secretary

_____
Mike Schwartz
Chair

BISMARCK PLANNING AND ZONING COMMISSION
GUIDE TO PUBLIC PARTICIPATION

The Planning and Zoning Commission welcomes and values public input during its meetings. The following procedures for public comment are to ensure that all individuals have a fair opportunity to be heard while maintaining an orderly, transparent, and efficient meeting environment. There are two opportunities available:

Public Hearings

All public hearing items are shown on the regular agenda, which is when comments on these items should be given.

1. **Introduction**. The Chair of the Planning and Zoning Commission introduces the item on the agenda and asks staff to present a report.
2. **Staff Report**: A planner presents the staff report. The presentation will be an overview of the written staff report included in the agenda packet with a visual presentation of materials.
3. **Commission Questions**. Commissioners may ask staff questions, but they will not discuss the request or share an opinion prior to obtaining input from the public.
4. **Open Public Hearing**. The Chair will then open the public hearing on the request and ask if anyone would like to speak to the commission.
5. **Applicant Statement**. The applicant is traditionally given the courtesy to present their proposal or any additional information first.
6. **Public Statements**. The hearing is then opened to the public to voice their support, opposition, or give any comments regarding the item. This is the opportunity to approach the podium.
7. **Close Hearing**. The Chair closes the hearing for the item once all interested people have spoken, and no more public comments are allowed.
8. **Commission Discussion**. Commissioners discuss the proposal. They may ask staff or the applicant questions or for clarification of items stated during the public hearing.
9. **Commission Action**. The Planning and Zoning Commission makes its decision on that item.

Other Public Comments

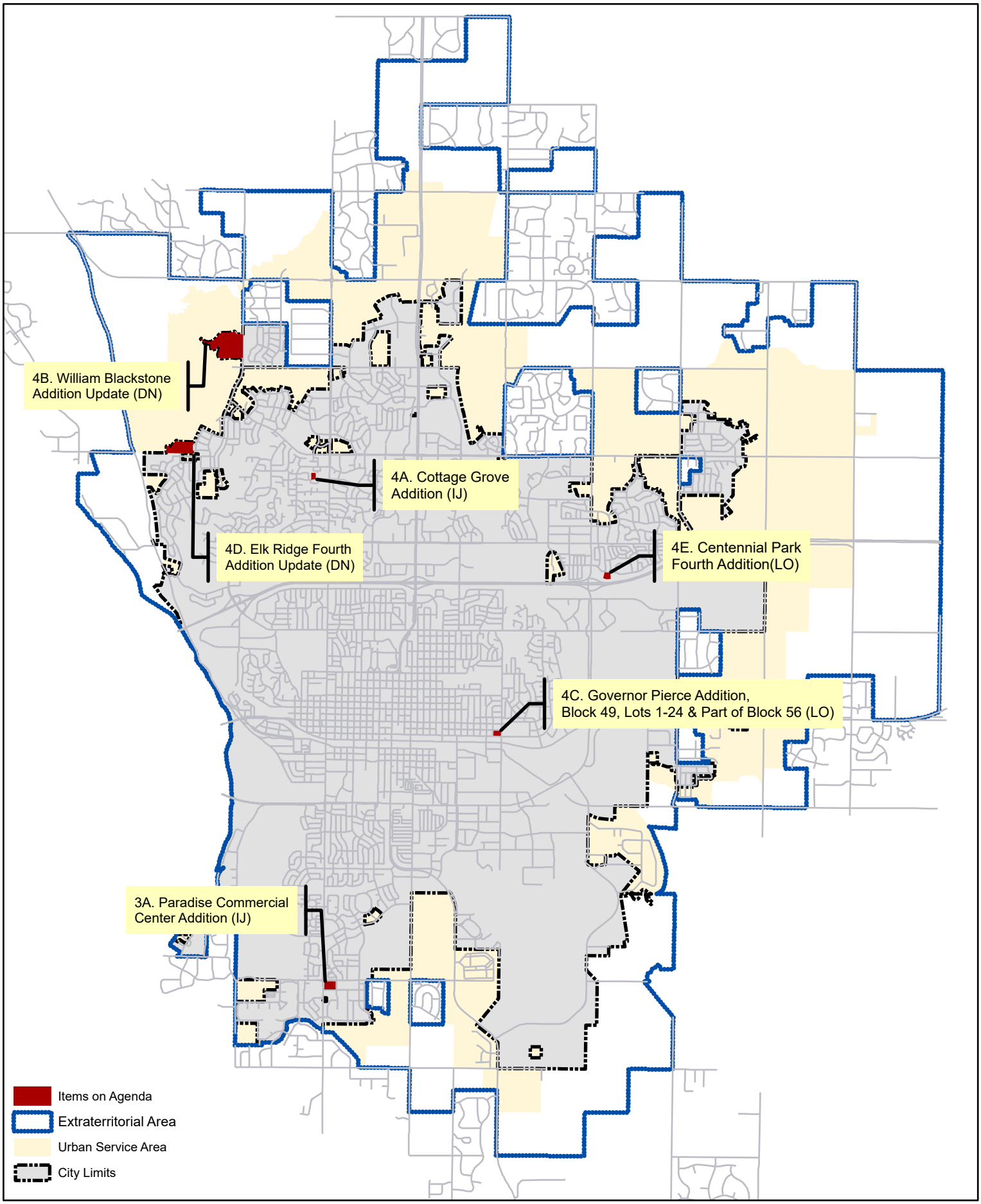
Any comments addressing an item on the current agenda, other than a public hearing, or an agenda item from the preceding meeting.

1. **Public Comment**. General public comments are received toward the beginning of the meeting.
2. **Time Limits**. Each person may comment for five minutes, unless extended by the Chair. An individual may not yield their time to another. The total comment period is limited to 30 minutes, unless extended by the Chair.

General Instructions

The following guidance applies to both public hearings and other public comments:

- Write your first and last name and address on the sign-in sheet at the podium.
- Adjust the microphone, if necessary, state your name, then provide comments. Traditionally, comments are addressed to the Chair and Planning and Zoning Commission.
- Comments may not be defamatory, abusive, harassing, or unlawful; include information that is exempt or confidential under North Dakota open records law; or interfere with the orderly conduct of the meeting.
- Commenters may only address the Commission, not staff, applicants, or other meeting attendees. Commissioners may question any person. The Chair may ask speakers to limit their time, not repeat previous testimony, and speak only once.
- Written materials may be distributed to the Commissioners or displayed visually on screens. Staff are available to assist.
- Reasonable accommodations will be made upon request, pursuant to the City's Title VI policy.



This map is for reference purpose only and is not intended as a survey or accurate representation of all map features.

0 1 2 4 6 Miles

N

Bismarck PLANNING

STAFF REPORT

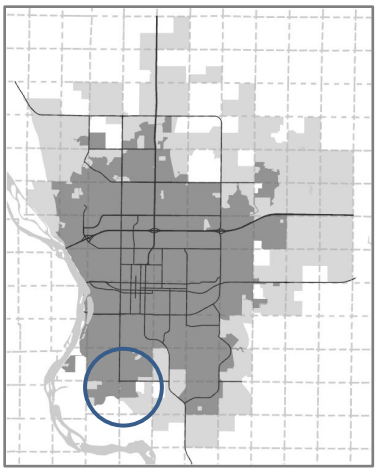
Agenda Item # 3A
August 19, 2026

Application for: **Preliminary Plat**

Project ID: **PPLT2026-007**

Project Summary

Title:	Paradise Commercial Center Addition
Status:	Planning and Zoning Commission – Consideration
Property Owner(s):	MBR Properties LLC
Project Contact:	Mike Tarnoski, Mountain Plains, LLC
Project Location:	In south Bismarck, in the southeast quadrant of the intersection of South Washington Street and East Burleigh Avenue
Project Size:	7.48 acres
Applicant Request:	Replat the area to facilitate future commercial development
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	1 lot in 1 block	*Lots/Blocks:*	5 lots in 1 block
Land Use:	Undeveloped	*Land Use:*	Commercial uses
Future Land Use:	Community Mixed Use (CMU)	*Future Land Use:*	No change
Zoning:	CX-Commercial Mixed Use	*Zoning:*	No change
Uses Allowed:	CX-Commercial and Residential Uses	*Uses Allowed:*	No change

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	Paradise Valley

Property History

Zoned:	08/2022
Platted:	01/2023
Annexed:	08/2022

(continued)

Project Narrative

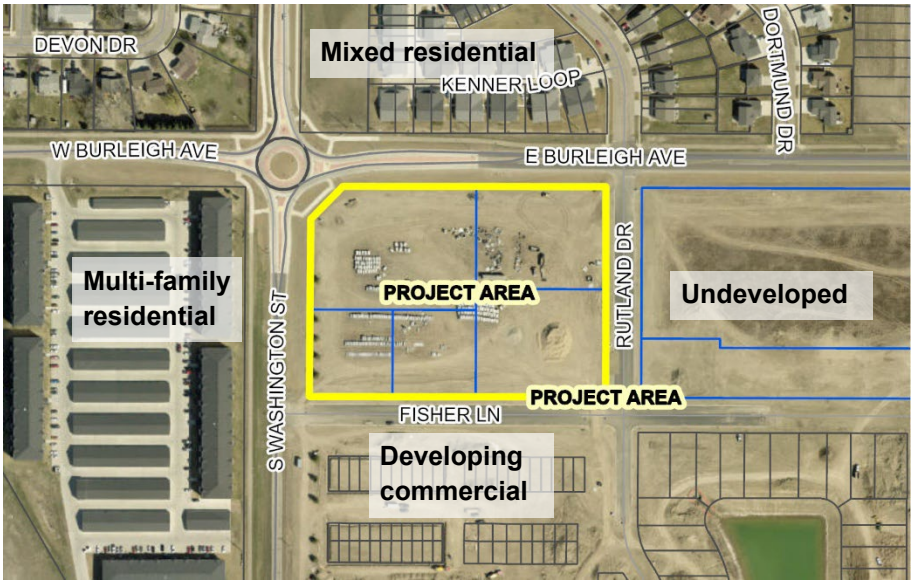
MBR Properties LLC is requesting approval of a preliminary subdivision plat titled Paradise Commercial Center Addition. The project is a proposed replat of Lot 1, Block 1, Paradise Valley Addition, and would change the existing single lot into a five lot in one block subdivision.

The project is following the new complete subdivision process under the recently adopted Land Development Code. As such, because the project is not in conjunction with a zoning map amendment, there is no public hearing with the Planning and Zoning Commission.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Community Mixed Use (CMU) in the Future Land Use Plan. The CMU areas are places of commerce, employment, and residence for the Bismarck community. Goals and objectives of this plan as they relate to preliminary subdivision plats are referenced in review standards below.

The project is located in a region of Bismarck that is still developing. To the north are various established residential uses; to the west are multi-family residences; to the east is undeveloped land which is currently being replatted to potentially permit a mixture of commercial and residential uses; and to the south are developing commercial uses.

Public Engagement

The requested preliminary subdivision plat is exempt from public hearing and notification requirements.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

Any written comments received by staff prior to the meeting will be distributed to the Planning and Zoning Commission.

(continued)

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The subdivision complies with the applicable dimensional standards of this Code – 14-20-06(3)(c)(iv)(1)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet setback and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

The subdivision adheres to the Major Street Plan – 14-20-06(3)(c)(iv)(2)

Yes. The following corridors are identified in the Major Street Plan, as existing arterial roadways, and are adjacent to the boundary of the proposed subdivision: East Burleigh Avenue and South Washington Street. Neither the plat nor the anticipated development are expected to interfere with the Major Street Plan. A plan reference map is attached to this staff report.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system – 14-20-06(3)(c)(iv)(3)

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore, no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services – 14-20-06(3)(c)(iv)(4)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street connectivity have been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety – 14-20-06(3)(c)(iv)(5)

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

A neighborhood park will be available within walking distance for all urban residents – 14-20-06(3)(c)(iv)(6)

Yes. The provision of neighborhood parks and open space is not needed because the proposed preliminary subdivision plat is not an urban subdivision with residential zoning districts.

The subdivision is designed to minimize natural hazards and impacts to environmentally sensitive land – 14-20-06(3)(c)(iv)(7)

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment – 14-20-06(3)(c)(iv)(8)

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been approved by the City Engineer, and the PCSMP will be approved prior to submittal of a final plat.

(continued)

Water supply systems will be adequately supplied by the City or seamlessly transition from a rural to an urban system through cooperation with the South Central Regional Water District – 14-20-06(3)(c)(iv)(9)

Yes. The proposed subdivision will be served with municipal water upon development and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with the proposed subdivision – 14-20-06(3)(c)(iv)(10)

Yes. The future revenue and other public goods generated by the proposed subdivision are expected to be proportional to the public costs of development. Public costs associated with provision of municipal water and sewer service to new development will be adequately compensated for through payment of utility capital charges. The initial development will be funded by the developer or through special assessment of properties benefitted by said improvements, as outlined in the Development Cost Policy. Ongoing costs of maintenance and operation of all public facilities will be offset by property and/or sales tax derived from the proposed subdivision.

Technical specifications required of the preliminary plat have been met – 14-20-06(3)(c)(iv)(11)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request have been followed – 14-20-06(3)(c)(iv)(12)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The subdivision will not adversely impact the public health, safety, and general welfare – 14-20-06(3)(c)(iv)(13)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the preliminary subdivision plat titled Paradise Commercial Center Addition.

Attachments

1. Zoning and Plan Reference Map
2. Preliminary Plat

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@bismarcknd.gov

Zoning and Plan Reference Map

PARADISE COMMERCIAL CENTER

PPLT2026-007

Label: LDC Zoning (Old Zoning)

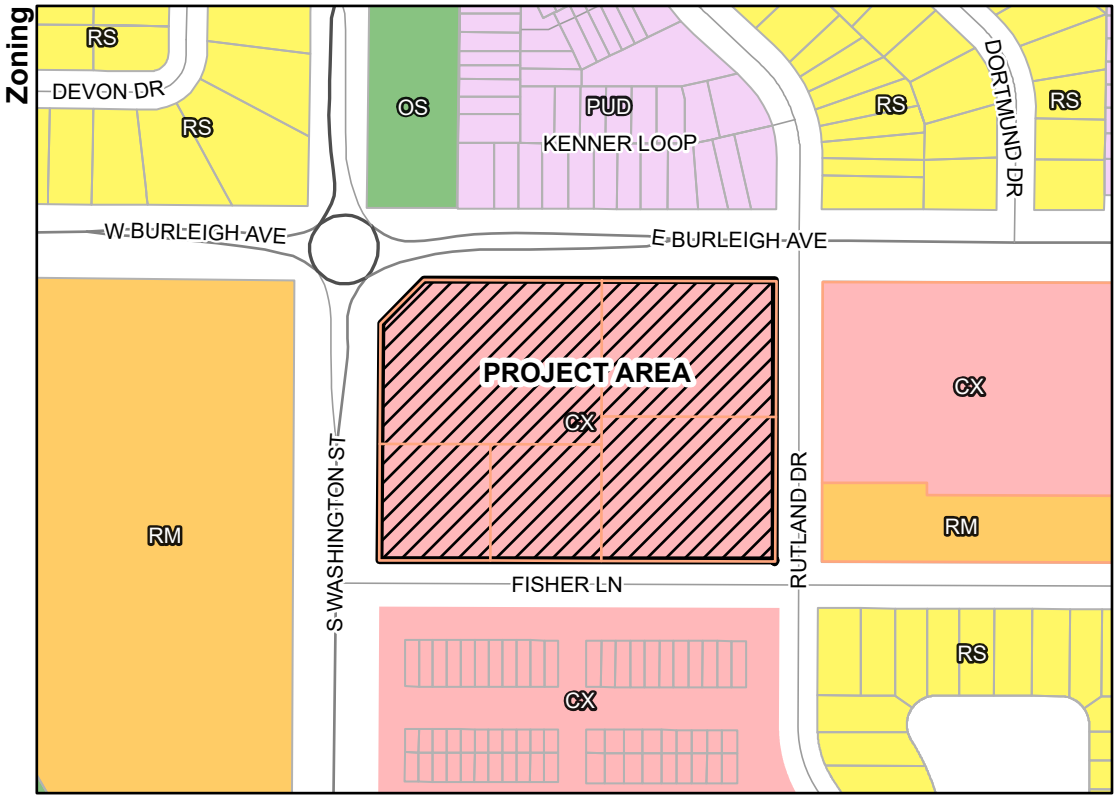
Zoning Districts

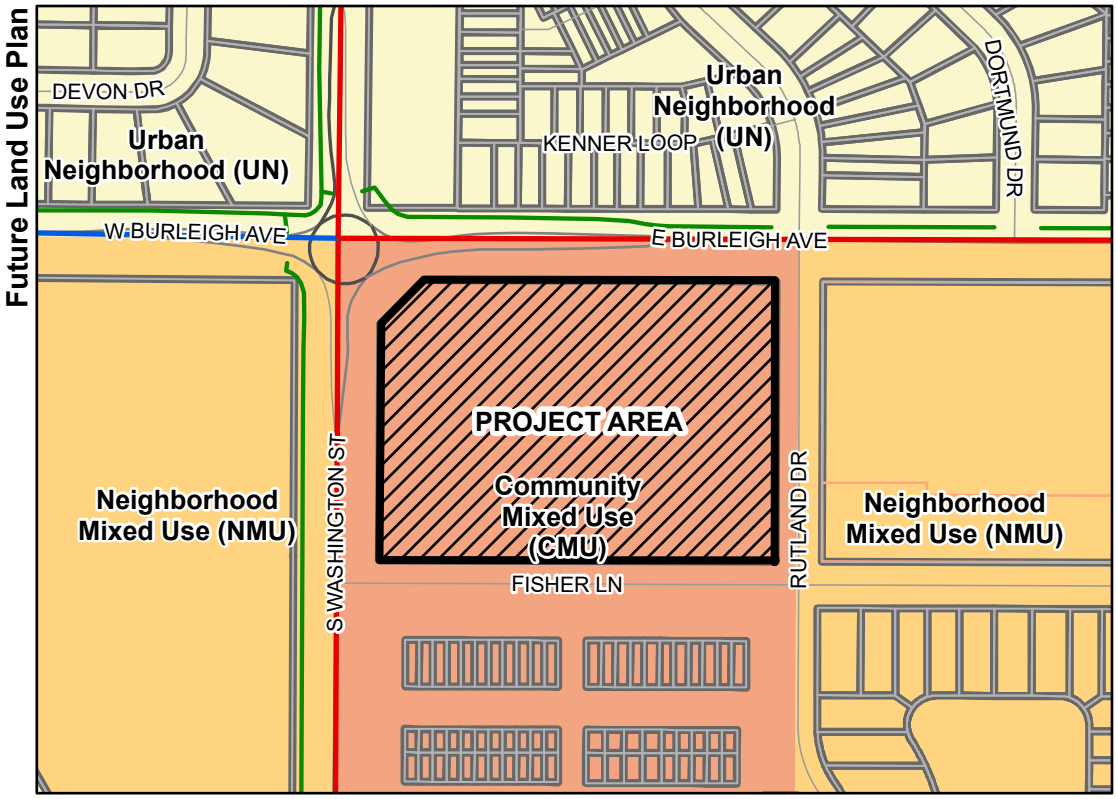
A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space
PUD	Planned Unit Development

Future Land Use Plan

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
URA/ URB	Urban Reserve Mid/Long-Term

Existing Arterial
Future Arterial
Existing Collector
Future Collector
Existing Interstate
Future Interstate
City Limits
Future Shared Use Trail
Existing Shared Use Trail





This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 240 480 960 Feet

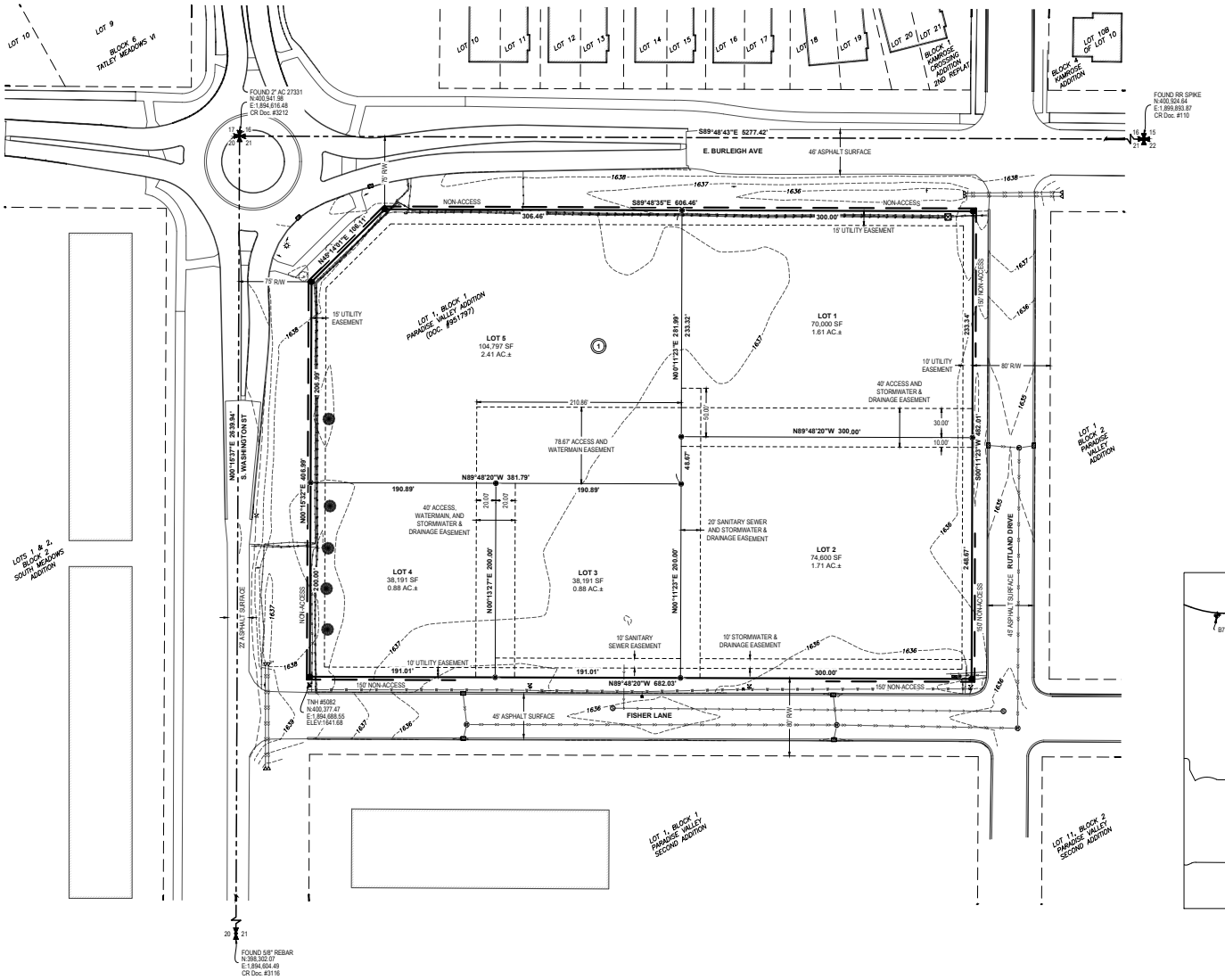
City of Bismarck
Planning Department
August 5, 2026

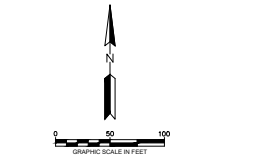
PRELIMINARY PLAT FOR:

PARADISE COMMERCIAL CENTER ADDITION

TO THE CITY OF BISMARCK

A REPLAT OF LOT 1, BLOCK 1 OF PARADISE VALLEY ADDITION,
IN THE NW1/4 OF SECTION 21, TOWNSHIP 138 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

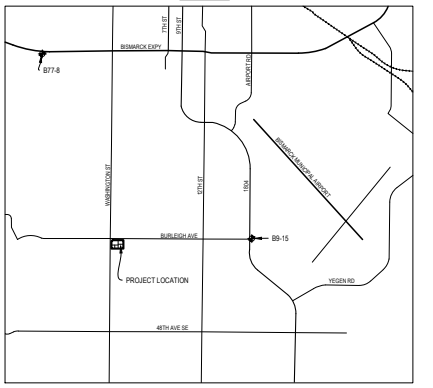




PLAT NOTES:

1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
2. FIELD SURVEY COMPLETED 7/10/2026.
3. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
4. TOTAL LOTS: 5
   TOTAL PLAT: 7.48 ACRES (+/-)
5. ZONING: CONDITIONAL CG
6. BENCHMARKS AT CITY CONTROL B9-15 (ELEV: 1659.73 NAVD88) AND B77-8 (ELEV: 1636.71 NAVD88)
7. THOSE PORTIONS OF RIGHT-OF-WAY APPEARING ON THE PLAT HEREON WERE DEDICATED PER PARADISE VALLEY ADDITION, DOC. #951797, FILED JANUARY 24TH, 2023.

VICINITY MAP



PRELIMINARY

LEGAL DESCRIPTION

A REPLAT OF LOT 1, BLOCK 1 OF PARADISE VALLEY ADDITION (PER DOC. NO. 951797), LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 21, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID PLAT CONTAINS 7.48 ACRES, MORE OR LESS, AND SHALL HENCE FORTH BE KNOWN AS PARADISE COMMERCIAL CENTER ADDITION.

OWNER:
MBR PROPERTIES LLC
3860 21ST ST NE, #101
MANDAN, ND, 58554
(701) 391-1119

SURVEYOR:
MICHAEL J. TARNOWSKI, PLS-27506
MOUNTAIN PLAINS, LLC
1300 TACOMA AVE, SUITE A
BISMARCK, ND, 58504
(701) 557-3348

MOUNTAIN PLAINS LLC

Bismarck PLANNING

STAFF REPORT

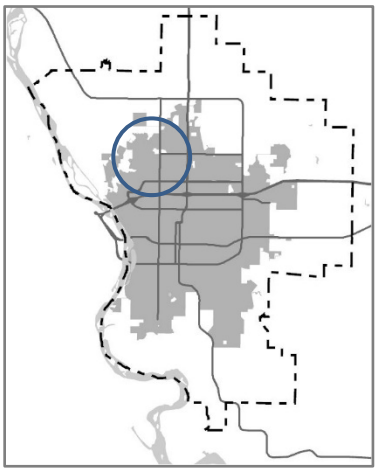
Agenda Item # 4A
August 19, 2026

Application for: **Final Plat**
Zoning Map Amendment

Project ID: **FPLT2026-007**
ZC2026-001

Project Summary

Title:	Cottage Grove Addition
Status:	Planning and Zoning Commission - Public Hearing
Property Owner(s):	Bold Property Group, LLC
Project Contact:	Andra Marquardt, RLS, Toman Engineering
Project Location:	In northwest Bismarck, west of North Washington Street along the north side of Buckskin Avenue
Project Size:	2.36 acres
Applicant Request:	Replat and rezone the area to facilitate single-family detached and attached housing
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	1 parcel in 1 block	*Lots/Blocks:*	13 lots in 2 blocks
Land Use:	Single-family residential	*Land Use:*	Detached and attached single-family residential
Future Land Use:	Urban Neighborhood (UN)	*Future Land Use:*	No change
Zoning:	R5 – Residential	*Zoning:*	RS-Residential Suburban with a Plan Overlay District (POD)
Uses Allowed:	R5 – Single-family residential	*Uses Allowed:*	RS-Single-family detached and (up to three) attached residential

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	Equine Estates

Property History

Zoned:	02/2016
Platted:	08/1966
Annexed:	10/2014

(continued)

Project Narrative

Bold Property Group LLC, is requesting approval of a zoning map amendment from the R5 – Residential zoning district to a Plan Overlay District (POD) on the Land Development Code (LDC) zoning district of RS-Residential Suburban, and of a proposed major subdivision final plat titled Cottage Grove Addition. The project area would be a replat of Lot A of Lot 3, Block 2, KMK Estates.

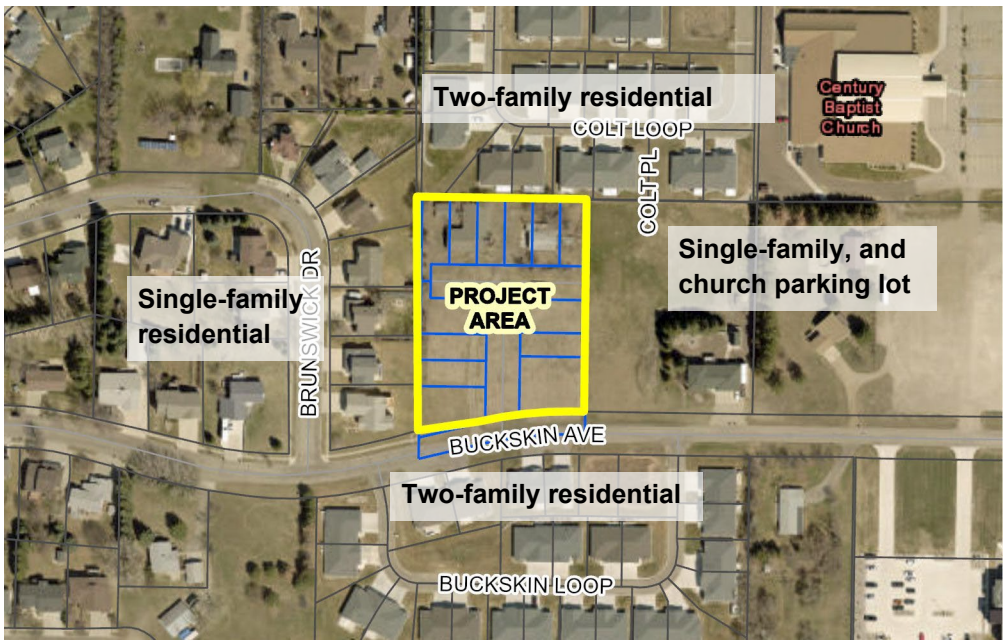
The applicant is proposing to subdivide the one property into 13 lots in 2 blocks in order to facilitate the development of rowhouse-style development. The development plan, facilitated by the zoning map amendment to use a POD on top of the LDC zoning district of RS-Residential Suburban would consist of single-family detached and attached houses for total of thirteen housing units.

PODs are the rough equivalent of Planned Unit Developments (PUDs) in the LDC. They alter certain aspects of the base zoning district while leaving all other aspects of the base district the same. In this case, the applicant was originally requesting a PUD to facilitate the proposed lot layout and unit-types of their development. However, all of their proposed development standards (lot size, width, building setbacks, height etc.) would be permitted by-right in the LDC's RS-Residential Suburban zoning district, with the exception of total lot coverage for buildings. In this case, the POD will increase the permitted lot coverage consistent with their approved stormwater management plan. Additionally, PODs under the new LDC will be easier to amend (if needed) compared to the existing process for PUDs while still providing sufficient development flexibility with the proposed base zoning district.

While this is a replat of an existing area, the plat includes new public right-of-way for Caspian Court. The right-of-way extends north from Buckskin Avenue before turning east to the edge of the plat, providing the option for extending further east and possibly looping back to Buckskin Avenue should the properties to the east redevelop in the future.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.

(continued)

The property has been identified as Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are places for quiet enjoyment of home life. Goals and objectives of this plan as they relate to major subdivision final plats and zoning map amendments are referenced in review standards below.

The project is located in a primarily residential area, with single-family and two-family residential uses on all sides. Further to the east, and northeast, is a church and its associated parking lots.

Public Engagement

The Planning and Zoning Commission considered the preliminary plat and zoning map amendment on February 25, 2026, and called for a public hearing.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on August 6 and 13, and 67 postcards were mailed to the owners of nearby properties on August 7, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on August 3, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment (Future Land Use Plan)

Yes. The proposed zoning map amendment is within the area designated as Urban Neighborhood in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning (Goal S10-a, S5-a)

Yes. Adjacent uses are described in the project context section above. The proposed LDC zoning district would allow attached single-family dwellings in groups of one to three units (detached and attached) and is the same as the LDC zoning district of the surrounding properties. The POD would not alter the number of units permitted, and would only permit a higher lot coverage consistent with the development's approved stormwater management plan. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established (Goal S9-e)

Yes. The current zoning district of R5 - Residential was established in February 2016. Conditions have changed since this time. This area has gradually been redeveloping over the last 20 years from a more rural development style to a more urban development style. This includes work within the public rights-of-way to install sidewalks and repave roads to meet city

(continued)

standards; this also involves larger lot properties, originally rural residential, redeveloping into primarily single- and two-family dwellings.

The City's Comprehensive Plan, Together 2045, was also adopted in 2022 which supports the gradual redevelopment of existing areas into a progressively more urban fashion.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment (Goal S1-a, Goal T1-c)

Yes. The proposed zoning map amendment would enhance the diversity of housing types available to Bismarck residents and would support a mix of uses to create vibrant neighborhoods where necessities and amenities of daily life are easily accessible to all residents.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment (Comprehensive Plan)

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S1: Encourage the formation and growth of complete neighborhoods.
- S4(a): Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers.
- S4(d): Allow greater residential lot coverage to promote efficient utilization of land and align with building types in market demand.
- S6(c): Enhance housing choice by removing regulatory barriers against attached housing configurations that have demonstrated success in other markets yet are less common locally.
- S9: Provide the means for adaptation of the built environment to meet complex and changing economic and social demands.
- S10: Support the arrangement of compatible land uses to minimize adjacent conflicts.
- G1: Encourage infill and redevelopment of land already connected to municipal services.
- T3: Ensure that the variety and quality of housing is aligned with the needs of the community.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

II The plan mitigates or offsets significant adverse impacts, including but not limited to traffic generation, lighting, noise, odor, dust, and other external impacts anticipated to result from the POD – Section 14-20-05(6)(d)(ii)

(continued)

Yes. The POD will be identical to the standard RS-Residential Suburban zoning district with the exception of requesting increased lot coverage. The proposed development has an approved stormwater management plan to mitigate any potential impacts of that increased lot coverage.

No other aspect of the proposed development is anticipated to result in a level of impact beyond what is similar to the existing surrounding uses.

The plan includes an internal street circulation system, if relevant, designed for the type of traffic that is expected to be generated by the development – Section 14-20-05(6)(d)(iii)

Yes. The proposed subdivision would have a public roadway connecting to Buckskin Avenue, with the possibility of extending the proposed roadway to the east so that it could loop around. The proposed uses would all be low-to-medium density residential uses. This circulation system is adequate for expected traffic.

The plan preserves natural features, such as healthy trees and drainage areas, to the maximum extent practicable – Section 14-20-05(6)(d)(iv)

Yes. The property does not have significant topographical or other natural features. The proposed plan overlay district incorporates these existing natural features into the design of the development to the greatest extent feasible.

The Plan Overlay District supports or advances objectives of the Comprehensive Plan – Section 14-20-05(6)(d)(v)

Yes. The following objectives of the plan would be advanced through the proposed plan overlay district.

- S1: Encourage the formation and growth of complete neighborhoods.
- S4(a): Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers.
- S4(d): Allow greater residential lot coverage to promote efficient utilization of land and align with building types in market demand.
- S6(c): Enhance housing choice by removing regulatory barriers against attached housing configurations that have demonstrated success in other markets yet are less common locally.
- S9: Provide the means for adaptation of the built environment to meet complex and changing economic and social demands.
- G1: Encourage infill and redevelopment of land already connected to municipal services.
- T3: Ensure that the variety and quality of housing is aligned with the needs of the community.

The plan will not adversely impact the public health, safety, and general welfare – Section 14-20-05(6)(d)(vii)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment and POD would not adversely impact the public health, safety, and general welfare.

Major Subdivision Final Plat

The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission

Yes. The proposed final plat is substantially similar to the preliminary plat.

Any and all conditions placed on approval of the preliminary plat by the Planning and Zoning Commission have been satisfied or will remain in place for future completion

Yes. No conditions were placed on the approval of the preliminary plat.

(continued)

Sufficient easements and rights-of-way are included on the proposed subdivision to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision (Goal G3-d)

Yes. The proposed subdivision includes easements that extended into and through the plat. The plat contains general utility easements and sufficient space within public right-of-way for the provision of municipal water and sewer service.

The Major Street Plan is adhered to with the proposed subdivision (Major Street Plan)

Yes. There are no corridors identified in the Major Street Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision (Active Mobility Plan)

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents (Goal I1-a, Section 14-09-04(2)a(vii))

Yes. Adequate parks and open space already exist to serve anticipated residents of this subdivision. The requirements of the neighborhood parks and open space policy have been waived by the Bismarck Parks and Recreation District. The property is within 0.5 miles to New Generations Park (to the west) and Normandy Park (to the east). A waiver letter from the Bismarck Parks and Recreation District is attached to this report.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system (Goal C3-c)

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services (Goal C4, Section 14-09-05)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street connectivity has been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety (Goal C3-b)

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment (Goal I5, Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP) for the proposed subdivision. A temporary stormwater and detention pond easement is located on the southern 43 feet of lot 3, Block 2.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located,

(continued)

and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision (Goal I6-a)

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District (Goal G3-f, Section 14-09-04(2)d)

Yes. The proposed subdivision will be served with municipal water upon development and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision (Goal G3-a)

Yes. The proposed subdivision involves infill and redevelopment of an area already served by municipal infrastructure. The additional up-front and ongoing costs to the City are expected to be minimal, relative to the benefits provided by the subdivision.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the final plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval on the zoning map amendment from the R5 – Residential zoning district to a Plan Overlay District (POD) on the Land Development Code (LDC) zoning district of RS-Residential Suburban on the proposed major subdivision final plat for Cottage Grove Addition.

Attachments

1. Draft Zoning Ordinance
2. Draft POD Document
3. Zoning and Plan Reference Map
4. Proposed Zoning Map
5. Final Plat
6. Preliminary Plat
7. Original Plat with Replatted Area Highlighted

(continued)

8. Neighborhood Park Agreement waiver letter

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Adoption. As authorized by Section 14-08-04, a Plan Overlay District is hereby established to be known as Cottage Grove Addition, as specified in all text and referenced exhibits attached to this ordinance.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

DRAFT

Cottage Grove Addition
PLAN OVERLAY DISTRICT (POD)

14-07-03 Plan Overlay Districts:

Plan Overlay Districts (POD) are applied as an overlay that reflects adjustments made to applicable base zoning districts based on a plan for the area within the district. Where the POD is silent as to a development standard or requirement, the requirements of the applicable base zoning district shall apply.

Legal Description:

This plan overlay district shall apply to the following lands:

Lots 1-10, Block 1, and Lots 1-3, Block 2, Cottage Grove Addition

1. Purpose

Increase permitted lot coverage consistent with the approved stormwater management plan.

2. Comprehensive Plan

The following objectives of the Comprehensive Plan are supported:

a. "Encourage the formation and growth of complete neighborhoods" (S1)

b. "Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers" (S4a)

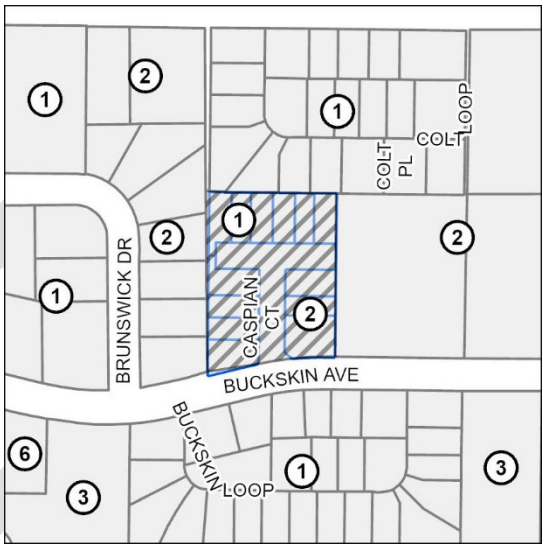
c. "Allow greater residential lot coverage to promote efficient utilization of land and align with building types in market demand" (S4d)

d. "Enhance housing choice by removing regulatory barriers against attached housing configurations that have demonstrated success in other markets yet are less common locally" (S6c)

e. "Provide the means for adaptation of the built environment to meet complex and changing economic and social demands" (S9)

f. "Encourage infill and redevelopment of land already connected to municipal services" (G1)

g. "Ensure that the variety and quality of housing is aligned with the needs of the community" (T3)



Base Zoning District(s):
RS – Residential Suburban

Revision History:
TBD (ZC2026-001)

Certificate:

I, Jason Tomanek, do hereby certify that this document is a full, true and correct copy of a Plan Overlay District adopted at a legally convened meeting of the Board of City Commissioner held on this September 22, 2026.

_____ _____

Jason Tomanek Date
City Administrator
Bismarck, North Dakota

DRAFT

3. Standards and Requirements

a. The maximum impervious surface coverage, both of the cumulative development and on a lot by lot basis, may increase beyond the standard 40% so long as it is consistent with the approved stormwater management plan and any amendments to said plan.

Zoning and Plan Reference Map

COTTAGE GROVE ADDITION

PPLT2026-001

Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

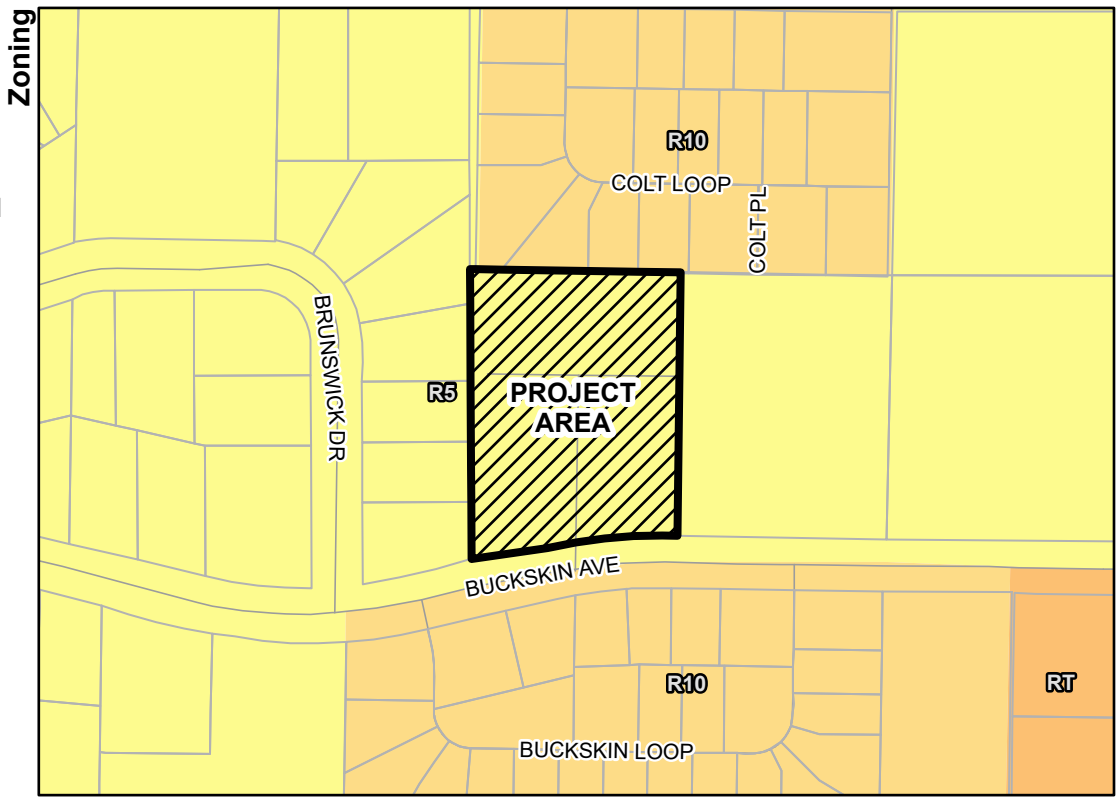
UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/ URB	Mid/Long-Term

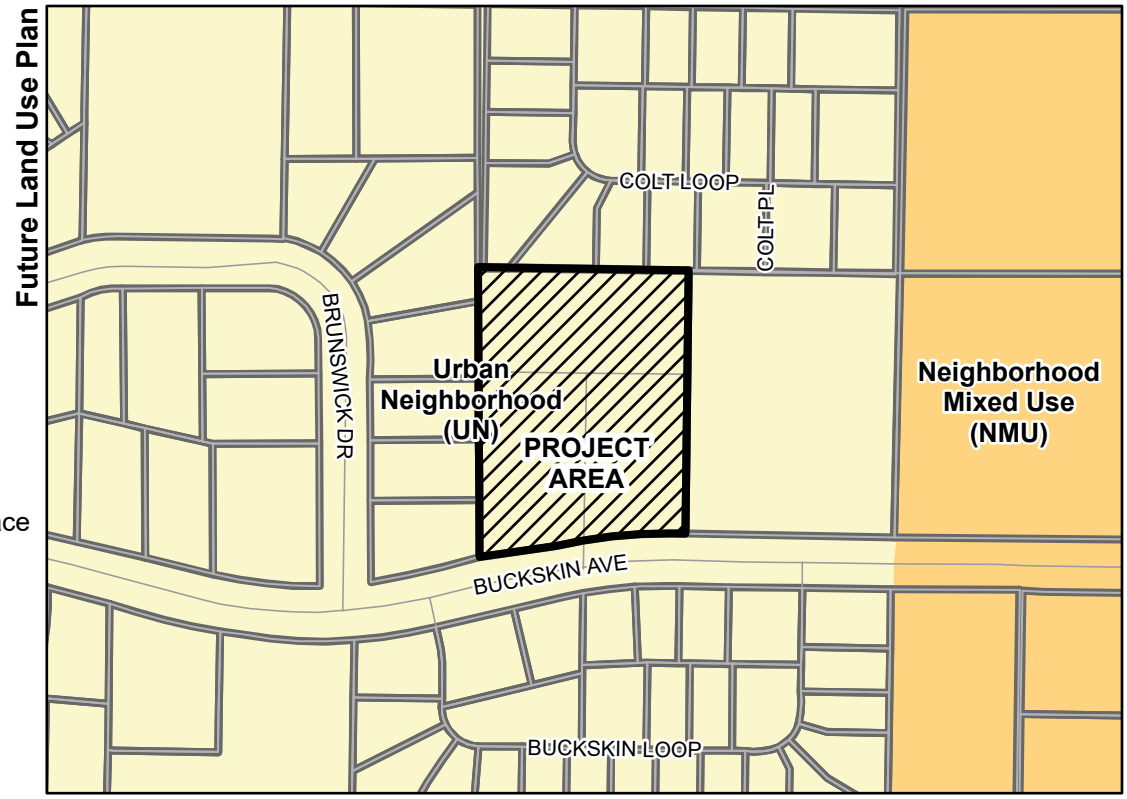
Active Mobility Plan

Future Shared Trail

Major Street Plan

Existing Arterial
Future Arterial
Existing Collector
Future Collector
Existing Interstate
Future Interstate
City Limits





This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 180 360 720 Feet

City of Bismarck
Planning Department
February 12, 2026

Proposed LDC Zoning

COTTAGE GROVE ADDITION

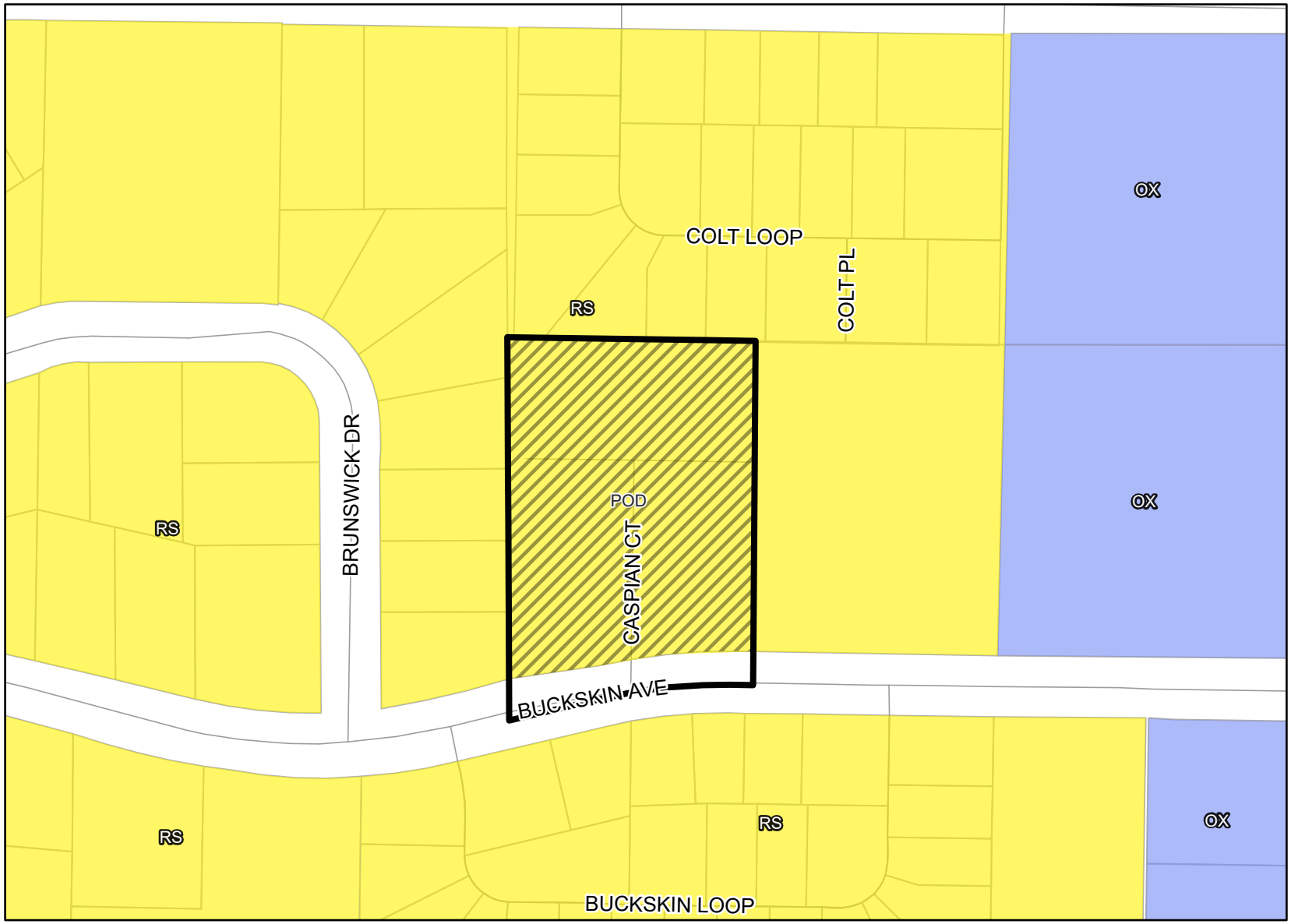
ZC2026-001

Proposed New Zoning Map

- Project Area
- City Limits
- Plan Overlay District

Zoning Districts

A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space



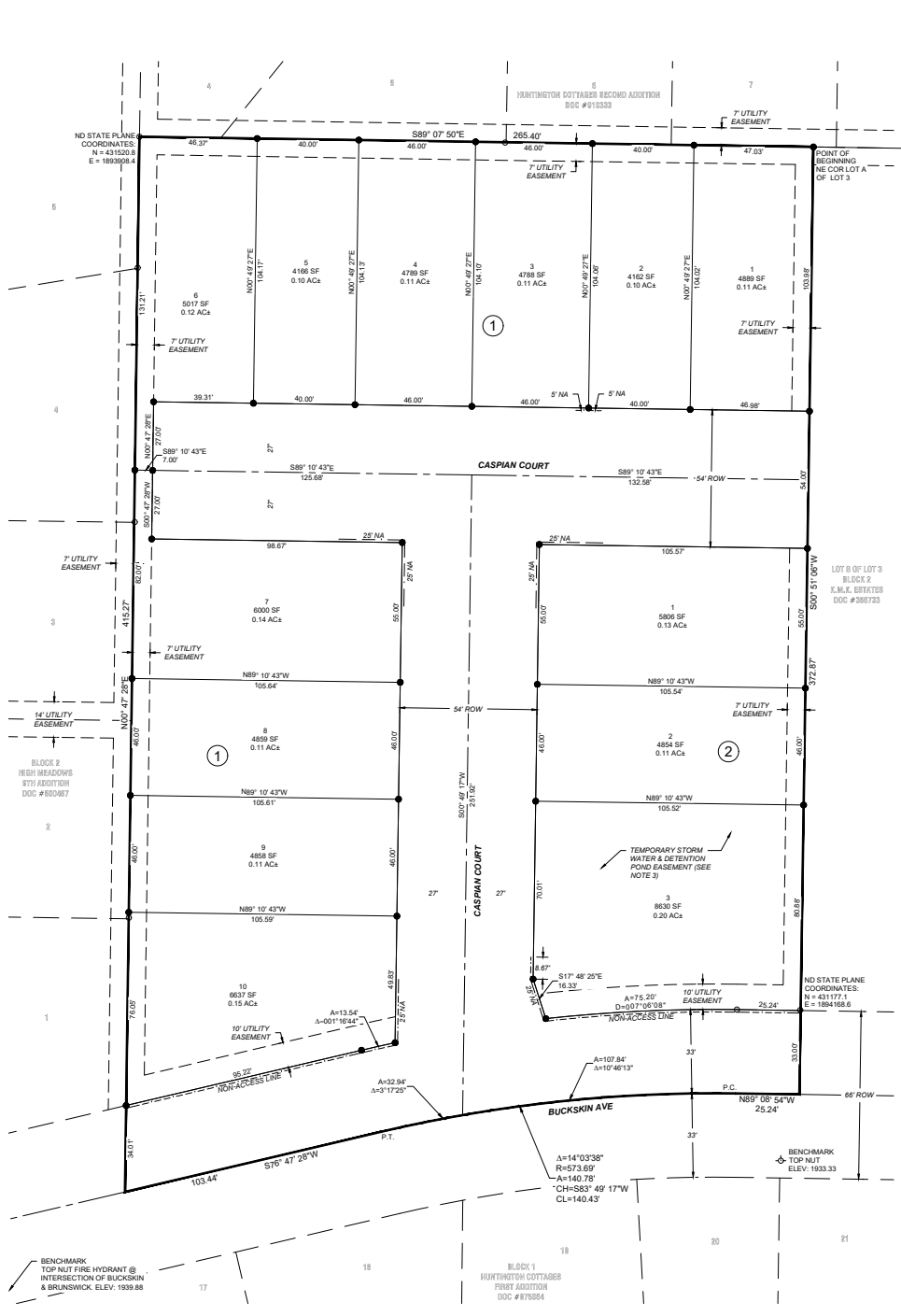
0 0.05 0.1 0.2 Miles

City of Bismarck
Planning Department
August 7, 2026

This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

COTTAGE GROVE ADDITION

ALL OF LOT A OF LOT 3, BLOCK 2, AND PART OF BUCKSKIN AVENUE, K.M.K. ESTATES OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



DESCRIPTION OF PROPERTY

ALL OF LOT A OF LOT 3, BLOCK 2, AND PART OF BUCKSKIN AVENUE, K.M.K. ESTATES OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT A OF LOT 3, BLOCK 2, K.M.K. ESTATES OF BISMARCK, NORTH DAKOTA; THENCE SOUTH 00°51'06" WEST ALONG THE EAST BOUNDARY LINE OF SAID LOT A FOR 372.87 FEET TO A POINT ON THE CENTERLINE OF BUCKSKIN AVENUE; THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES; THENCE NORTH 89°08'54" WEST FOR 25.24 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 573.69 FEET; THENCE ALONG SAID CURVE TO THE LEFT, (THE CHORD OF WHICH BEARS SOUTH 83°49'17" WEST, 140.43 FEET) AN ARC LENGTH OF 140.78 FEET TO THE P.T. OF SAID CURVE TO THE LEFT; THENCE SOUTH 76°47'28" WEST FOR 103.44 FEET TO A POINT ON THE WEST BOUNDARY LINE OF SAID LOT A EXTENDED SOUTH; THENCE NORTH 00°47'28" EAST ALONG SAID WEST BOUNDARY LINE FOR 415.27 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE SOUTH 89°07'50" EAST ALONG THE NORTH BOUNDARY LINE OF SAID LOT A FOR 265.40 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 2.36 ACRES, MORE OR LESS.

SURVEYORS CERTIFICATE

I, ANDRA L. MARQUARDT, HEREBY CERTIFY I AM A LICENSED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

_____
ANDRA L. MARQUARDT,
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 4623

OWNERS' CERTIFICATE AND DEDICATION

WE OF BOLD PROPERTY GROUP, LLC, BEING ALL THE OWNERS OF THE LANDS PLATTED HEREIN, HAVE CAUSED THE LAND TO BE PLATTED AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THIS PLAT TITLED COTTAGE GROVE ADDITION, AND DEDICATE ALL RIGHTS OF WAY TO THE CITY OF BISMARCK AS SHOWN ON THIS PLAT FOR PUBLIC USE, AND CONSENT TO ANY ACCESS CONTROL TO THE PROPERTY AS SHOWN, AND AFFIRM THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

WE ALSO DEDICATE TO THE CITY OF BISMARCK ALL EASEMENTS AS SHOWN ON THIS PLAT AS "UTILITY EASEMENT" TO RUN WITH THE LAND FOR GAS, ELECTRIC, COMMUNICATION AND/OR OTHER PUBLIC UTILITIES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON.

WE ALSO DEDICATE TO THE CITY OF BISMARCK ALL EASEMENTS AS SHOWN ON THIS PLAT AS "STORMWATER & DETENTION POND EASEMENT" TO RUN WITH THE LAND FOR THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER AND/OR OVER THOSE AREAS INCLUDING THE CONSTRUCTION AND MAINTENANCE OF STORMWATER FACILITIES TOGETHER WITH NECESSARY APPURTENANCES.

_____
PAIGE DANNER, VICE PRESIDENT
BOLD PROPERTY GROUP, LLC
3914 LONE PEAK DR.
BISMARCK, ND 58503

STATE OF _____)
_____)SS
COUNTY OF _____)

ON THIS _____ DAY OF _____, 20__, BEFORE ME PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC, _____

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, ON THE DAY OF _____ 20____ IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND ORDINANCES OF THE CITY OF BISMARCK.

_____ _____
MICHAEL J. SCHWARTZ – CHAIR ATTEST: DANIEL NAIRN – SECRETARY

==========

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS APPROVED THE GROUNDS AS SHOWN ON THIS PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION AND REDEDICATION OF ALL RIGHTS OF WAY AND PUBLIC EASEMENTS SHOWN THEREON AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS APPROVED THE _____DAY OF _____ 20__,

_____ _____
MICHAEL T. SCHMITZ – PRESIDENT ATTEST: JASON TOMANEK –
CITY ADMINISTRATOR

==========

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

_____
GABRIEL J. SCHELL – CITY ENGINEER

DATE OF SURVEY:
JUNE 3, 2026

20 0 20 40
Scale 1" = 20 ft

COORDINATE DATUM:
ND STATE PLANE COORDINATES
NAD83, 2011 ADJUSTMENT
INTERNATIONAL FEET
VERTICAL DATUM: NAVD88

LEGEND

- FOUND REBAR MONUMENT
- SET REBAR MONUMENT
- FIRE HYDRANT (BENCHMARK)
- BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- ADJACENT LOT LINE
- CENTERLINE
- NON-ACCESS LINE

OWNER:
BOLD PROPERTY GROUP, LLC
3914 LONE PEAK DR
BISMARCK, ND 58503

BASIS OF BEARING:
BASIS OF BEARING: WEST BOUNDARY LINE:
NORTH 00° 47' 28" EAST.

NOTES:
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
2. WATER TO BE PROVIDED BY THE CITY OF BISMARCK.
3. THE TEMPORARY STORM WATER EASEMENT IN LOT 3, BLOCK 2 TO BE VACATED WHEN BUCKSKIN AVENUE IS IMPROVED.
4. TOTAL LOT ACREAGE: 1.61 (69,454 SF)
TOTAL ROAD ACREAGE: 0.75 (33,224 SF)
TOTAL ACREAGE: 2.36 (102,678 SF)

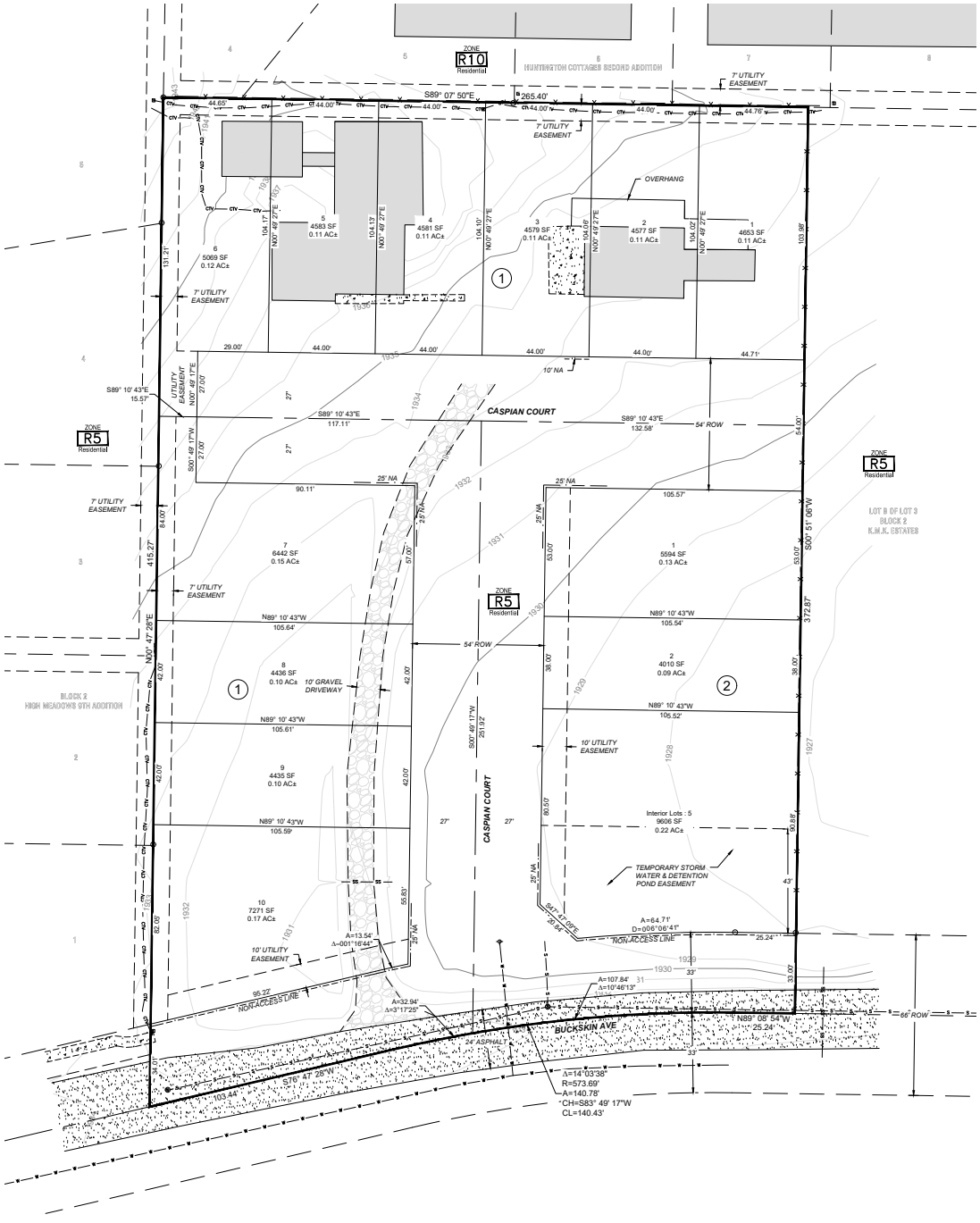
TOMAN ENGINEERING
501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6483 * Fax: 701-663-0923
SURVEYOR: ANDRA L. MARQUARDT, RLS-4623
70300

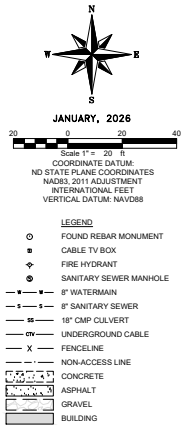
COTTAGE GROVE ADDITION
K:\Projects\7000\7030 Paige Danner\70300 Final Plat.dwg, 7/27/2026 2:51:09 PM, 1:1

PRELIMINARY PLAT

COTTAGE GROVE ADDITION

ALL OF LOT A OF LOT 3, BLOCK 2, AND PART OF BUCKSKIN AVENUE, K.M.K. ESTATES OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



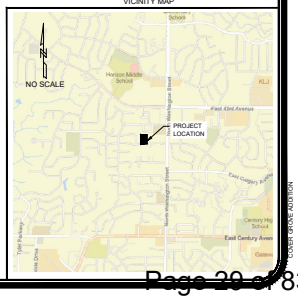


OWNER:
COTTAGE GROVE PROPERTIES, LLC
2409 24TH AVE SE
MANDAN, ND 58554

BASIS OF BEARING:
BASIS OF BEARING: WEST BOUNDARY LINE: NORTH 00° 47' 28" EAST.

NOTES:
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
2. PROPOSED ZONING: PUD
3. WATER TO BE PROVIDED BY THE CITY OF BISMARCK.
4. TOTAL LOT ACREAGE: 1.61
TOTAL ROAD ACREAGE: 0.75
TOTAL ACREAGE: 2.36

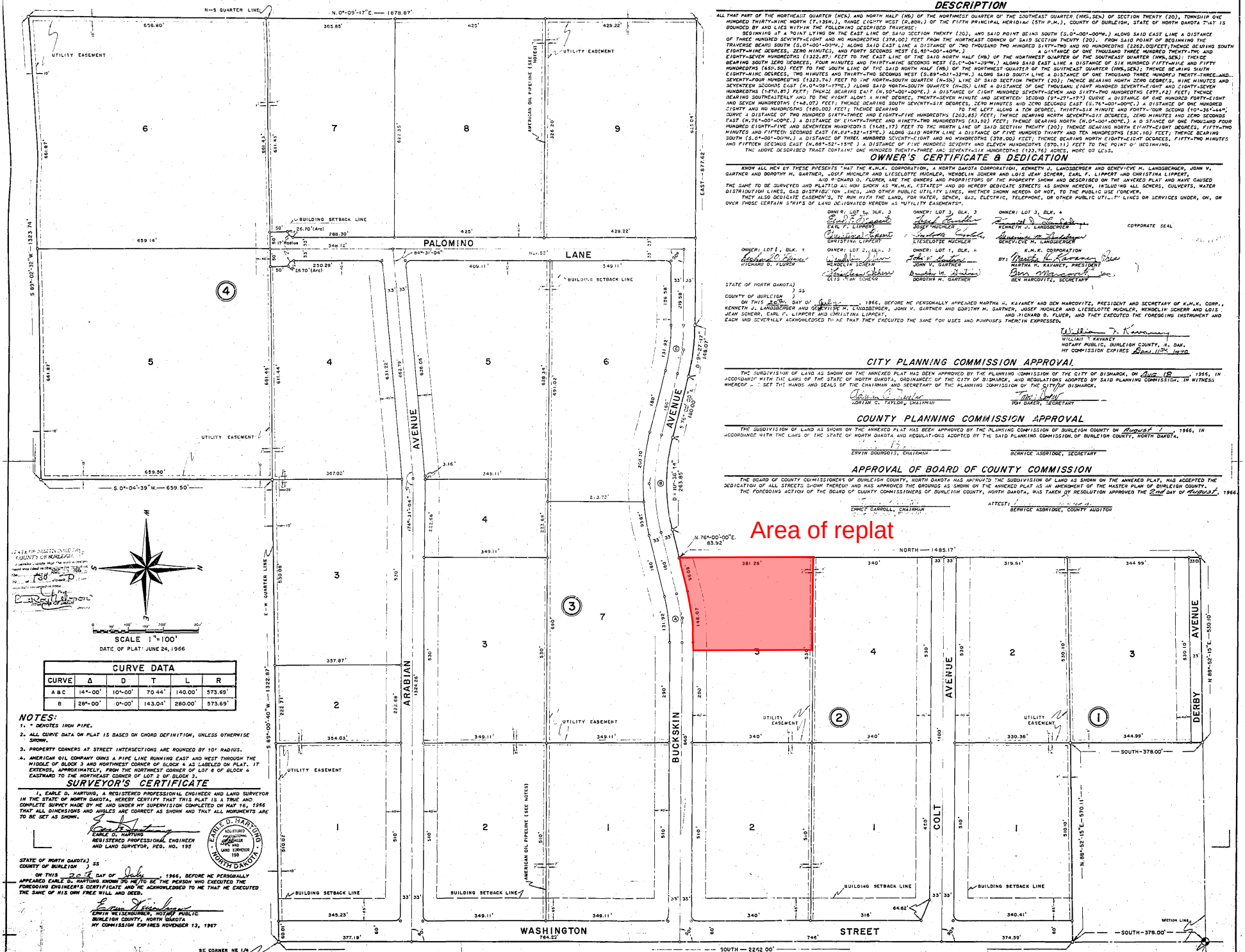
VICINITY MAP



TOMAN ENGINEERING
501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6483 * Fax: 701-663-0923
SURVEYOR: ANDRA L. MARQUARDT, RLS-4623

K.M.K. ESTATES

BURLEIGH COUNTY, NORTH DAKOTA



CURVE DATA					
CURVE	Δ	D	T	L	R
A & C	14°-00'	10°-00'	70.44'	140.00'	573.69'
B	28°-00'	0°-00'	143.04'	280.00'	573.69'

NOTES:

1. * DENOTES IRON PIPE.
2. ALL CURVE DATA ON PLAT IS BASED ON CHORD DEFINITION, UNLESS OTHERWISE SHOWN.
3. PROPERTY CORNERS AT STREET INTERSECTIONS ARE ROUNDED BY 10' RADIUS.
4. AMERICAN OIL COMPANY OWNS A PIPE LINE RUNNING EAST AND WEST THROUGH THE MIDDLE OF BLOCK 3 AND NORTHWEST CORNER OF BLOCK 4 AS LABELED ON PLAT. IT EXTENDS, APPROXIMATELY, FROM THE NORTHWEST CORNER OF LOT 8 OF BLOCK 4 EASTWARD TO THE NORTHEAST CORNER OF LOT 2 OF BLOCK 3.

SURVEYOR'S CERTIFICATE

I, EARLE D. HARTUNG, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND COMPLETE SURVEY MADE BY ME AND UNDER MY SUPERVISION COMPLETED ON MAY 16, 1966 THAT ALL DIMENSIONS AND ANGLES ARE CORRECT AS SHOWN AND THAT ALL MONUMENTS ARE TO BE SET AS SHOWN.

EARLE D. HARTUNG
REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR, REG. NO. 195

EARLE D. HARTUNG — REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR 195 — NORTH DAKOTA

STATE OF NORTH DAKOTA) SS
COUNTY OF BURLEIGH)

ON THIS 20 DAY OF July, 1966, BEFORE ME PERSONALLY APPEARED EARLE D. HARTUNG KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING ENGINEER'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME OF HIS OWN FREE WILL AND DEED.

ERWIN WEISENBURGER, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES NOVEMBER 13, 1967

REVISED: JULY 11, 1966

SE CORNER NE 1/4 OF SECTION 20

DESCRIPTION

ALL THAT PART OF THE NORTHEAST QUARTER (NE¼) AND NORTH HALF (N½) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW¼,SE¼) OF SECTION TWENTY (20), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T.139N.), RANGE EIGHTY WEST (R.80W.) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), COUNTY OF BURLEIGH, STATE OF NORTH DAKOTA THAT IS BOUNDED BY AND LIES WITHIN THE FOLLOWING DESCRIBED TRACTS:

BEGINNING AT A POINT LYING ON THE EAST LINE OF SAID SECTION TWENTY (20), AND SAID POINT BEING SOUTH (S.0°-00'-00"W.) ALONG SAID EAST LINE A DISTANCE OF THREE HUNDRED SEVENTY-EIGHT AND NO HUNDREDTHS (378.00) FEET FROM THE NORTHEAST CORNER OF SAID SECTION TWENTY (20). FROM SAID POINT OF BEGINNING THE TRAVERSE BEARS SOUTH (S.0°-00'-00"W.) ALONG SAID EAST LINE A DISTANCE OF TWO THOUSAND TWO HUNDRED SIXTY-TWO AND NO HUNDREDTHS (2262.00)FEET; THENCE BEARING SOUTH EIGHTY-NINE DEGREES, ZERO MINUTES, AND FORTY SECONDS WEST (S.89°-00'-40"W.) A DISTANCE OF ONE THOUSAND THREE HUNDRED TWENTY-TWO AND EIGHTY-SEVEN HUNDREDTHS (1322.87) FEET TO THE EAST LINE OF THE SAID NORTH HALF (N½) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW¼,SE¼); THENCE BEARING SOUTH ZERO DEGREES, FOUR MINUTES AND THIRTY-NINE SECONDS WEST (S.0°-04'-39"W.) ALONG SAID EAST LINE A DISTANCE OF SIX HUNDRED FIFTY-NINE AND FIFTY HUNDREDTHS (659.50) FEET TO THE SOUTH LINE OF THE SAID NORTH HALF (N½) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW¼,SE¼); THENCE BEARING SOUTH EIGHTY-NINE DEGREES, TWO MINUTES AND THIRTY-TWO SECONDS WEST (S.89°-02'-32"W.) ALONG SAID SOUTH LINE A DISTANCE OF ONE THOUSAND THREE HUNDRED TWENTY-THREE AND SEVENTY-FOUR HUNDREDTHS (1323.74) FEET TO THE NORTH-SOUTH QUARTER (N-S¼) LINE OF SAID SECTION TWENTY (20); THENCE BEARING NORTH ZERO DEGREES, NINE MINUTES AND SEVENTEEN SECONDS EAST (N.0°-09'-17"E.) ALONG SAID NORTH-SOUTH QUARTER (N-S¼) LINE A DISTANCE OF ONE THOUSAND EIGHT HUNDRED SEVENTY-EIGHT AND EIGHTY-SEVEN HUNDREDTHS (1878.87) FEET; THENCE BEARING EAST (N.90°-00'-00"E.) A DISTANCE OF ONE HUNDRED SEVENTY-SEVEN AND SIXTY-TWO HUNDREDTHS (877.62) FEET; THENCE BEARING SOUTHEASTERLY AND TO THE RIGHT ALONG A NINE DEGREE, TWENTY-SEVEN MINUTE AND SEVENTEEN SECOND (9°-27'-17") CURVE A DISTANCE OF ONE HUNDRED FORTY-EIGHT AND SEVEN HUNDREDTHS (148.07) FEET; THENCE BEARING SOUTH SEVENTY-SIX DEGREES, ZERO MINUTES AND ZERO SECONDS EAST (S.76°-00'-00"E.) A DISTANCE OF EIGHTY-EIGHT AND NO HUNDREDTHS (88.00) FEET; THENCE BEARING TO THE LEFT ALONG A TEN DEGREE, THIRTY-SIX MINUTE AND FORTY-FOUR SECOND (10°-36'-44") CURVE A DISTANCE OF TWO HUNDRED SIXTY-THREE AND EIGHTY-FIVE HUNDREDTHS (263.85) FEET; THENCE BEARING NORTH SEVENTY-SIX DEGREES, ZERO MINUTES AND ZERO SECONDS EAST (N.76°-00'-00"E.) A DISTANCE OF EIGHTY-THREE AND NINETY-TWO HUNDREDTHS (83.92) FEET; THENCE BEARING NORTH (N.0°-00'-00"E.) A DISTANCE OF ONE THOUSAND FOUR HUNDRED EIGHTY-FIVE AND SEVENTEEN HUNDREDTHS (1485.17) FEET TO THE NORTH LINE OF SAID SECTION TWENTY (20); THENCE BEARING NORTH EIGHTY-EIGHT DEGREES, FIFTY-TWO MINUTES AND FIFTEEN SECONDS EAST (N.88°-52'-15"E.) ALONG SAID NORTH LINE A DISTANCE OF FIVE HUNDRED THIRTY AND TEN HUNDREDTHS (530.10) FEET; THENCE BEARING SOUTH (S.0°-00'-00"W.) A DISTANCE OF THREE HUNDRED SEVENTY-EIGHT AND NO HUNDREDTHS (378.00) FEET; THENCE BEARING NORTH EIGHTY-EIGHT DEGREES, FIFTY-TWO MINUTES AND FIFTEEN SECONDS EAST (N.88°-52'-15"E.) A DISTANCE OF FIVE HUNDRED SEVENTY AND ELEVEN HUNDREDTHS (570.11) FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS ONE HUNDRED TWENTY-THREE AND SEVENTY-SIX HUNDREDTHS (123.76) ACRES, MORE OR LESS.

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE K.M.K. CORPORATION, A NORTH DAKOTA CORPORATION, KENNETH J. LANDSBERGER AND GENEVIEVE M. LANDSBERGER, JOHN V. GARTNER AND DOROTHY M. GARTNER, JOSEF HUCHLER AND LIESELOTTE HUCHLER, WENDELIN SCHERR AND LOIS JEAN SCHERR, EARL F. LIPPERT AND CHRISTINA LIPPERT, AND RICHARD O. FLURER, ARE THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN AND DESCRIBED ON THE ANNEXED PLAT AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS NOW SHOWN AS "K.M.K. ESTATES" AND DO HEREBY DEDICATE STREETS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, WATER DISTRIBUTION LINES, GAS DISTRIBUTION LINES, AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER. THEY ALSO DEDICATE EASEMENTS, TO RUN WITH THE LAND, FOR WATER, SEWER, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

OWNER: LOT 1, BLK. 3 — EARL F. LIPPERT; CHRISTINA LIPPERT
OWNER: LOT 3, BLK. 3 — JOSEF HUCHLER; LIESELOTTE HUCHLER
OWNER: LOT 3, BLK. 4 — KENNETH J. LANDSBERGER; GENEVIEVE M. LANDSBERGER
CORPORATE SEAL
OWNER: LOT 1, BLK. 1 — RICHARD O. FLURER
OWNER: LOT 2, BLK. 3 — WENDELIN SCHERR; LOIS JEAN SCHERR
OWNER: LOT 1, BLK. 4 — JOHN V. GARTNER; DOROTHY M. GARTNER
K.M.K. CORPORATION
BY: MARTHA H. KAVANEY, PRESIDENT
BEN MARCOVITZ, SECRETARY

STATE OF NORTH DAKOTA) SS
COUNTY OF BURLEIGH)

ON THIS 26th DAY OF July, 1966, BEFORE ME PERSONALLY APPEARED MARTHA H. KAVANEY AND BEN MARCOVITZ, PRESIDENT AND SECRETARY OF K.M.K. CORP., KENNETH J. LANDSBERGER AND GENEVIEVE M. LANDSBERGER, JOHN V. GARTNER AND DOROTHY M. GARTNER, JOSEF HUCHLER AND LIESELOTTE HUCHLER, WENDELIN SCHERR AND LOIS JEAN SCHERR, EARL F. LIPPERT AND CHRISTINA LIPPERT, AND RICHARD O. FLURER, AND THEY EXECUTED THE FOREGOING INSTRUMENT AND EACH AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR USES AND PURPOSES THEREIN EXPRESSED.

WILLIAM T. KAVANEY
NOTARY PUBLIC, BURLEIGH COUNTY, N. DAK.
MY COMMISSION EXPIRES June 11th 1970

CITY PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON Aug 18, 1966, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK, AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREOF ... SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

ADRIAN C. TAYLOR, CHAIRMAN
TOM BAKER, SECRETARY

COUNTY PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF BURLEIGH COUNTY ON August 1, 1966, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA.

ERVIN BOURGOIS, CHAIRMAN
BERNICE ASBRIDGE, SECRETARY

APPROVAL OF BOARD OF COUNTY COMMISSION

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON AND HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT OF THE MASTER PLAN OF BURLEIGH COUNTY. THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 2nd DAY OF August, 1966.

EMMET CARROLL, CHAIRMAN
ATTEST: BERNICE ASBRIDGE, COUNTY AUDITOR

K.M.K. Estates

BISMARCK PARKS AND RECREATION DISTRICT
Est. 1927

Let's Play!

January 28, 2026

City of Bismarck Community Development
Daniel Nairn, Planning Director
221 N. 5th Street
Bismarck, ND 58501

Re: Waiver Letter for Cottage Grove Addition (PPLT2026-001)

Dear Daniel:

Cottage Grove Addition is an infill subdivision currently in the preliminary plat process and any major plat that is zoned residential would be included in the Neighborhood Park and Open Space policy. We appreciate your continued partnership with the policy and your notice of this project moving forward.

Since the replat is only 0.5 miles away from New Generations Park and Normandy Park, Bismarck Parks and Recreation District is providing a waiver of the Neighborhood Park and Open Space Policy for the Cottage Grove Addition.

Please let me know if you have any questions.

Kevin Klipfel
Executive Director

Agenda Item # 4B
August 19, 2026

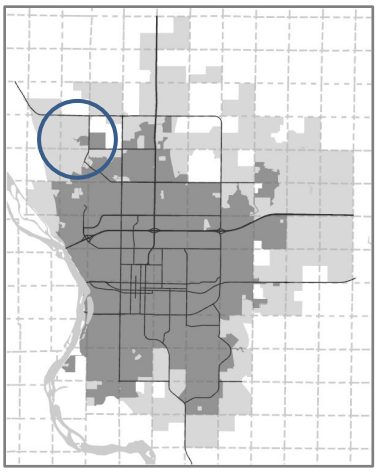
STAFF REPORT

Application for: **Zoning Map Amendment**

Project ID: **ZC2026-008**

Project Summary

Title:	William Blackstone Addition Update
Status:	Planning and Zoning Commission - Public Hearing
Property Owner(s):	Ward Family
Project Contact:	Daniel Nairn, AICP, Planning Director
Project Location:	Northwest Bismarck, west of North Washington Street and north of 57th Avenue NW, along the west side of Tyler Parkway
Project Size:	59.24 acres
Applicant Request:	Update zoning approved for William Blackstone Addition to new Land Development Code districts
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	118 Lots in 9 Blocks	*Lots/Blocks:*	No Change
Land Use:	Undeveloped	*Land Use:*	Single and multi-family residential, public park and stormwater facilities
Future Land Use:	Urban Neighborhood (UN) Parks and Open Space (PKOS)	*Future Land Use:*	No Change
Zoning:	Conditional RM10-Residential R10-Residential R5-Residential P-Public Use	*Zoning:*	RS-Residential Suburban OS-Open Space RM-Residential Multi-Family (Plan Overlay District)
Uses Allowed:	Conditional RM10: Multi-family residential R10: Single- and two-family Residential R5: Single-family residential P: Parks, open space, stormwater facilities, and other public uses	*Uses Allowed:*	RM: Multi-family residential RS: 1-3 unit residential OS: Parks, open space, stormwater facilities, and other public uses

(continued)

Area Information		**Property History**	
Zoning Jurisdiction:	Bismarck City Limits	*Zoned:*	6/2/2026
Township:	N/A (City of Bismarck)	*Platted:*	5/18/2026
Neighborhood:	Lincoln's Inn	*Annexed:*	5/27/2026

Project Narrative

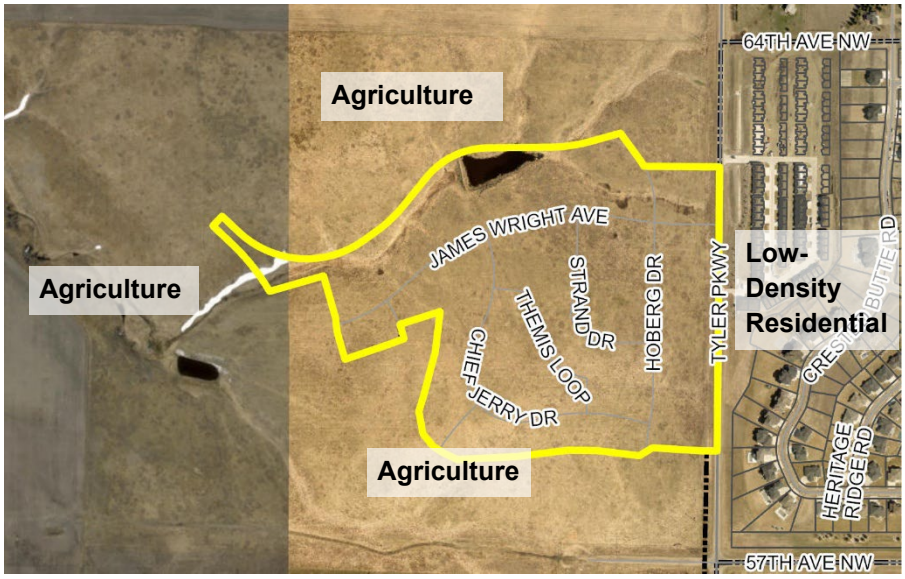
The Planning Department is requesting approval of a zoning map amendment for the Land Development Code zoning districts from A-Agricultural to the RS-Residential Suburban, RM-Residential Multi-Family with a Plan Overlay District, and OS-Open Space zoning districts for William Blackstone Addition.

A rezoning to the R5-Residential, R10-Residential, Conditional RM10-Residential, and P-Public zoning district was approved by the City Commission on November 13, 2025. However, the zoning did not take effect until the plat was recorded in May 2026. Therefore, these changes were not accounted for in the approval of the initial zoning districts that corresponded to the Land Development Code. The purpose of this action is to update zoning into the most equivalent new districts.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Urban Neighborhood (UN) and Parks and Open Space (PKOS) in the Future Land Use Plan. The Urban Neighborhood areas are a place for quiet enjoyment of home life, and Parks and Open Space areas are kept in a largely natural state, providing many important functions for the community and ecosystem. Goals and objectives of this plan as they relate to this zoning map amendment are referenced in review standards below.

Public Engagement

Because this ordinance is initiated by City staff, it will follow the original Title 14 process in effect until Oct 1, 2026, which requires consideration by the

(continued)

Planning and Zoning Commission prior to a public hearing.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on [Date] and [Date], and [Number] postcards were mailed to the owners of nearby properties on [Date].

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on [Date].

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Future Land Use Plan is adhered to with the proposed zoning map amendment (Future Land Use Plan)

Yes. The proposed zoning map amendment is within the area designated as Parks and Open Space (PKOS) and Urban Neighborhood (UN) in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning districts would generally conform to the character of this district. However, future subdivisions within this area may require a greater mix of housing types and density to adhere to the Future Land Use Plan.

The proposed amendment is compatible with adjacent land uses and zoning (Goal S10-a, S5-a)

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow urban residential development with green spaces and a neighborhood park. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established (Goal S9-e)

Yes. The proposed changes are necessitated by an error in omitting the William Blackstone Addition from the initial Land Development Code zoning map, because it was in process at the time of map adoption.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment (Goal S1-a, Goal T1-c)

Yes. The proposed zoning map amendment would enhance the diversity of housing types available to Bismarck residents and would support a mix of uses to create vibrant neighborhoods where necessities and amenities of daily life are easily accessible to all residents.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning map amendment (Comprehensive Plan)

Yes. The following objectives of the plan would be advanced through the proposed amendment.

S6: Encourage a diversity of housing types to meet the variety of household needs in the community.

G3: Coordinate expansion of city infrastructure and services with growth.

> G3b) Assure, prior to annexation, that adequate public facilities to support a proposed development are available or will be provided concurrently with development as service demands occur.

(continued)

I1: Provide access to parks and outdoor places for all residents.

I1a) Ensure neighborhood parks are included within newly developed residential subdivisions so that all residents have a small park within a half-mile walk from home.

I2: Preserve connected greenway corridors throughout the community.

2a) Preserve the natural landscape within coulees, steep slopes, and low-lying areas identified as Parks and Open Space in this plan during the process of development review through either dedication of separate unbuildable lots or easements.

2c) Coordinate stormwater management with passive recreational use in the design and management of greenway corridors and ponds.

T7: Recognize and act upon the vital link between healthy lifestyles and the built environment.

T7a) Encourage healthy lifestyles by creating space for outdoor recreation options such as trails and parks.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. This zoning map amendment is initiated by the City of Bismarck with notification of the property owner.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of a zoning map amendment for the Land Development Code zoning districts from A-Agricultural to the RS-Residential Suburban, RM-Residential Multi-Family with a Plan Overlay District entitled William Blackstone Multi-Family, and OS-Open Space zoning districts for William Blackstone Addition.

Attachments

1. Draft Zoning Ordinance
2. Draft Plan Overlay District
3. Zoning and Plan Reference Map
4. Proposed Zoning Map

Staff report prepared by: Daniel Nairn, AICP, Planning Director

701-355-1854 | dnairn@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-02-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, which will become effective on October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the A-Agricultural zoning district and included in the RS-Residential Suburban zoning district:

Lots 1-19, Block 1; Lots 1-3, Block 3; Lots 1-17, Block 4; Lots 1-13, Block 5; Lots 2-12, Block 6; Lots 1-27, Block 7; Lots 1-12, Block 8; and Lots 1-13, Block 9, William Blackstone Addition

Section 2. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, which will become effective on October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the A-Agricultural zoning district and included in the OS-Open Space zoning district:

Lot 20, Block 1; and Lot 1, Block 6, William Blackstone Addition

Section 3. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, which will become effective on October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the A-Agricultural zoning district and included in the RM-Residential Multi-Family zoning district:

DRAFT

Lot 1, Block 2, William Blackstone Addition.

Section 4. Adoption. As authorized by Section 14-08-04, a Plan Overlay District is hereby established to be known as William Blackstone Multi-Family, as specified in all text and referenced exhibits attached to this ordinance.

Section 5. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

DRAFT

William Blackstone Multi-Family
PLAN OVERLAY DISTRICT (POD)

14-07-03 Plan Overlay Districts:

Plan Overlay Districts (POD) are applied as an overlay that reflects adjustments made to applicable base zoning districts based on a plan for the area within the district. Where the POD is silent as to a development standard or requirement, the requirements of the applicable base zoning district shall apply.

Legal Description:

This plan overlay district shall apply to the following lands:

Lot 1, Block 2, William Blackstone Addition

1. Purpose

Limit density to be compatible with existing residential units on the east side of Tyler Parkway.

2. Comprehensive Plan

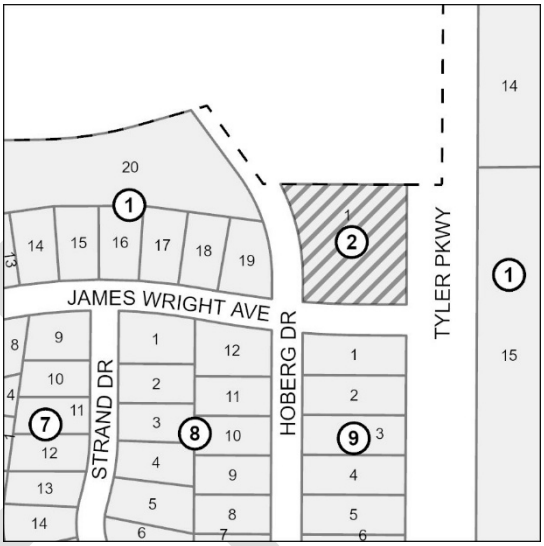
The following objectives of the Comprehensive Plan are supported:

"Use zoning and other tools to require new development and redevelopments to be harmonious with existing uses in the area and support the health, safety, and public welfare of the community" (S10a)

3. Standards and Requirements

a. The maximum height of any principal building shall not exceed 40 feet.

b. The number of housing units in the POD shall not exceed five.



Area of overlay district shown in hashmark

Base Zoning District:
RM – Residential Multifamily

Revision History:
TBD (ZC2026-008)

Certificate:

I, Jason Tomanek, do hereby certify that this document is a full, true and correct copy of a Plan Overlay District adopted at a legally convened meeting of the Board of City Commissioner held on this Date of Approval.

_____ _____

Jason Tomanek Date
City Administrator
Bismarck, North Dakota

DRAFT

Zoning and Plan Reference Map

WILLIAM BLACKSTONE ADDITION

ZC2026-008

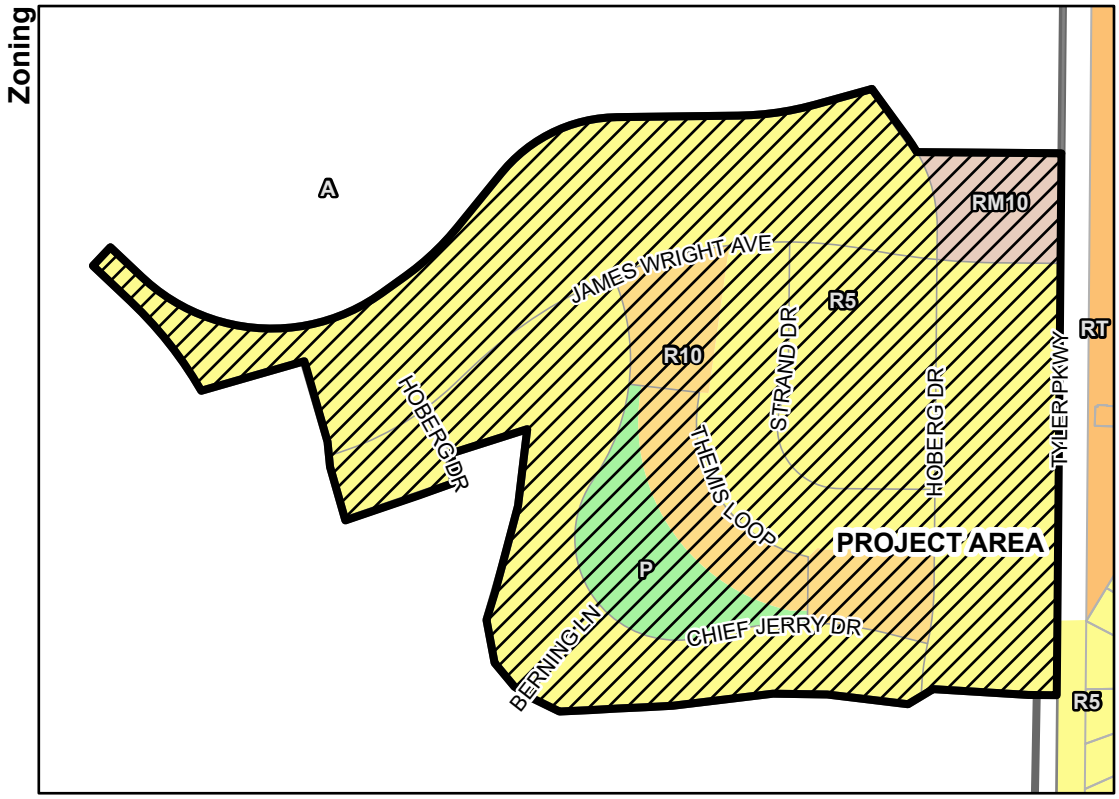
Zoning Districts

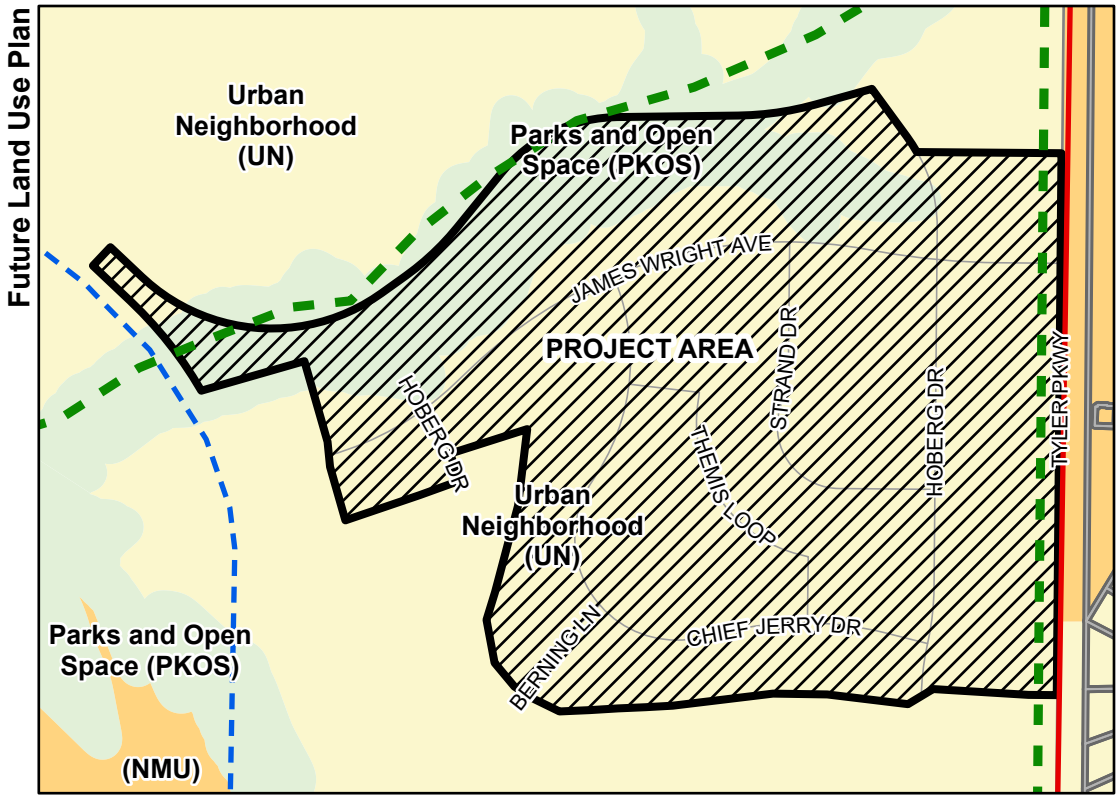
A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/ URB	Mid/Long-Term

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits
- Future Shared Use Trail
- Existing Shared Use Trail





This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 370 740 1,480 Feet

N

City of Bismarck
Planning Department
July 9, 2026

Proposed LDC Zoning

WILLIAM BLACKSTONE ADDITION

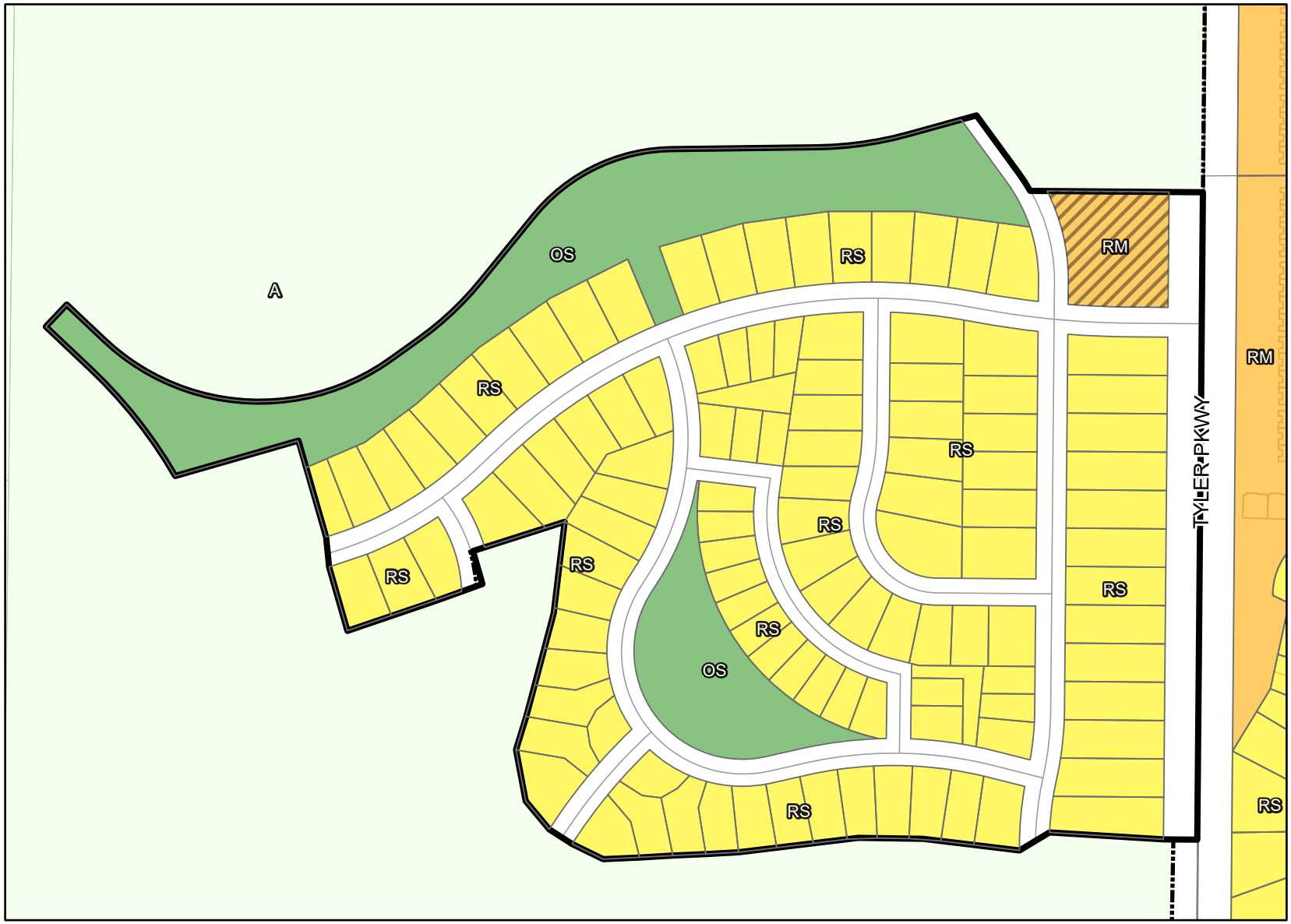
ZC2026-008

Proposed New Zoning Map

- Project Area
- City Limits
- Plan Overlay District

Zoning Districts

A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space
PUD	Planned Unit Development



0 0.1 0.2 0.4 Miles

City of Bismarck
Planning Department
June 22, 2026

This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

Agenda Item # 4C
August 19, 2026

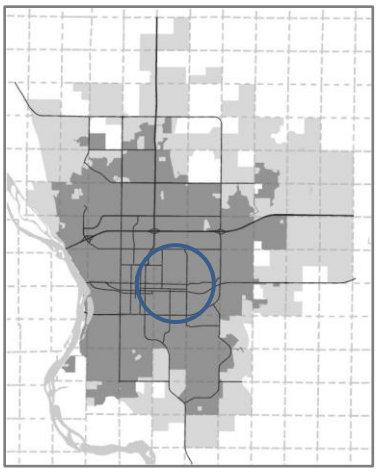
STAFF REPORT

Application for: **Zoning Map Amendment**

Project ID: ZC2026-009

Project Summary

Title:	Governor Pierce Addition, Block 49, Lots 1-24 & Part of Block 56
Status:	Planning and Zoning Commission - Public Hearing
Property Owner(s):	Bismarck Rental Properties LLC
Project Contact:	Landon Niemiller, AICP, Swenson Hagen & Co
Project Location:	In east-central Bismarck, north of East Main Avenue, in the northwest quadrant of the intersection of East Broadway Avenue and North 26th Street
Project Size:	3.20 acres, more or less
Applicant Request:	Adjust base zoning district to facilitate redevelopment of existing manufactured home park
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	1 parcel	*Lots/Blocks:*	No change
Land Use:	Manufactured home park	*Land Use:*	No change
Future Land Use:	Community Mixed Use (CMU)	*Future Land Use:*	No change
LDC Zoning:	RMH-Residential Manufactured Housing	*LDC Zoning:*	RMH-Residential Manufactured Housing (Plan Overlay District)
LDC Uses Allowed:	RMH – Manufactured home parks	*LDC Uses Allowed:*	No change

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	East Main

Property History

Zoned:	07/2022
Platted:	08/1887
Annexed:	Pre-1980

(continued)

Project Narrative

Bismarck Rental Properties LLC is requesting approval of a zoning map amendment from the RMH-Residential Manufactured Housing to the RMH-Residential Manufactured Housing with a Plan Overlay District (POD) on Lots 1-24, Block 49 and Part of Block 56, Governor Pierce Addition.

The Land Development Code was adopted by the City Commission on May 26, 2026. Certain standards for residential manufactured home parks were reduced in an effort to bring some of the older manufactured home parks into conformity. Despite these changes, the applicant was not able to meet certain standards with their proposed redevelopment of the site. As such, a Plan Overlay District was requested to facilitate revitalization of the area while still meeting the general intent of the Land Development Code.

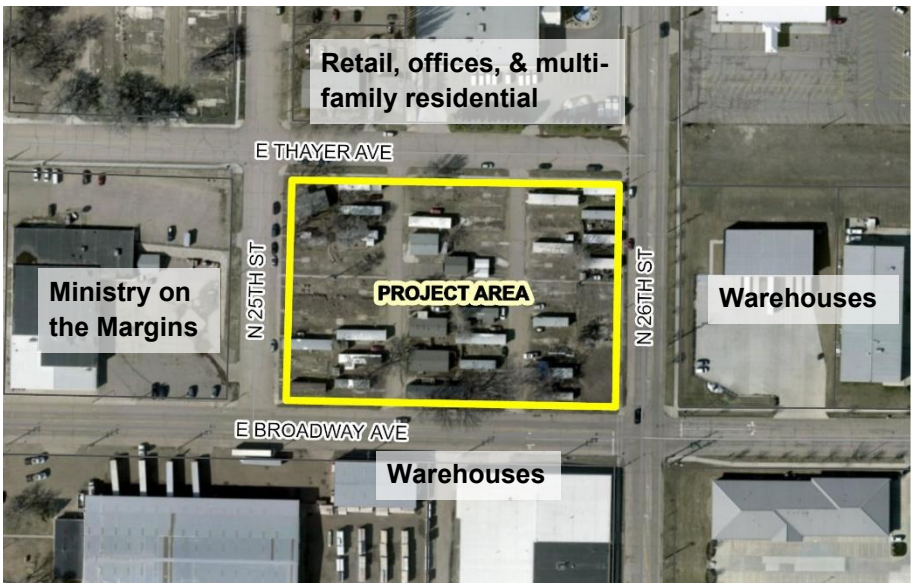
PODs are the rough equivalent of Planned Unit Developments (PUDs) in the LDC. They alter certain aspects of the base zoning district while leave all other aspects of the base district the same.

Both on-street and off-street parking is identified for the site to meet minimum parking requirements. Additionally, the orange transit route is located within a block north and south of the site providing additional transportation opportunities. City staff have expressed concerns about the on-street parking for the site. Section 14-14-02(1)(c)(iv), *Street Design for On-Street Parking* prohibits on-street parking on arterial roadways. As such, required parking is not identified along North 26th Street, which is identified as an arterial, on the attached exhibit. However, staff have indicated that there are no current plans to fully restrict parking on the western side of North 26th Street beyond adjustments near the intersections of East Broadway Avenue and East Thayer Avenue to improve visibility.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Community Mixed Use (CMU) in the Future Land Use Plan. The CMU areas are places of commerce, employment, and residence for the Bismarck community. Goals and objectives of this plan as they relate to zoning map amendments for Plan

(continued)

Overlay Districts are referenced in review standards below.

Adjacent uses include retail, offices, and multi-family residential to the north across East Thayer Avenue; warehouses across East Broadway Avenue and North 26th Street; and Ministry on the Margins across North 25th Street.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on August 6 and 13, and 16 postcards were mailed to the owners of nearby properties on August 7.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on August 3, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The plan satisfies the review criteria for zoning map amendments in Section 14-20-05(10)(d) – Section 14-20-05(6)(d)(i)

Yes. The proposed plan overlay district meets the review criteria for zoning map amendments. The proposed plan overlay district is within the area designated as Community Mixed Use in the Future Land Use Plan, as described in the Project Context section above.

The proposed zoning district would generally conform to the character of the RMH-Residential Manufactured Housing base district and meet all applicable provisions of the Code.

Adjacent uses are described in the project context section above. The proposed zoning district would continue to allow a residential manufactured home park. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

The plan mitigates or offsets significant adverse impacts, including but not limited to traffic generation, lighting, noise, odor, dust, and other external impacts anticipated to result from the POD – Section 14-20-05(6)(d)(ii)

Yes. The POD will be identical to the standard RMH-Residential Manufactured Housing district with the exception of shorter setbacks adjacent to the private accessways and public rights-of-way and a smaller square footage of a recreation area for the development. This development is within an older area of Bismarck with smaller lots and blocks that make redevelopment difficult. These adjustments are necessary in order to permit a similar amount of different sized new units on this smaller property.

Twenty-eight off-street parking spaces are identified for interior units, and an 8-foot-wide parking lane is provided adjacent to both private accessways to expand the number of parking spaces provided for the site. Staff have indicated to the applicant that there are signs restricting where parking may occur near the intersections of North 26th Street and East Broadway Avenue and East Thayer Avenue to support increased visibility of pedestrians and oncoming vehicles.

The Land Development Code requires lighting at all entrances, exits, and accessways between rows of manufactured homes to enhance safety,

(continued)

but installed in a way to minimize light trespass to adjacent properties. Additionally, a park, identified on the site exhibit, will help revitalize the neighborhood, providing another benefit for the community.

No other aspect of the proposed development is anticipated to result in a level of impact beyond what is similar to the existing surrounding uses.

The plan includes an internal street circulation system, if relevant, designed for the type of traffic that is expected to be generated by the development – Section 14-20-05(6)(d)(iii)

Yes. The proposed development is surrounded entirely by existing public rights-of-way. Two additional north-south private drive lanes are provided, providing two additional connections between East Thayer Avenue and East Broadway Avenue. An additional park and walkway connect those drive lanes in the center of the development for additional internal pedestrian circulation. This circulation system is adequate for expected traffic.

The plan preserves natural features, such as healthy trees and drainage areas, to the maximum extent practicable – Section 14-20-05(6)(d)(iv)

Yes. The property slopes from north to south and street trees are provided along East Thayer Avenue and East Broadway Avenue. The proposed plan overlay district incorporates these existing natural features into the design of the development to the greatest extent feasible. Retaining walls are incorporated east to west throughout the site to help with, and mitigate against, effects of the slope. Interior parking spaces and units are located within the site to avoid disturbing those retaining walls. An interior park for residents of the site will be provided which will help with drainage for the site.

The Plan Overlay District supports or advances objectives of the Comprehensive Plan – Section 14-20-05(6)(d)(v)

Yes. The proposed zoning map amendment is within the area designated as Community Mixed Use in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district and meet all applicable provisions of the Comprehensive Plan.

The following objectives of the Comprehensive Plan would be advanced through the proposed amendment.

- *S4D: Allow greater residential lot coverage to promote efficient utilization of land and align with building types in market demand.*
- *I1: Provide access to parks and outdoor places for all residents.*
- *G1: Encourage infill and redevelopment of land already connected to municipal services.*
- *T1c: Examine existing land use regulations to identify opportunities to support and increase in the development of housing choice across the spectrum of affordability.*

Proper administrative procedures related to the request are being followed – Section14-20-05(6)(d)(vi)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

(continued)

The plan will not adversely impact the public health, safety, and general welfare – Section 14-20-05(6)(d)(vii)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of a zoning map amendment from the RMH-Residential Manufactured Housing to the RMH-Residential Manufactured Housing with a Plan Overlay District on Lots 1-24, Block 49 and Part of Block 56, Governor Pierce Addition.

Attachments

1. Draft Zoning Ordinance
2. Draft POD Document
3. Zoning and Plan Reference Map
4. Proposed Zoning Map
5. Proposed Site Exhibit
6. Proposed Unit Floor Plans

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-02-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, which will become effective October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the RMH-Residential Manufactured Housing zoning district and included in the RMH-Residential Manufactured Housing zoning district with a Plan Overlay District:

Lots 1-24, Block 49 & West ½ of adjacent vacated 26th Street and Lots 1-12, Block 56 & East ½ of adjacent vacated 26th Street Less the East 33 feet Block 56, Governor Pierce Addition

Section 2. Adoption. As authorized by Section 14-08-04, a Plan Overlay District is hereby established to be known as Dakota Manufactured Home Park, as specified in all text and referenced exhibits attached to this ordinance.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

DRAFT

Dakota Manufactured Home Park
PLAN OVERLAY DISTRICT (POD)

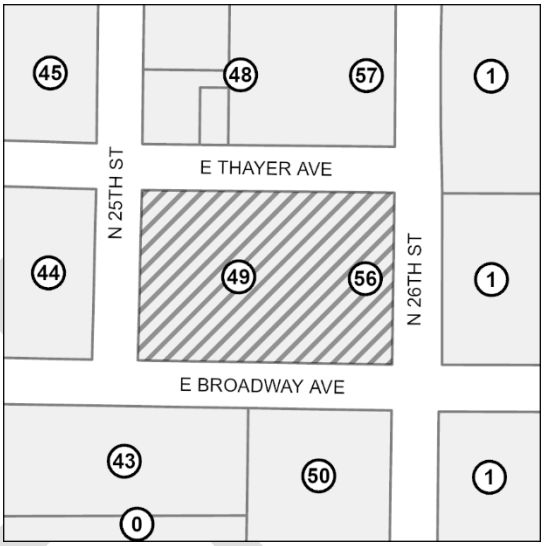
14-07-03 Plan Overlay Districts:

Plan Overlay Districts (POD) are applied as an overlay that reflects adjustments made to applicable base zoning districts based on a plan for the area within the district. Where the POD is silent as to a development standard or requirement, the requirements of the applicable base zoning district shall apply.

Legal Description:

This plan overlay district shall apply to the following lands:

Lots 1-24, Block 49 & West ½ of adjacent vacated 26th Street and Lots 1-12, Block 56 & East ½ of adjacent vacated 26th Street Less the East 33 feet Block 56, Governor Pierce Addition



Area of overlay district shown in hashmark

1. Purpose

Redevelopment of manufactured home community to incorporate new dwelling units at a slightly denser level and revitalize neighborhood.

2. Comprehensive Plan

The following objectives of the Comprehensive Plan are supported:

a. "Allow greater residential lot coverage to promote efficient utilization of land and align with building types in market demand" (S4d)

b. "Provide access to parks and outdoor places for all residents" (I1)

c. "Encourage infill and redevelopment of land already connected to municipal services" (G1)

d. "Examine existing land use regulations to identify opportunities to support and increase in the development of housing choice across the spectrum of affordability" (T1c)

3. Standards and Requirements

a. Setbacks and Units Spacing

1) Each manufactured home shall be set back at least 0 feet from a private accessway that serves as the access point at the front of the dwelling.

2) Each manufactured home shall be setback at least 10 feet from a public right-of-way on the perimeter of the district.

Base Zoning District:

RMH-Residential Manufactured Housing

Revision History:

TBD (ZC2026-009)

Certificate:

I, Jason Tomanek, do hereby certify that this document is a full, true and correct copy of a Plan Overlay District adopted at a legally convened meeting of the Board of City Commissioner held on this August 19, 2026.

_____ _____

Jason Tomanek
City Administrator
Bismarck, North Dakota

Date

3) Contextual setbacks would not apply to this.

b. Recreation Area

1) The outdoor recreation area shall be at least 4,600 square feet.

Zoning and Plan Reference Map

ZC2026-009

GOVERNOR PIERCE ADDITION B49, LOTS 1-24 & PARTS B56

Label: LDC Zoning (Old Zoning)

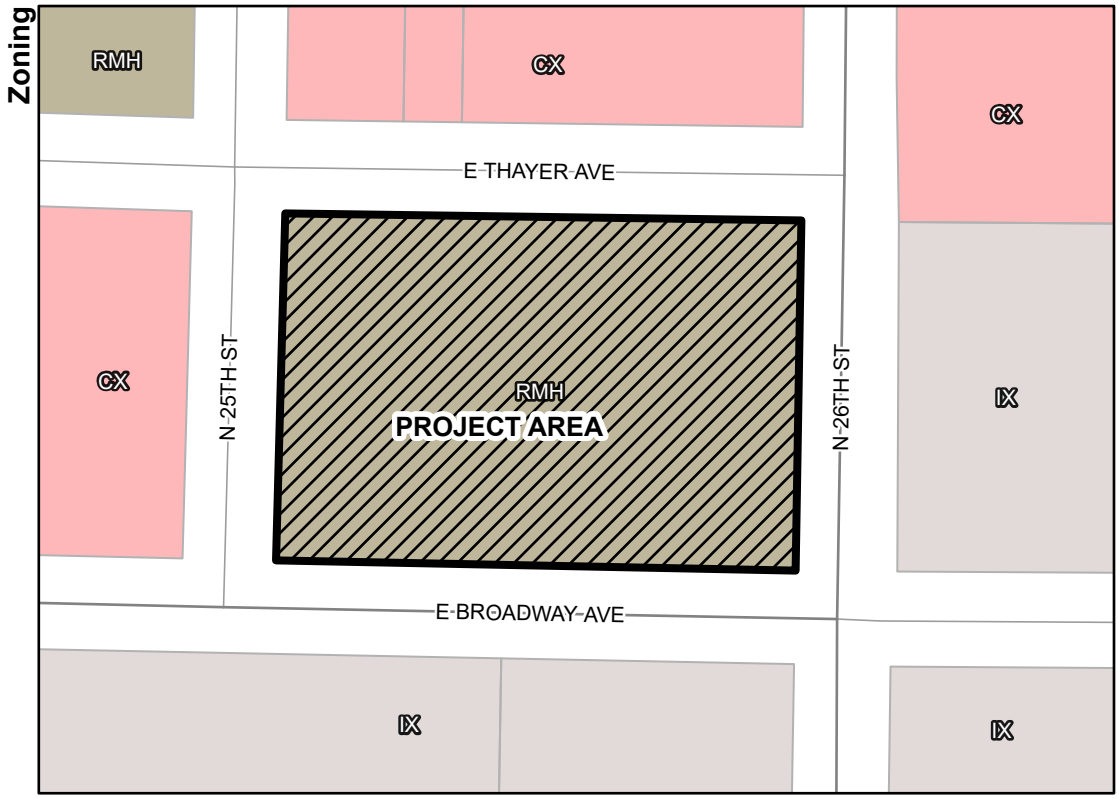
Zoning Districts

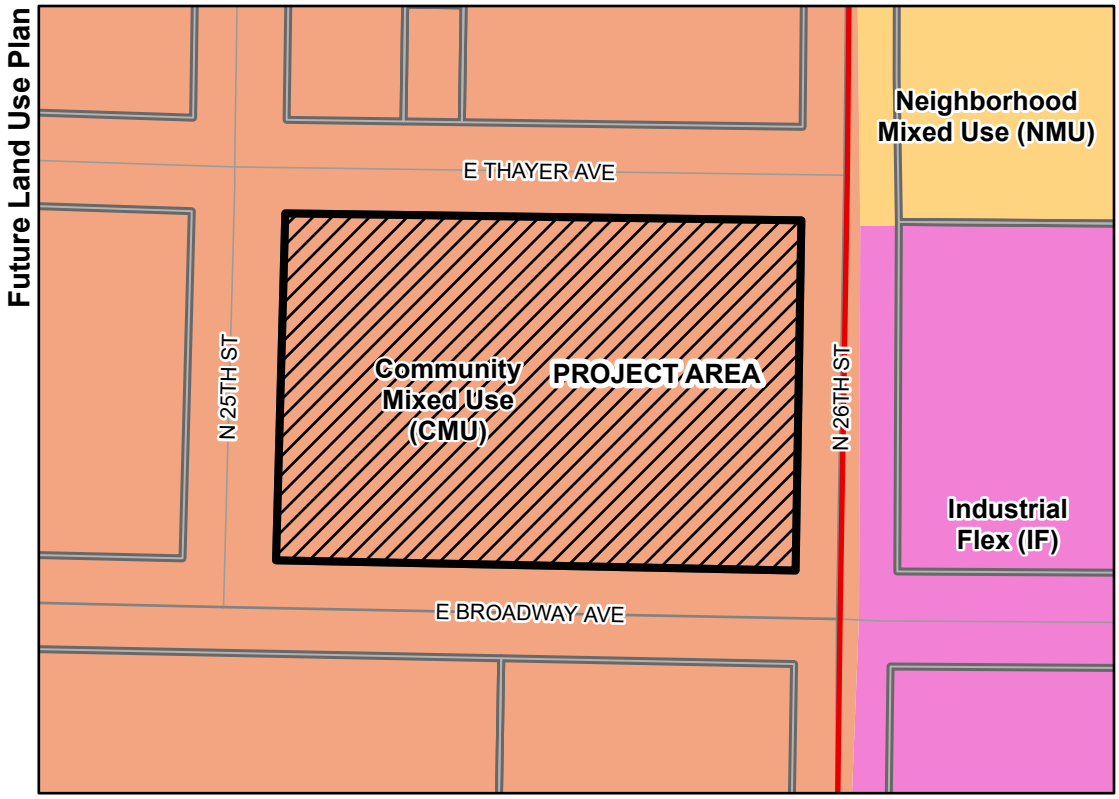
A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space
PUD	Planned Unit Development

Future Land Use Plan

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/ URB	Mid/Long-Term

Existing Arterial
Future Arterial
Existing Collector
Future Collector
Existing Interstate
Future Interstate
City Limits
Future Shared Use Trail
Existing Shared Use Trail





This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 120 240 480 Feet

City of Bismarck
Planning Department
August 11, 2026

Proposed LDC Zoning

GOVERNOR PIERCE ADDITION B49, LOTS 1-24 & PARTS B56

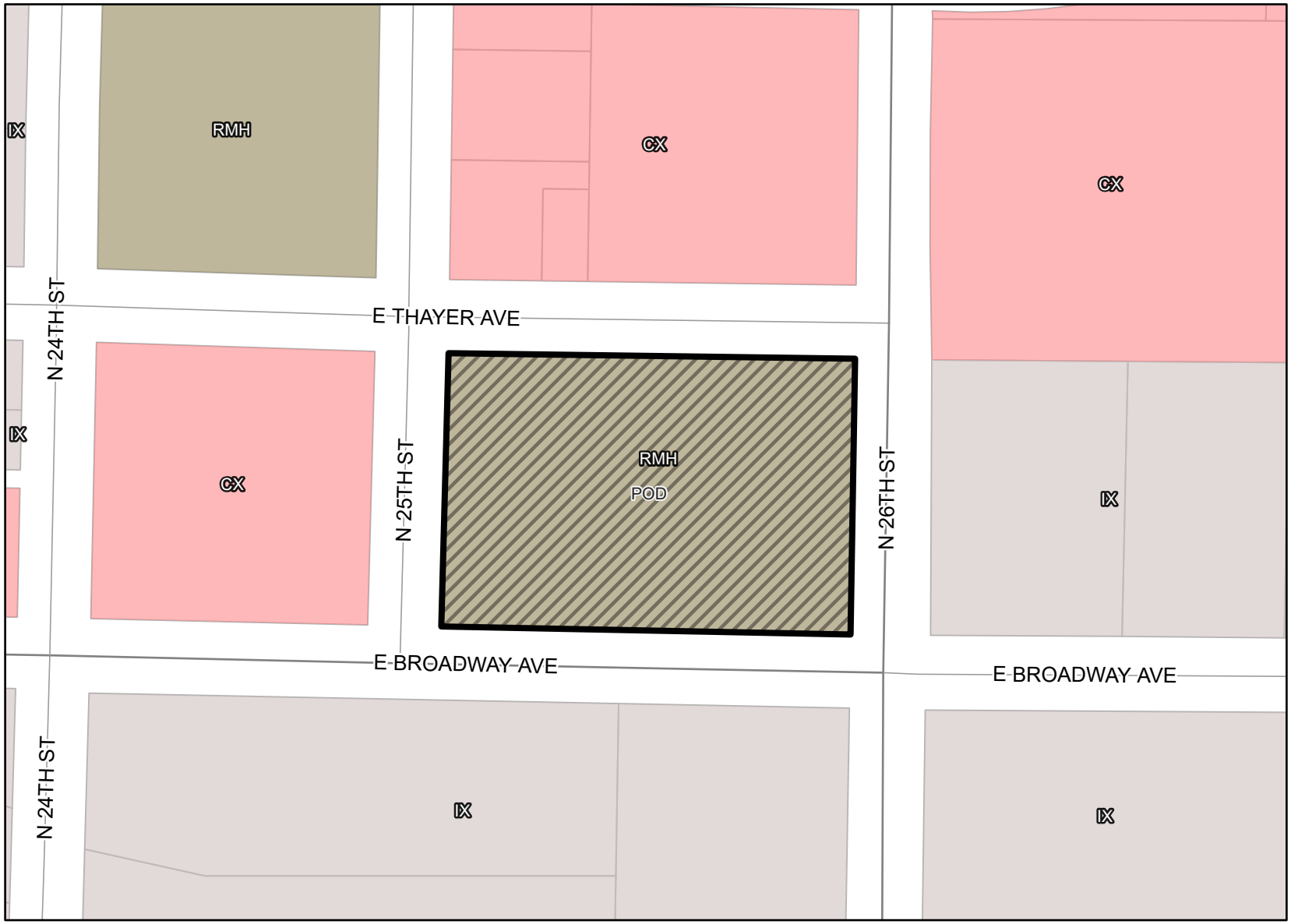
ZC2026-009

Proposed New Zoning Map

- Project Area
- City Limits
- Plan Overlay District

Zoning Districts

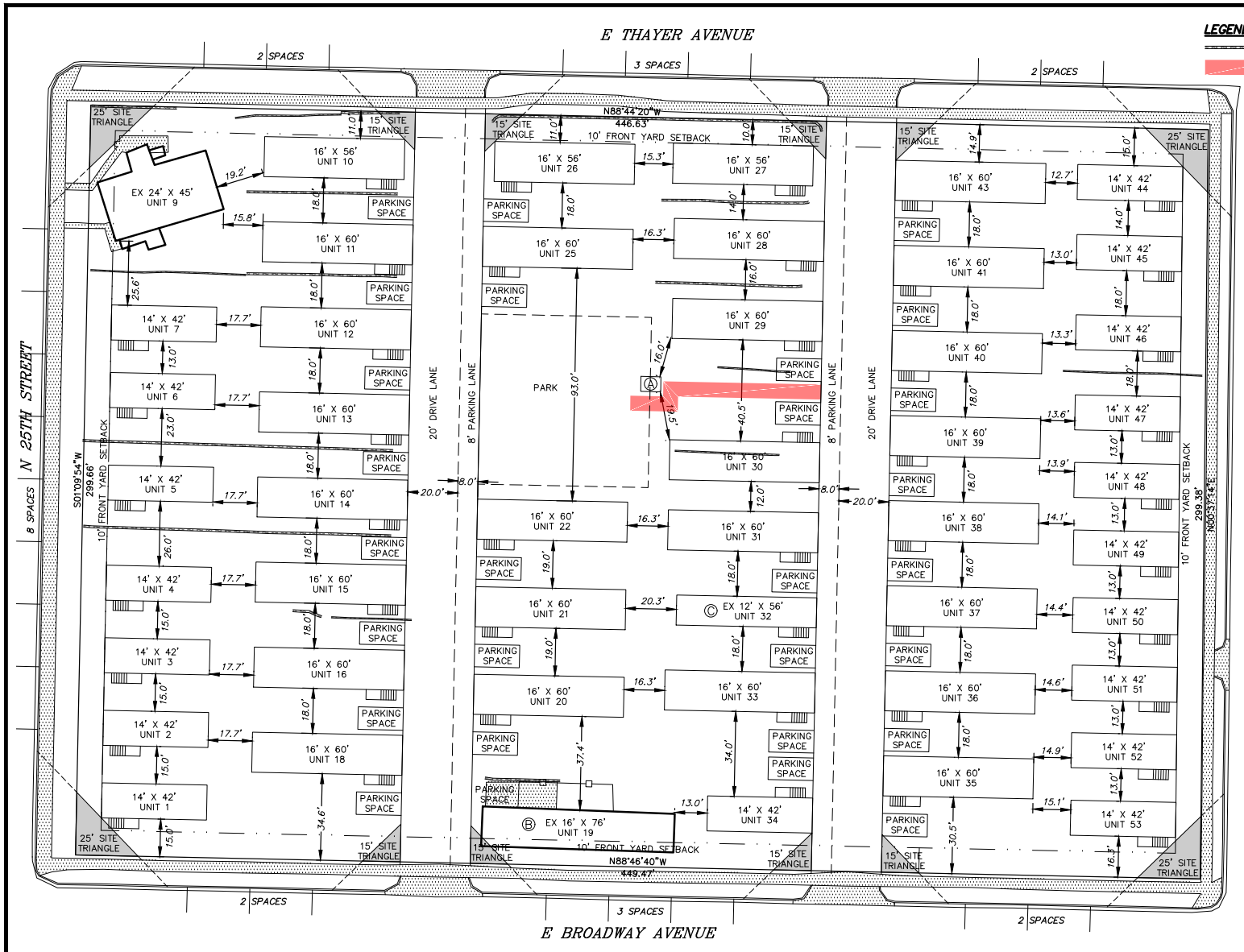
A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space



0 0.05 0.1 0.2 Miles

City of Bismarck
Planning Department
August 11, 2026

This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.



LEGEND

- EXISTING RETAINING WALL
- WALKWAY FOR PARK CONNECTION
- Ⓐ 6'X8' WATER SERVICE BUILDING
- Ⓑ EXISTING UNIT PERMITTED/LOCATED WITH BUILDING INSPECTIONS
- Ⓒ EXISTING UNIT 31 THAT WILL BE RELOCATED TO THIS LOCATION TO ACCOMMODATE SITE LAYOUT

NOTES

NUMBER OF UNITS: 48 UNITS
PROVIDE OFF-STREET PARKING: 28 SPACES
PROVIDE STREET PARKING: 22 SPACES
TOTAL PARKING: 50 SPACES

N

0 40'

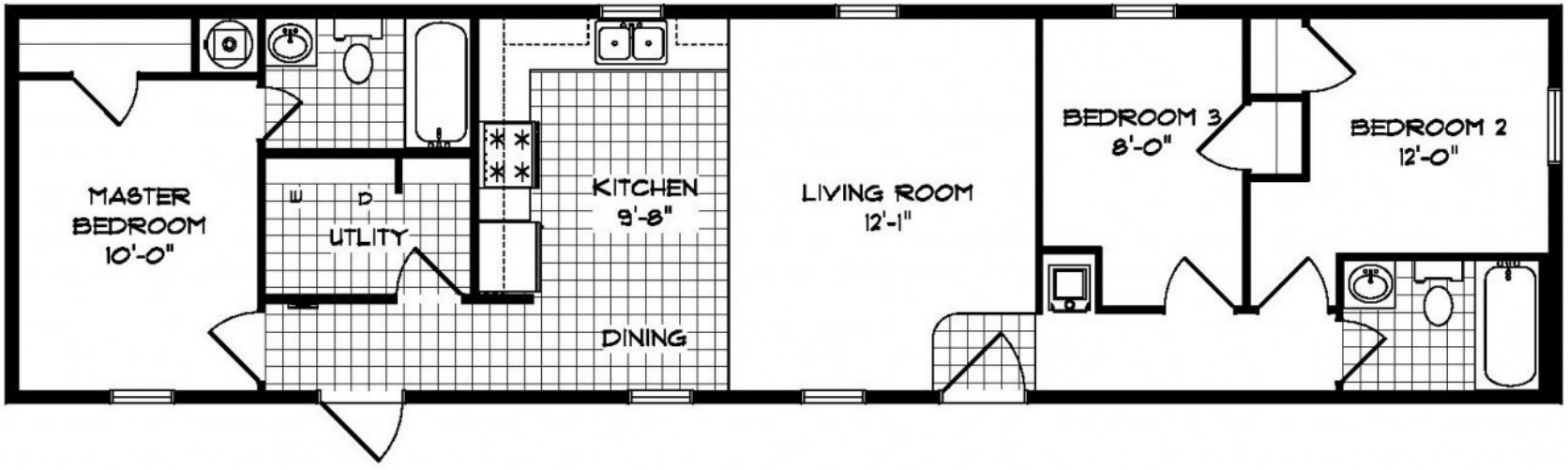
SCALE: 1" = 40'

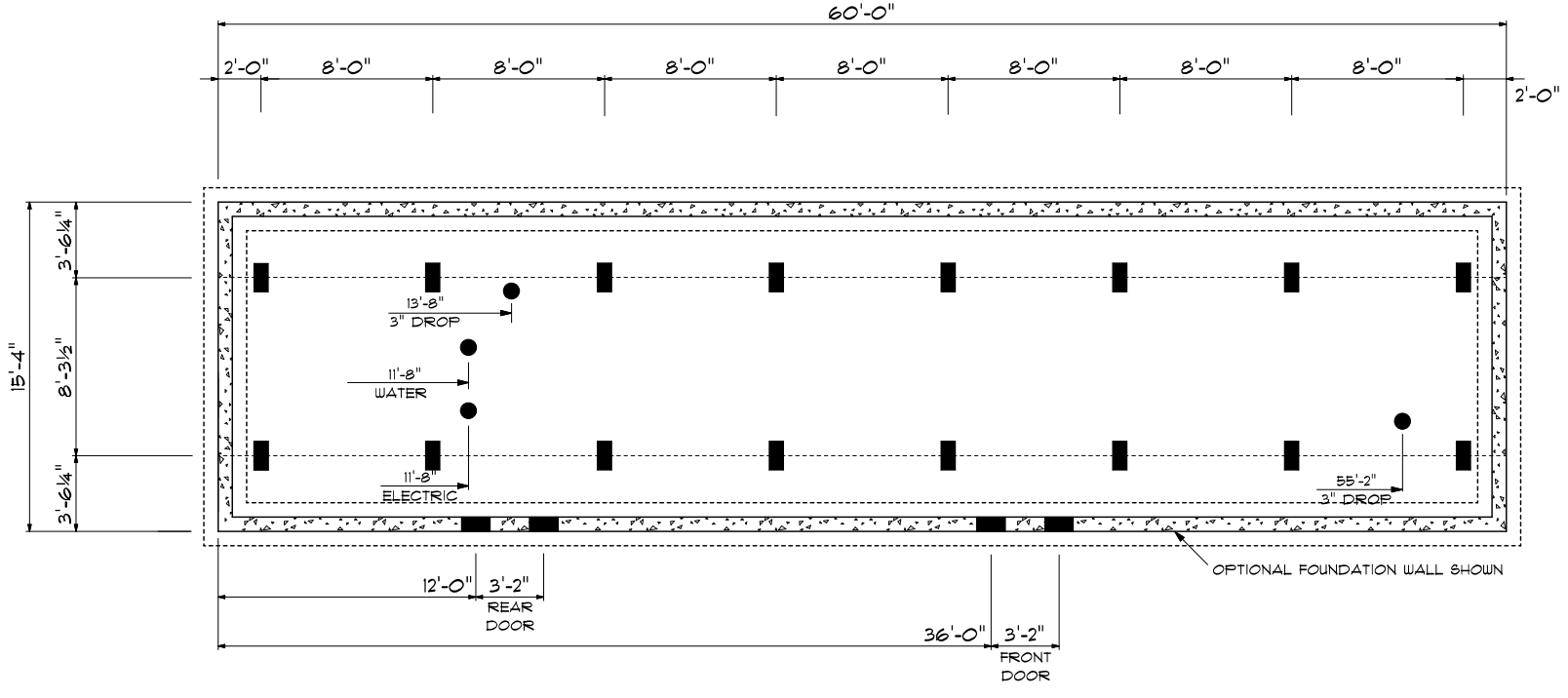
AUGUST 10, 2026

EXHIBIT 1.0 - BUILDING PLAN LAYOUT
BLOCK 49 GOVERNOR PIERCE ADDITION

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
2602 Airway Avenue
Bismarck, North Dakota 58504
shreg@swensonhagen.com
Phone (701) 223-4960
Fax (701) 223-2606

P:\Burleigh County, ND\Bismarck\Governor Pierce Add\Blk 49\Blk 49 Site Survey.dwg, 8/10/2026 3:02:20 PM, 1:1


MASTER
BEDROOM
10'-0"
W
D
UTLITY
KITCHEN
9'-8"
DINING
LIVING ROOM
12'-1"
BEDROOM 3
8'-0"
BEDROOM 2
12'-0"



THIS PIER PLACEMENT DRAWING IS NOT A FOUNDATION DESIGN, SEE CURRENT MHE SETUP MANUAL FOR FOUNDATION DESIGN.

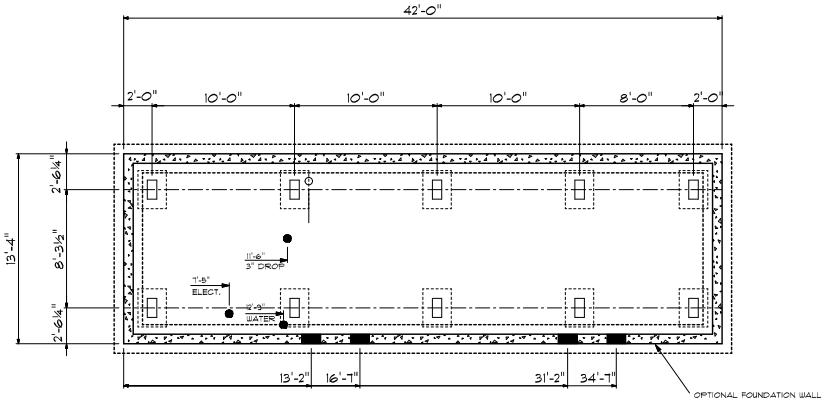
MANUFACTURED HOUSING ENTERPRISES, INC. DECLINES ANY RESPONSIBILITY FOR THIS FOUNDATION LAYOUT. IT IS RECOMMENDED THAT YOU CHECK LOCAL CODES AND OR CONSULT A QUALIFIED ENGINEER IN YOUR AREA TO APPROVE THE FOUNDATION SYSTEM.

CONSULT THE SETUP MANUAL.

THIS PIER SPACING IS FOR ILLUSTRATION ONLY. USE INSTALLATION MANUAL TO DETERMINE ACTUAL PIER SPACING.

MANUFACTURED HOUSING ENTERPRISES, INC.
09302 STATE ROUTE 6 - BRYAN, OH 43506

STANDARD PIER PRINT	MODEL: 4022		
	DATE: 8-26-16	REV: 4-13-20	BY:

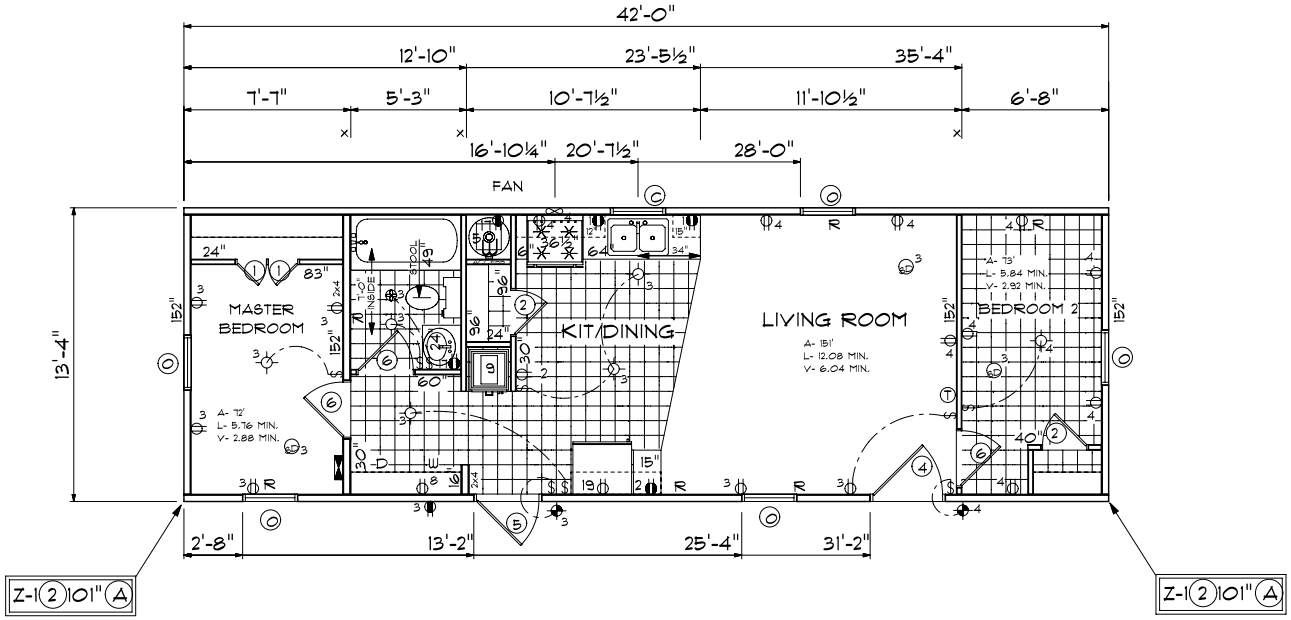


MANUFACTURED HOUSING ENTERPRISES, INC. DECLINES ANY RESPONSIBILITY FOR THIS FOUNDATION LAYOUT. IT IS RECOMMENDED THAT YOU CHECK LOCAL CODES AND OR CONSULT A QUALIFIED ENGINEER IN YOUR AREA TO APPROVE THE FOUNDATION SYSTEM.

CONSULT THE SETUP MANUAL.

MANUFACTURED HOUSING ENTERPRISES, INC.
09302 STATE ROUTE 6 - BRYAN, OH 43506

PIER SET W/ DOORS	MODEL: 4446	SERIES: --	
FRAME SIZE: 14X46	DATE: 7-16-14	REV:	BY: JB



Frames	Floor Ducts	General	Options
CROSSMEMBERS NOT WITHIN 12" EITHER SIDE THESE DIMENSIONS 3" DROP: 11'-6" WATER HEATER: 13'-0" ELECTRICAL: 7'-5"	36'-0"	BATH RECEPTS ARE WITHIN 36" OF VANITY EDGE	

Revision Log

8/18/14 - HUD CODE CIRCUIT UPDATE

MANUFACTURED HOUSING ENTERPRISES, INC.

09302 STATE ROUTE 6 - BRYAN, OH 43506

2 X 4 EXT. WALLS	MODEL: 4446	SERIES: MANSION	
FRAME SIZE: 14X46	DATE: 3-31-14	REV: 1-13-15	BY: [illegible]

Agenda Item # 4D
August 19, 2026

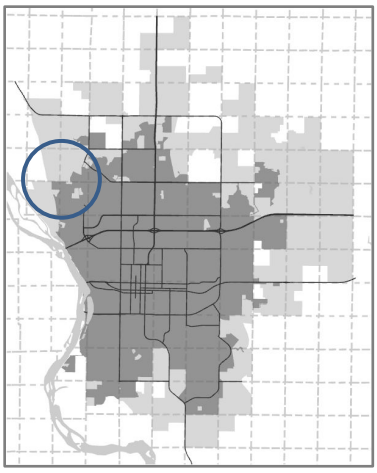
STAFF REPORT

Application for: **Zoning Map Amendment**

Project ID: **ZC2026-010**

Project Summary

Title:	Elk Ridge Fourth Addition Update
Status:	Planning and Zoning Commission - Public Hearing
Property Owner(s):	Section 18 Land LLC
Project Contact:	Daniel Nairn, AICP, Planning Director
Project Location:	Northwest of Bismarck, between North Washington Street and River Road, west of Tyler Parkway and north of Frisco Way
Project Size:	23.65 acres
Applicant Request:	Update zoning approved for Elk Ridge Fourth Addition to new Land Development Code districts
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	46 lots in 5 blocks	*Lots/Blocks:*	No Change
Land Use:	Undeveloped	*Land Use:*	Single-family residential
Future Land Use:	Urban Neighborhood (UN)	*Future Land Use:*	No Change
Zoning:	R10 – Residential	*Zoning:*	RS-Residential Suburban OS-Open Space
Uses Allowed:	R10: Single and two-family residences	*Uses Allowed:*	RS: 1-4 unit residential OS: Parks, open space, and stormwater detention

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	Elk Ridge

Property History

Zoned:	Pending
Platted:	7/14/2026
Annexed:	Pending

(continued)

Project Narrative

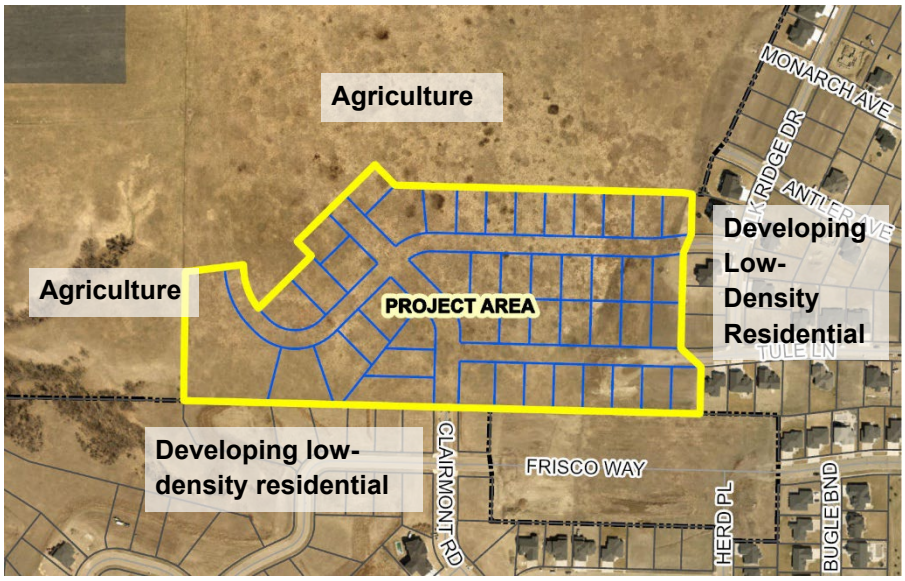
The Planning Department is requesting approval of a zoning map amendment for the Land Development Code zoning districts from A-Agricultural to the RS-Residential Suburban and OS-Open Space zoning districts for Elk Ridge Fourth Addition.

A rezoning to the R10 – Residential zoning district was approved by the City Commission on August 26, 2025. The plat was recorded on July 14, 2026, and the zoning will be published shortly after to become effective. Therefore, these changes were not accounted for in the approval of the initial zoning districts that corresponded to the Land Development Code. The purpose of this action is to update zoning into the most equivalent new districts.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are a place for quiet enjoyment of home life. Goals and objectives of this plan as they relate to the proposed zoning map amendment and plat are referenced in review standards below.

Public Engagement

Because this ordinance is initiated by City staff, it will follow the original Title 14 process in effect until Oct 1, 2026, which requires consideration by the Planning and Zoning Commission prior to a public hearing.

The Planning and Zoning Commission considered this request on July 22, 2026 and called for a public hearing.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on August 6 and August 13, and 31 postcards were mailed to the owners of nearby properties on August 7.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on August 3.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning

(continued)

and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Future Land Use Plan is adhered to with the proposed zoning map amendment (Future Land Use Plan)

Yes. The proposed zoning map amendment is within the area designated as Urban Neighborhood (UN) in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning districts would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning (Goal S10-a, S5-a)

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow the development of single- and two-family homes and townhomes of up to three units. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established (Goal S9-e)

Yes. The current zoning district of A-Agricultural is the default for any piece of land that has not been otherwise zoned. The property is adjacent to the Elk Ridge neighborhood which continues to develop and expand. Therefore, the proposed zoning of the majority of the property to the RS-Residential Suburban zoning district at this time will help facilitate future phases of development. The OS-Open Space district is designated for the stormwater lot within the subdivision.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment (Goal S1-a, Goal T1-c)

Yes. The proposed zoning map amendment would enhance the diversity of housing types available to Bismarck residents and would support a mix of uses to create vibrant neighborhoods where necessities and amenities of daily life are easily accessible to all residents.

The proposed zoning map amendment would facilitate the development of single- and two-family homes, as well as three-unit townhouses.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning map amendment (Comprehensive Plan)

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S1: Encourage the formation and growth of complete neighborhoods.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. This zoning map amendment is initiated by the City of Bismarck with notification of the property owner.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

(continued)

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of a zoning map amendment for the Land Development Code zoning districts from A-Agricultural to the RS-Residential Suburban and OS-Open Space zoning districts for Elk Ridge Fourth Addition.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map

Staff report prepared by: Daniel Nairn, AICP, Planning Director

701-355-1854 | dnairn@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-02-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, which will become effective on October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the A-Agricultural zoning district and included in the RS-Residential Suburban zoning district:

Lots 2-8, Block 1; Lots 1-4, Block 2; Lots 1-11, Block 3; Lots 1-15, Block 4, and Lots 1-8, Block 5, Elk Ridge Fourth Addition.

Section 2. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, which will become effective on October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the A-Agricultural zoning district and included in the OS-Open Space zoning district:

Lot 1, Block 1; Elk Ridge Fourth Addition.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

DRAFT

Zoning and Plan Reference Map

ELK RIDGE FOURTH ADDITION

ZC2026-010

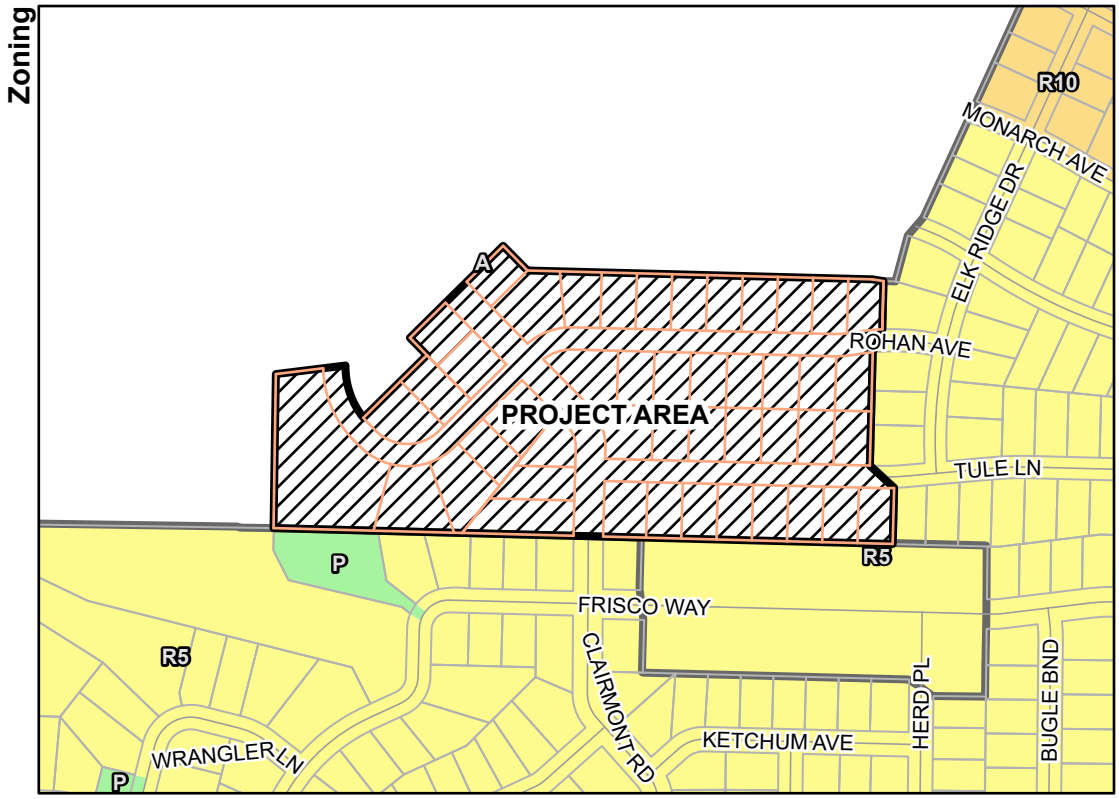
Zoning Districts

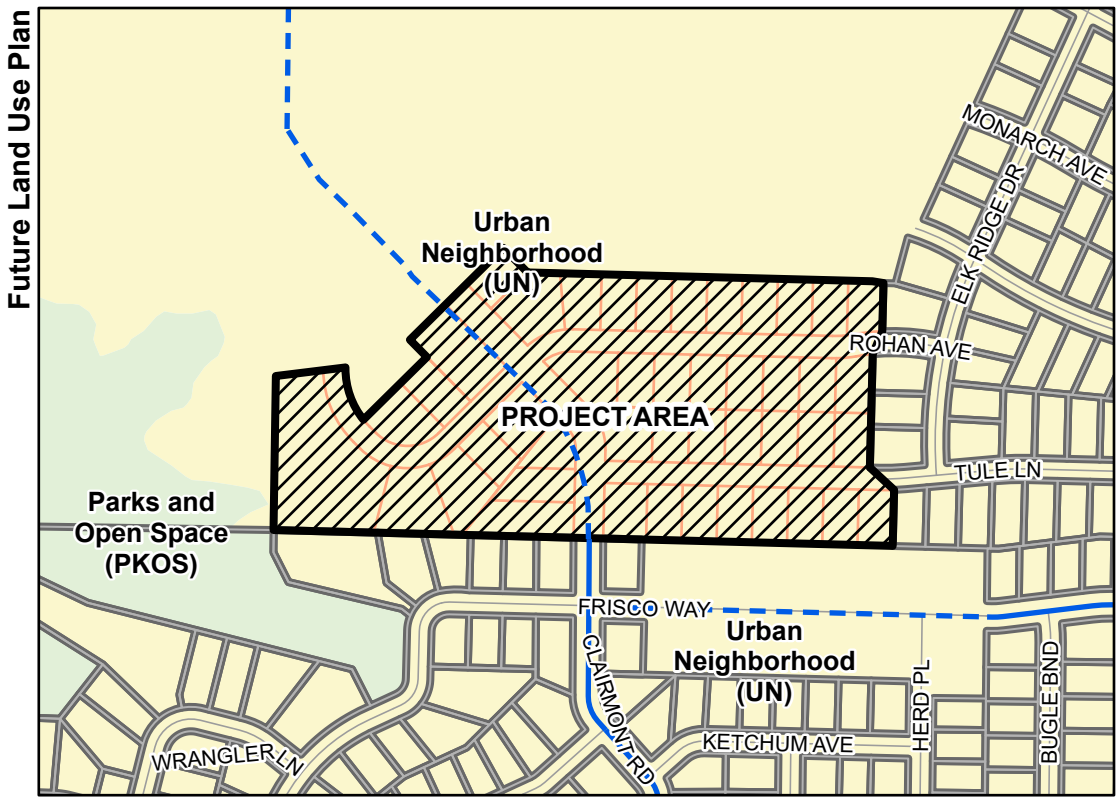
A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/ URB	Mid/Long-Term

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits
- Future Shared Use Trail
- Existing Shared Use Trail





This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 375 750 1,500 Feet

N

City of Bismarck
Planning Department
July 10, 2026

Proposed LDC Zoning

ELK RIDGE FOURTH ADDITION

ZC2026-010

Proposed New Zoning Map

Project Area (zoning within is proposed)

City Limits

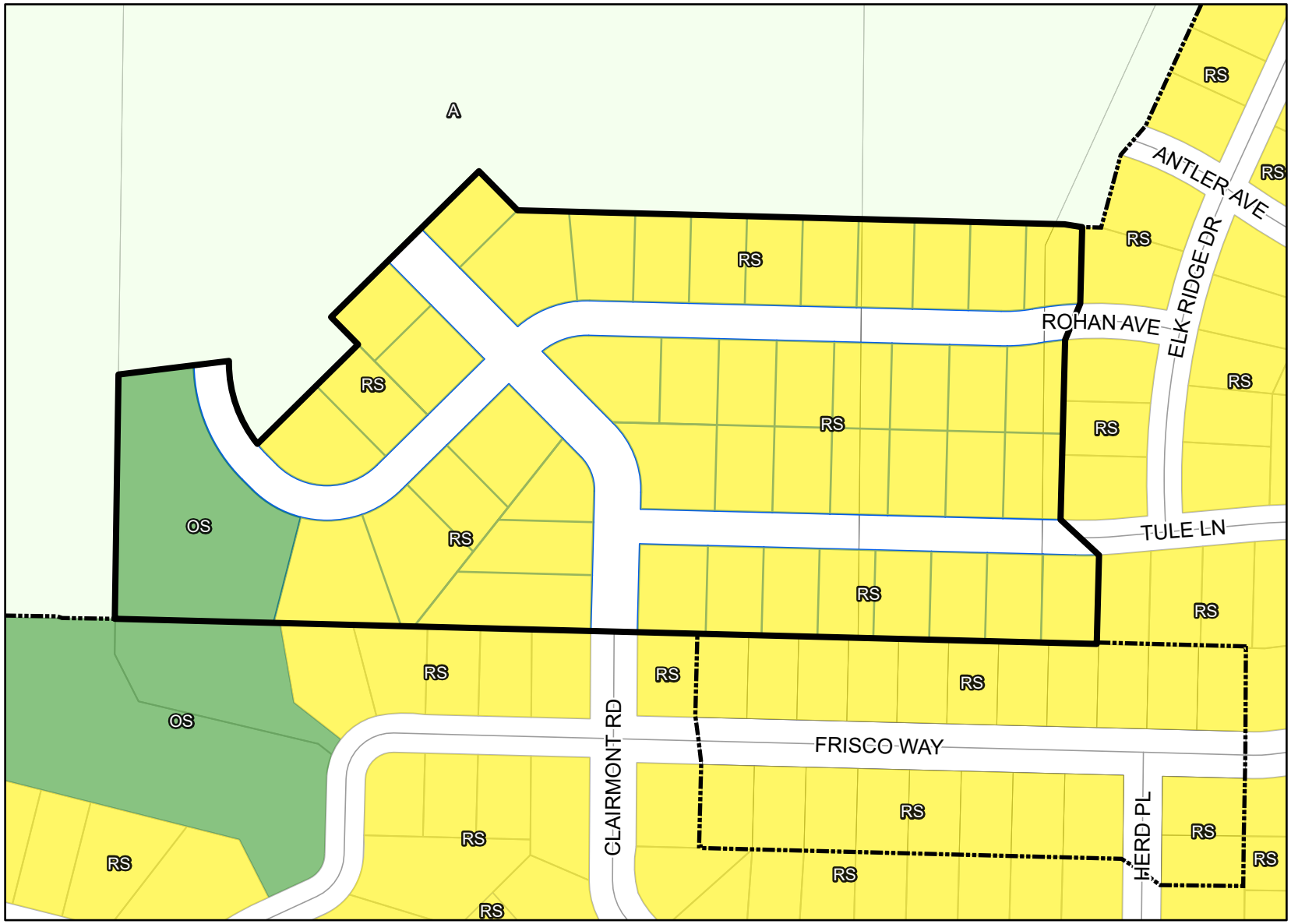
Zoning Districts

A Agriculture
RRE Residential Rural Estate
RR Residential Rural

RS Residential Suburban
RM Residential Multi-Family
RU Residential Urban
RMH Residential Manufactured Housing

RX Residential Mixed
OX Office Mixed
CX Commercial Mixed
CG Commercial General
IX Industrial Mixed
IG Industrial General
DT Downtown

PCI Public Civic Institutional
OS Open Space
PUD Planned Unit Development



0 0.07 0.15 0.3 Miles

City of Bismarck
Planning Department
June 22, 2026

This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

Bismarck PLANNING

STAFF REPORT

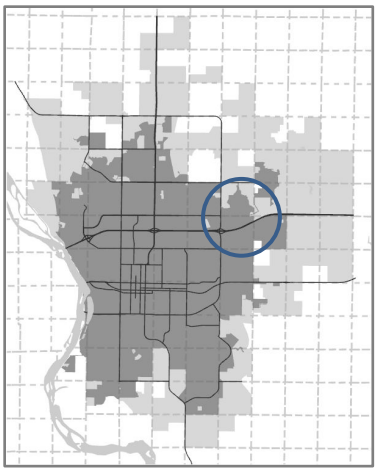
Agenda Item # X
August 19, 2026

Application for: **Zoning Map Amendment**

Project ID: **ZC2026-011**

Project Summary

Title:	Centennial Park Fourth Addition, Block 1, Lot 4
Status:	Planning and Zoning Commission - Public Hearing
Property Owner(s):	Theel Properties LLP
Project Contact:	Justin Theel
Project Location:	In northeast Bismarck, between Interstate 94 and Trenton Drive, at the south termini of Colonial Drive and Berkshire Drive
Project Size:	3.68 acres, more or less
Applicant Request:	Align with zoning of property to the west to permit vehicle sales by right in the future
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	1 lot in 1 block	*Lots/Blocks:*	No change
Land Use:	Undeveloped	*Land Use:*	Future vehicle sales
Future Land Use:	Destination Mixed Use (DMU)	*Future Land Use:*	No change
Choose Zoning District	CX-Commercial Mixed-Use	*Zoning:*	CG-Commercial General
Uses Allowed:	CX-Neighborhood-scale residential, commercial, and institutional structures and uses	*Uses Allowed:*	CG-High-intensity commercial

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	Century Park

Property History

Zoned:	08/1996 (Title 14 zoning district)
Platted:	05/1994
Annexed:	03/2004

(continued)

Project Narrative

Theel Properties LLP is requesting approval of a zoning map amendment from the CX-Commercial Mixed-Use zoning district to the CG-Commercial General zoning district on Lot 4, Block 1, Centennial Park Fourth Addition.

This property was zoned CG – Commercial under the current zoning code which is effective until October 1, 2026. The Land Development Code and associated zoning map, which were adopted by the City Commission on May 26, 2026, will become effective October 1, 2026. This property will change to CX-Commercial Mixed-Use on the effective date.

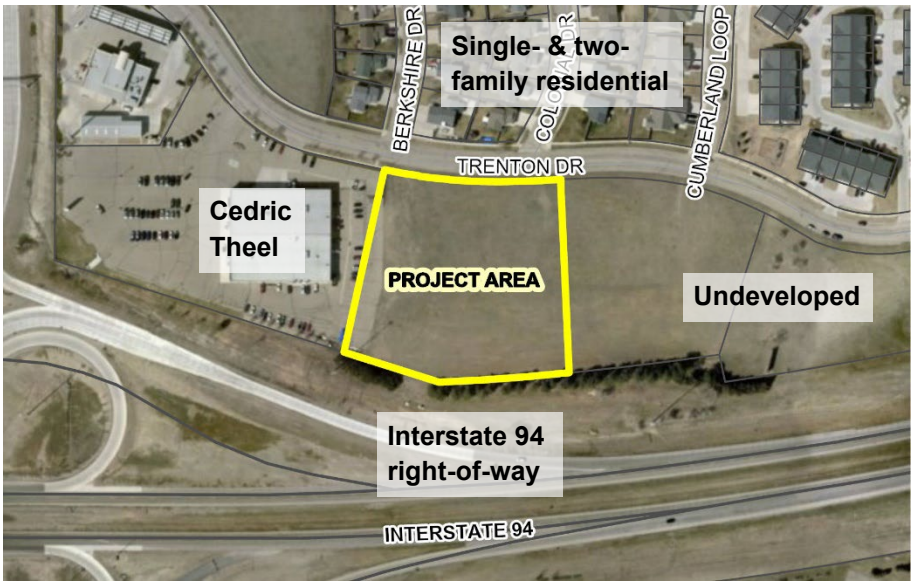
The property owner, who owns Cedric Theel to the west, prefers having the by-right ability under the current zoning code to extend their vehicle sales use to this property in the future if they needed to expand. However, under the CX-Commercial Mixed-Use zoning district, a special use permit would be required to conduct vehicle sales and would need to be put into effect with two years of approval. The CG-Commercial General zoning district in the Land Development Code permits vehicle sales by right.

If this request is approved, and the property owner would like to utilize this property to expand their vehicle sales use in the future, a site plan and building permit, if a new structure is constructed, would be required.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Destination Mixed-Use (DMU) in the Future Land Use Plan. The DMU areas are the major commercial and employment centers that serve the entire regional trade area of Bismarck as well as visitors. Goals and objectives of this plan as they relate to zoning map amendments are referenced in review standards below.

Adjacent uses include single- and two-family residential to the north across Trenton Drive, Cedric Theel to the west, undeveloped land to the east, and the Interstate 94 right-of-way to the south.

(continued)

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on August 6 and 13, and 26 postcards were mailed to the owners of nearby properties on August 7, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on August 3, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The amendment is consistent with the Future Land Use Plan and all other provisions of the Comprehensive Plan – Section 14-20-05(10)(d)(i)

Yes. The proposed zoning map amendment is within the area designated as Destination Mixed Use in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district and meet all applicable provisions of the Comprehensive Plan.

The following objectives of the Comprehensive Plan would be advanced through the proposed amendment.

"Evaluate requests for amendments to plans, ordinances, and the zoning map based on a change in conditions since the last action taken." (S9e)

"Support the arrangement of compatible land use to minimize adjacent conflicts." (S10)

The amendment adheres to the general intent and purpose of this code – Section 14-20-05(10)(d)(ii)

Yes. The amendment adheres to the general intent and purpose of this code.

The proposed zoning district is compatible with adjacent land uses and zoning – Section 14-20-05(10)(d)(iii)

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow higher-intensity commercial uses including vehicle sales by right. Vehicle sales is currently permitted by right under the current code and is currently being conducted on the property directly adjacent to the west. However, this property's zoning will change to the Land Development Code's CX-Commercial Mixed-Use zoning district on October 1, 2026, which requires a special use permit for vehicle sales. Changing the zoning to CG-Commercial General to permit vehicle sales by-right would keep with what is currently permitted for that use under the current zoning code. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties beyond what is currently permitted.

Proper administrative procedures related to the request are being followed – Section 14-20-05(10)(d)(iv)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to

(continued)

submittal of this report to the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The amendment will not adversely impact the public health, safety, and general welfare – Section 14-20-05(10)(d)(v)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning map amendment from the CX-Commercial Mixed-Use zoning district to the CG-Commercial General zoning district on Lot 4, Block 1, Centennial Park Fourth Addition.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-02-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, effective October 1, 2026, is hereby amended to read as follows:

The following described property shall be excluded from the CX-Commercial Mixed-Use zoning district and included in the CG-Commercial General zoning district:

Lot 4, Block 1, Centennial Park Fourth Addition

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

DRAFT

Zoning and Plan Reference Map

CENTENNIAL PARK FOURTH ADDITION, B1, L4

ZC2026-011

Label: LDC Zoning

Zoning Districts

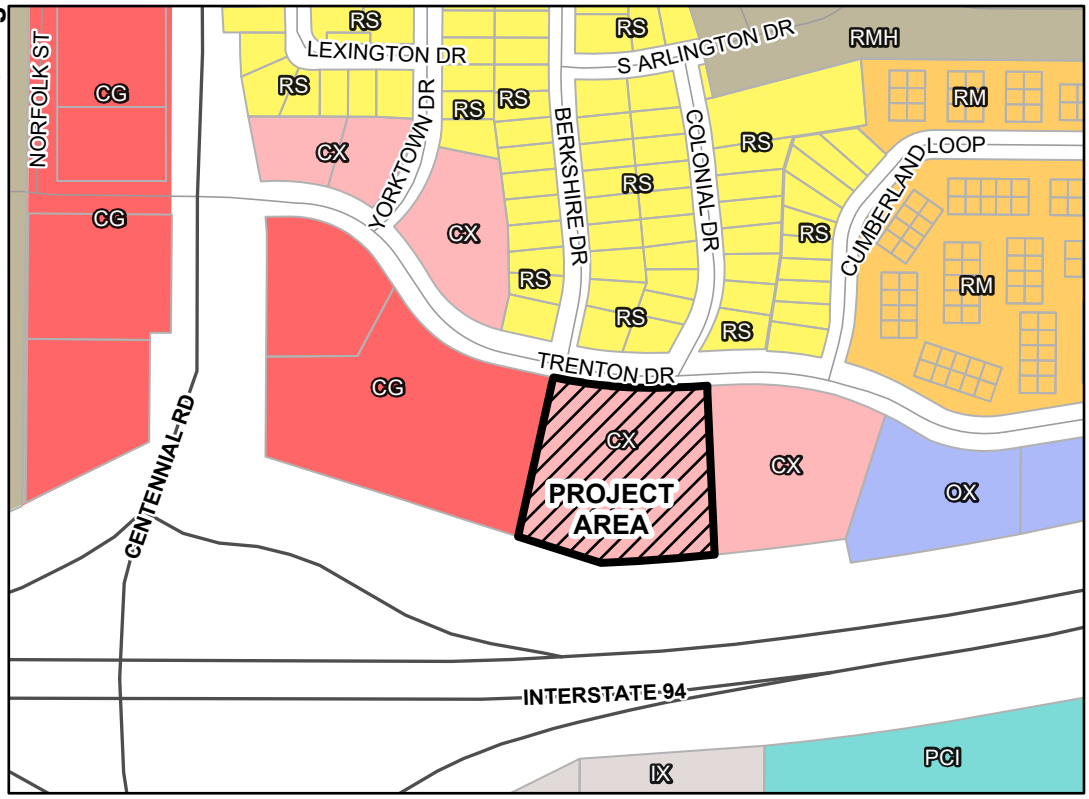
A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space
PUD	Planned Unit Development

Future Land Use Plan

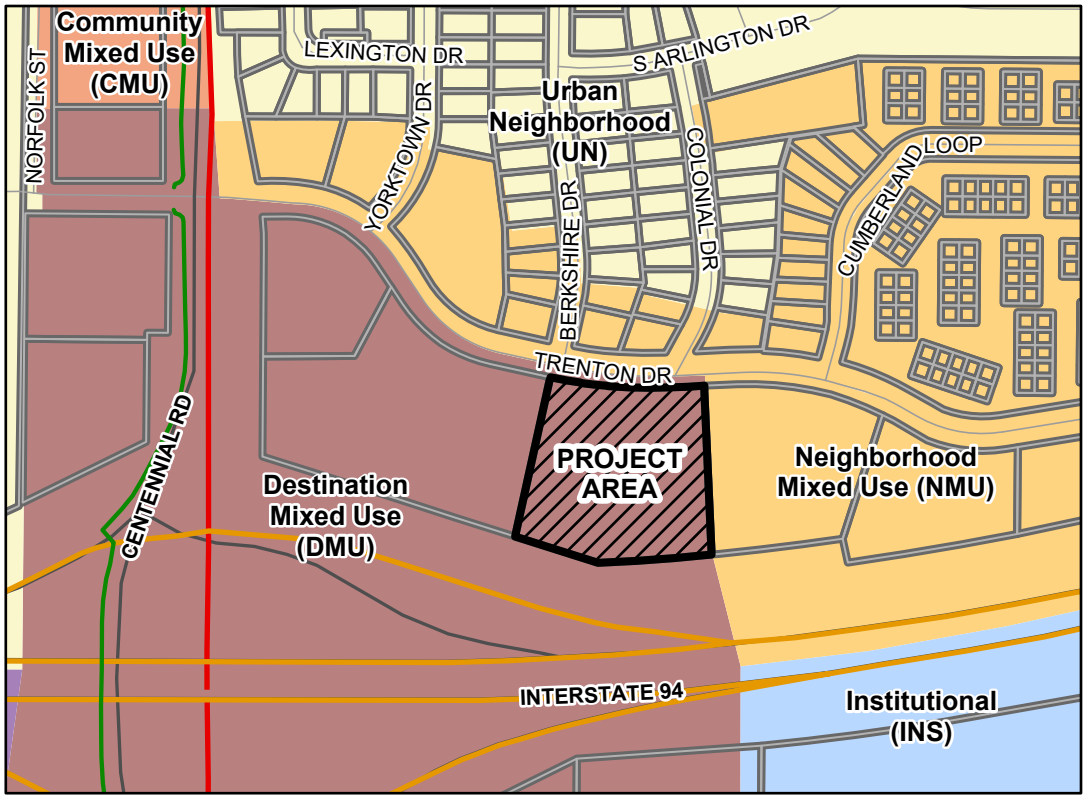
UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/ URB	Mid/Long-Term

Existing Arterial
Future Arterial
Existing Collector
Future Collector
Existing Interstate
Future Interstate
City Limits
Future Shared Use Trail
Existing Shared Use Trail

Zoning



Future Land Use Plan



This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 320 640 1,280 Feet

City of Bismarck
Planning Department
August 13, 2026

Proposed LDC Zoning

CENTENNIAL PARK FOURTH ADDITION, B1, L4

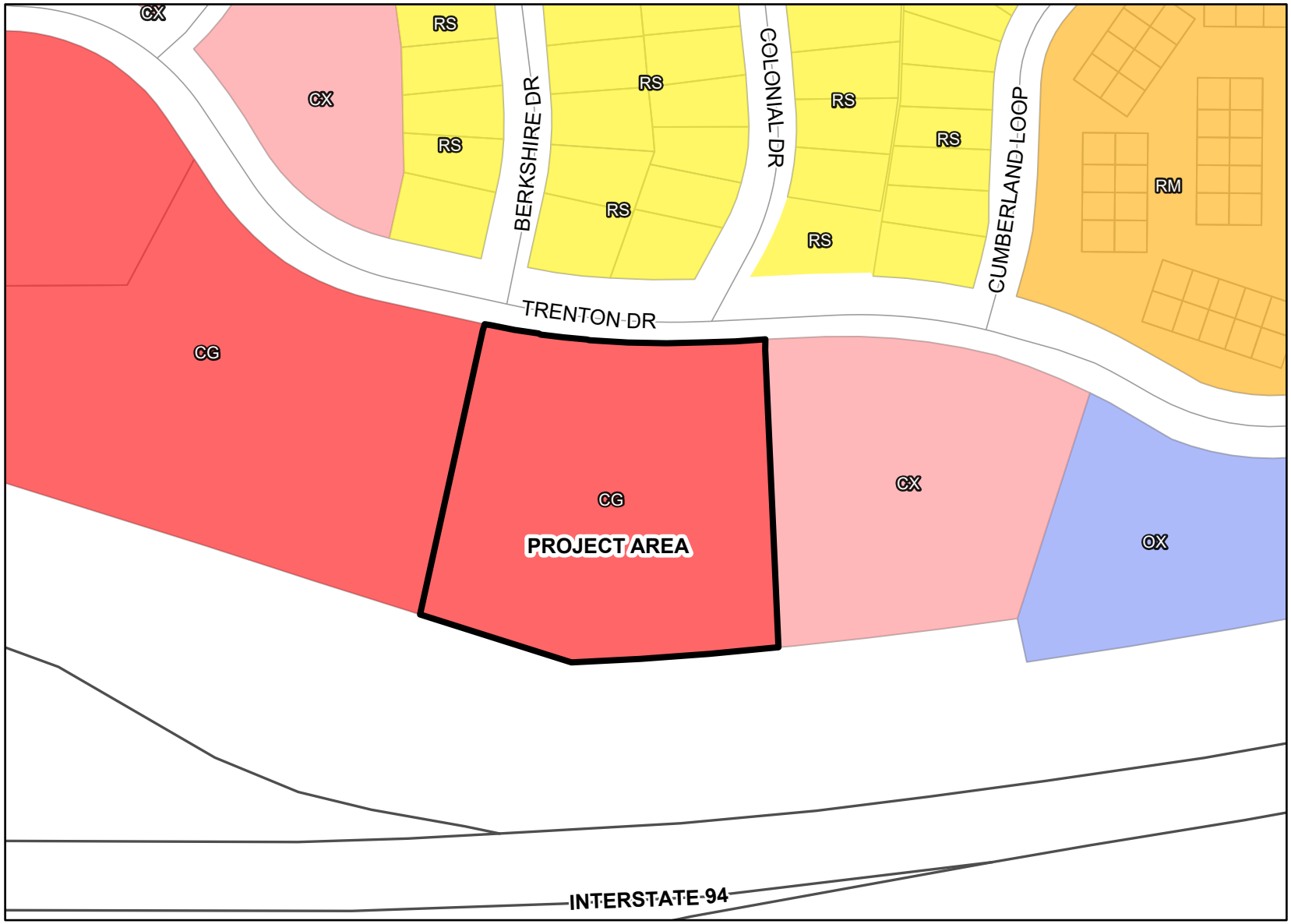
ZC2026-011

Proposed New Zoning Map

- Project Area
- City Limits
- Plan Overlay District

Zoning Districts

A	Agriculture
RRE	Residential Rural Estate
RR	Residential Rural
RS	Residential Suburban
RM	Residential Multi-Family
RU	Residential Urban
RMH	Residential Manufactured Housing
RX	Residential Mixed
OX	Office Mixed
CX	Commercial Mixed
CG	Commercial General
IX	Industrial Mixed
IG	Industrial General
DT	Downtown
PCI	Public Civic Institutional
OS	Open Space



0 0.05 0.1 0.2 Miles

City of Bismarck
Planning Department
August 11, 2026

This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

Bismarck PLANNING

STAFF REPORT

Agenda Item # 4F
August 19, 2026

Application for: **Zoning Ordinance Text Amendment**

Project ID: **ZOTA2026-003**

Project Summary

Title:	Updates to Title 14.1 Stormwater Management
Status:	Board of City Commissioners - Public Hearing
Project Contact:	Daniel Nairn, AICP, Planning Director
Request:	Update Title 14.1 Stormwater Management to align with adopted Land Development Code
Staff Recommendation:	Approve

Project Narrative

The Engineering Department and Planning Department propose amendments to Title 14.1 Stormwater Management to align with the recently adopted Land Development Code.

Title 14.1 is an independent title of the Bismarck Code of Ordinances. However, the Planning and Zoning Commission is still authorized to review and advise on any amendments to this title, because of the integral relationship between stormwater management and the overall land development process.

Proposed changes to Title 14.1 relate to:

- Updating the state agency that governs stormwater management.
- Inclusion of townhouses of up to four units in small-site construction stormwater management permits, in alignment with Land Development Code categories.
- Update references to site plan procedure language used in the Land Development Code.
- Align the stormwater review process with new subdivision procedures of the Land Development Code.
- Provide more staff discretion over submittal of a certification report after completion of facility installation.

Public Engagement

Because this ordinance is initiated by City staff, it will follow the original Title 14 process in effect until Oct 1, 2026, which requires consideration by the Planning and Zoning Commission prior to a public hearing.

The Planning and Zoning Commission considered this request on July 22, 2026 and called for a public hearing.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on August 6 and August 13.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

(continued)

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance text amendment (Comprehensive Plan)

Yes. The following goals and objectives of the plan would be advanced through the proposed amendment:

> *"Manage stormwater to protect public and private investments and the natural environment" I5*
>
> *"Review and update plans, ordinances, and policies on a regular basis to reflect changing conditions and public will" G10(g)*

The proposed text amendment is justified by a change in conditions since the zoning ordinance was originally adopted or clarifies a provision that is confusing, in error or otherwise inconsistent with the general intent and purpose of the zoning ordinance (Goal S9-e, G10-g)

Yes. This section of the zoning ordinance was previously adopted on August 22, 2017. Conditions have changed since this time period which justify the proposed revision, in particular the adoption of the Land Development Code and change in state agency oversight.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning ordinance text amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

The proposed text amendment will preserve the overall integrity and coherence of the zoning ordinance (Goal G10)

Yes. All sections of the zoning ordinance containing any references to or potential conflicts with the proposed zoning ordinance text amendment have been reviewed and corrected, as needed.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The zoning ordinance text amendment has been initiated by staff from the Planning Department, on behalf of the Planning and Zoning Commission. A preliminary draft was considered by the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning text amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning text amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of amendments to Title 14.1 as shown in the attached ordinance.

Attachments

1. Draft Zoning Ordinance

(continued)

Staff report prepared by: Daniel Nairn, AICP, Planning Director

701-355-1854 | dnairn@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. 6664

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND TITLE 14.1 OF THE CODE OF ORDINANCES OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO STORMWATER MANAGEMENT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amend. Section 14.1-01-03 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Definitions, is hereby enacted to read as follows:

14.1-01-03. Definitions. For the purpose of this Title, the following terms, phrases, and words, and their derivatives, shall have the meaning as stated in this section. When inconsistent with the context, words used in the present tense include the future tense. Words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and the word "may" is always permissive.

* * * * *

Certification Report: The required analysis documenting that the facilities identified in an approved stormwater management plan have been constructed and function as intended. A certification report ~~is a required submittal~~ for a post-construction stormwater management permit is a required submittal as detailed in the Stormwater Design Standards Manual.

* * * * *

~~Extraterritorial Jurisdiction: The territorial zoning and subdivision authority of the City which extends to all unincorporated land located within four (4) miles of the corporate limits of the City, or as amended by agreement, as authorized by Section 40-47-01.1 of the North Dakota Century Code.~~

Extraterritorial Area (ETA): The territorial zoning and subdivision authority of the City which extends to all unincorporated land located within the limits of negotiated agreements with Burleigh County and/or organized townships, as authorized by the NDCC.

* * * * *

National Pollution Discharge Elimination System (NPDES) Permit: Any permit or requirement enforced by the North Dakota ~~State~~ Department of ~~Health~~ Environmental Quality, Division of Water Quality, pursuant to the Clean Water Act as amended for the purposes of regulating stormwater discharge.

~~NDDoH: The North Dakota Department of Health, Division of Water Quality.~~

Notice of Termination (NOT): Notification to the City and/or the ~~NDDoH~~ North Dakota Department of Health, Division of Water Quality that all construction activities for a project have been completed and exposed soils have achieved final stabilization.

Notice of Transfer: Notification to the City and/or the ~~NDDoH~~ North Dakota Department of Health, Division of Water Quality indicating that the responsibilities of the mandatory stormwater management permit have been transferred along with the transfer of a parcel of land.

* * * * *

Stormwater Management: The application of Best Management Practices (~~DMPs~~ BMPs) to mitigate adverse impacts to stormwater quality and quantity, prevent sediments and other pollutants from entering surface or ground water; source controls, and treatment of run-off to reduce pollution

(Ord. 4817, 02-25-97; Ord. 5278, 09-23-03; Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 2. Section 14.1-02-01 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Municipal Separate Storm Sewer System, is hereby enacted to read as follows:

14.1-02-01. Municipal Separate Storm Sewer System. The City of Bismarck is a designated Municipal Separate Storm Sewer System (MS4) under the Environmental Protection Agency's Stormwater Phase II Final Rule published on December 8, 1999 and is regulated under the North Dakota Pollutant Discharge Elimination System (NDPDES) by the North Dakota Department of ~~Health~~ Environmental Quality. In order to demonstrate compliance with the requirements of the MS4 General Permit,

all development activities within the City's zoning jurisdiction must comply with the provisions contained herein related to construction stormwater management permits and post-construction stormwater management permits.

(Ord. 4817, 02-25-97; Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 3. Section 14.1-02-02 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Conformance with Local, State and Federal Regulations, is hereby enacted to read as follows:

14.1-02-02. Conformance with Local, State and Federal Regulations. In addition to the requirements contained herein, it is the responsibility of the applicant to obtain all required approvals from local, state and federal agencies for the proposed project. Agencies that may require consultation or permits include the Burleigh County Highway Department, the Burleigh County Water Resource District, the North Dakota Department of Transportation, the North Dakota State Water Commission, the North Dakota Department of ~~Health~~ Environmental Quality, the North Dakota State Historic Preservation ~~Officer~~ Office, the United States Army Corps of Engineers, the Federal Emergency Management Agency or the United States Environmental Protection Agency.

(Ord. 4817, 02-25-97; Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 4. Section 14.1-03-01 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Construction Stormwater Management Permits (CSMP) Required, is hereby enacted to read as follows:

14.1-03-01. Construction Stormwater Management Permits (CSMP) Required. A construction stormwater permit is required in order to facilitate implementation of appropriate best management practices (BMPs) and protect water quality during development construction activities in areas within the corporate limits and areas within the extraterritorial area that contribute to the City's MS4. Submittal and review requirements for a CSMP are dependent upon the size and scope of the project.

1. Small Site Construction Stormwater Management Permit. A small site construction stormwater management permit is required for construction activities ~~applied for after January 1, 2018~~ that meet one or more of the following criteria:

    a. Land disturbance greater than or equal to 3,000 square feet and less than 10,000 square feet, occurring on land with slopes of less than 12 percent; or

b. Construction of a ~~one- or two-family residential home~~ single- or two-family dwelling or townhouses of up to four units if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.

2. Large Site Construction Stormwater Management Permit. A large site construction stormwater management permit is required for construction activities ~~applied for after January 1, 2018,~~ except for the construction of a ~~one- or two-family residential home~~ single- or two-family dwelling or townhouses of up to four units, that meet one or more of the following criteria:

* * * * *

h. Any other activity, including the construction of a ~~one- or two-family residential home~~ single- or two-family dwelling or townhouses of up to four units, that the City Engineer determines to have a high risk of soil erosion or water pollution, or that may significantly impact an open waterway, stream or wetland area.

4. North Dakota Department of ~~Health~~ Environmental Quality Construction General Permit. All projects that result in land disturbance activity that meets the minimum threshold outlined in the North Dakota Department of ~~Health~~ Environmental Quality Construction General Permit are required to obtain a Construction Stormwater Management Permit from the City and coverage from the North Dakota Department of ~~Health~~ Environmental Quality under the Construction General Permit.

5. Exclusions. The following activities are excluded from obtaining a mandatory Construction Stormwater Management Permit:

a. Plowing or tilling for agricultural purposes;

b. Emergency activity that is immediately necessary for the protection of life, property or natural resources;

c. Construction of a ~~one or two-~~single-family dwelling within the City's extraterritorial area, with the understanding that erosion control measures are implemented on-site during construction by the builder;

~~d. Construction of any project in the City's extraterritorial area, other than a one or two-family dwelling, that does not~~

~~contribute to the City's MS4, with the understanding that erosion control measures are implemented on-site during construction by the builder; or~~

~~e~~ d. Other construction activities that are determined by the City Engineer to not have potential for adverse impact on stormwater quality.

(Ord. 4817, 02-25-97; Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 5. Section 14.1-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Small Site Construction Stormwater Management Permits, is hereby enacted to read as follows:

14.1-03-02. Small Site Construction Stormwater Management Permits.

1. Application Required. An application for a small site construction stormwater management permit shall be submitted prior to or concurrently with an application for a building permit for ~~one- or two-family dwellings~~ single- or two-family dwelling or townhouses of up to four units or other projects that meet the thresholds outlined in Section 14.1-03-01. Site development activities shall not commence until said application has been approved and best management practices (BMPs) are in place.

2. Submittal Requirements. The submittal requirements for a small site construction stormwater management permit are outlined in the ~~City's~~ Stormwater Design Standards Manual.

3. Review and Approval Procedures. The review and approval procedures are outlined in the ~~City's~~ Stormwater Design Standards Manual. A building permit will not be issued and no site development activities may commence until the small site construction stormwater management permit has been approved and BMPs are properly installed.

4. Transfer of Permit. Small site construction stormwater management permits cannot be transferred to a subsequent owner.

5. Termination of Permit. During construction, stormwater management best management practices (BMPs) must be installed and remain in place until final stabilization, as outlined in the ~~City's~~ Stormwater Design Standards Manual, has been achieved on the site. When final stabilization has been achieved, the applicant shall submit a Notice of Termination (NOT) request to the City Engineer. Upon review and

approval by the City Engineer, the applicant will be notified that the authorization has been terminated.

(Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 6. Section 14.1-03-03 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Large Site Construction Stormwater Management Permits, is hereby enacted to read as follows:

14.1-03-03. Large Site Construction Stormwater Management Permits.

* * * * *

2. Submittal Requirements. The submittal requirements for a large site construction ~~storm water~~ stormwater permit are outlined in the ~~City's~~ Stormwater Design Standards Manual. The submittal package shall be prepared and sealed by a ~~registered professional engineer~~ licensed professional engineer legally authorized to practice in the State of North Dakota.

3. Review and Approval Procedures. The review and approval procedures are outlined in the ~~City's~~ Stormwater Design Standards Manual. A building permit will not be issued and no site development activities may commence until the large site construction stormwater management permit has been approved.

* * * * *

5. Termination of Permit. During construction, stormwater management best management practices (BMPs) must be installed and remain in place until final stabilization, as outlined in the ~~Storm Water~~ Stormwater Design Standards Manual, has been achieved on the site. When final stabilization has been achieved, the applicant shall submit a Notice of Termination (NOT) request to the City Engineer.

(Ord. 4817, 02-25-97; Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 7. Section 14.1-04-01 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Post-Construction Stormwater Management Permits, is hereby enacted to read as follows:

14.1-04-01. Post-Construction Stormwater Management Permits. A ~~post construction~~ post-construction stormwater management permit addresses

the long-term or permanent function of drainage facilities for development projects. A post-construction stormwater management permit is required for development projects ~~applied for after January 1, 2018~~ in areas within either the corporate limits or the extraterritorial area that meet one or more of the following criteria:

* * * * *

4. Any development activity that requires approval of a complete subdivision or general site plan under Title 14 of the City Code of Ordinances ~~or any development project that requires approval of a site plan~~; or

(Ord. 4817, 02-25-97; Ord. 5853, 11-22-11; Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 8. Section 14.1-04-04 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Conditional Approval, is hereby enacted to read as follows:

14.1-04-04. Conditional Approval. Conditional approval of a post-construction stormwater management permit is required prior to submittal of ~~an application for approval of~~ the associated final plat in recordable form~~,~~ ~~minor subdivision final plat~~ or general site plan. ~~In order to provide adequate time for review and approval, applications for conditional approval of a post-construction stormwater management permit should be submitted no less than thirty (30) days prior to the submittal of an application for approval of a final plat, a minor subdivision final plat or a site plan. For projects that do not require approval of a site plan or a final plat, the application for conditional approval shall be submitted no less than sixty (60) days prior to construction~~ Applications for conditional approval of a post-construction stormwater management permit shall be submitted in conjunction with a preliminary plat or adequate time in advance of site plan submittal to allow staff review, as established by the City Engineer.

1. Submittal Requirements. The submittal requirements for conditional approval of a post-construction stormwater management permit are outlined in the ~~City's~~ Stormwater Design Standards Manual. The submittal package shall be prepared and sealed by a ~~registered professional engineer~~ licensed professional engineer legally authorized to practice in the State of North Dakota.

2. Review and Conditional Approval Procedures. The review and conditional approval procedures for a post-construction stormwater management permit are outlined in the Stormwater Design Standards

Manual. For projects within the City's extraterritorial area, the City Engineer will provide copies of the stormwater management plan to the County Engineer for review and comment. For projects within the extraterritorial area, the City Engineer shall obtain written concurrence from the County Engineer prior to granting conditional approval of the post-construction stormwater management permit. Upon conditional approval of the post-construction stormwater management permit, the City Engineer will provide the applicant with the original signed copy of the conditional permit by mail or in person and a copy via e-mail. ~~A copy of the conditional permit shall be submitted with the application for approval of a final plat, minor subdivision final plat or site plan.~~ Approval of a final plat or general site plan will be withheld until conditional approval of the post-construction stormwater management permit is obtained.

(Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 9. Section 14.1-04-05 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Material Submitted After Conditional Approval, is hereby enacted to read as follows:

14.1-04-05. Material Submitted After Conditional Approval. After obtaining conditional approval of a post-construction stormwater management permit, construction plans and specification, geotechnical reports and operation and maintenance plans may be submitted.

1. Construction Plans and Specifications.

    a. Construction Plans and Specifications for Public Facilities within the Corporate Limits. The construction plans and specifications prepared for the construction of public stormwater management facilities within the corporate limits or on land that will be annexed prior to development must:

        i. Include a basis of design report demonstrating consistency with the approved storm water management plan and conditionally approved post-construction stormwater management permit.

        ii. Be in conformance with the requirements of the City of Bismarck Construction Specifications for Municipal Public Works Improvements, current special provisions, and any other necessary permits issued by other governmental agencies.

iii. Be sealed and signed by a ~~Professional Engineer registered in the State of North Dakota~~ licensed professional engineer legally authorized to practice in the State of North Dakota.

iv. Be submitted to the City Engineer for approval.

v. Be submitted concurrently with the application for approval of a large site construction stormwater management permit.

No construction may commence until the construction plans and specifications have been approved by the City Engineer and all other applicable permits and approvals are received from outside agencies.

b. Construction Plans and Specifications for Private Facilities within the Corporate Limits. The construction plans and specifications prepared for the construction of private stormwater management facilities within the corporate limits or on land that will be annexed prior to development must:

i. Include a basis of design report demonstrating consistency with the approved storm water management plan and conditionally approved post-construction stormwater management permit.

ii. Be sealed and signed by a ~~Professional Engineer registered in the State of North Dakota~~ licensed professional engineer legally authorized to practice in the State of North Dakota.

iii. Be submitted to the City Engineer for approval.

iv. Be submitted concurrently with the application for approval of a large site construction stormwater management permit.

No construction may commence until all applicable permits and approvals are received from the City and outside agencies.

c. Construction Plans and Specifications for Public Facilities within the Extraterritorial Area. The construction plans and specifications prepared for the construction of public

DRAFT

stormwater management facilities within the extraterritorial areas must:

i. Include a basis of design report demonstrating consistency with the approved storm water management plan and conditionally approved post-construction stormwater management permit.

ii. Be in conformance with the requirements of the Burleigh County Highway Department and any other necessary permits issued by other governmental agencies.

iii. Be sealed and signed by a ~~Professional Engineer registered in the State of North Dakota~~ licensed professional engineer legally authorized to practice in the State of North Dakota.

iv. Be submitted to the County Engineer for approval.

v. Be submitted concurrently with the application for approval of a large site construction stormwater management permit.

No construction may commence until the construction plans and specifications have been approved by the County Engineer and all other applicable permits and approvals are received from outside agencies.

2. Operations and Maintenance Manual. An operations and maintenance manual shall be submitted in conjunction with construction plans and specifications for public projects within the corporate limits and for private projects within both the corporate limits and the extraterritorial area. An operations and maintenance manual shall be submitted for each post-construction stormwater management control, in accordance with the provisions of the Stormwater Design Standards Manual.

3. Access and Drainage Easements. The City Engineer may require that an easement be recorded to allow for continued access to constructed stormwater management facilities within or adjacent to the corporate limits, to provided cross parcel drainage easements and for other elements that are deemed necessary. All required access and drainage easements shall be prepared by a professional land ~~survey~~ surveyor, reviewed by the City Engineer and recorded at the

Burleigh County Recorder's Office, with a copy of the recorded document provided to the City Engineer.

Section 10. Section 14.1-04-06 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Completion and Final Approval, is hereby enacted to read as follows:

14.1-04-06. Completion and Final Approval.

1. Completion and Certification. Upon completion of the project, a Certification Report ~~shall be submitted to~~ may be requested by the City Engineer. The Certification Report shall certify that installed BMPs are consistent with the conditionally approved ~~Post Construction~~ Post-Construction Stormwater Management Plan (PCSMP), or report that BMPs are not consistent with the conditionally approved PCSMP. The Certification Report requirements are outlined in the Stormwater Design Standards Manual (SWDSM).

2. Record Drawings Required. For public projects not overseen by the City Engineer, record drawings of the project shall also be submitted to the City Engineer.

3. Final Inspection. Upon submittal of the Certification Report and required record drawings, the City Engineer will perform a final inspection of the site. Upon satisfactory completion of the final inspection, or as deemed by the City Engineer, final approval of the ~~Post Construction~~ Post-Construction Stormwater Management Plan will be issued.

(Ord. 6270, 08-22-17; Ord 6664; XX-XX-XX)

Section 11. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 12. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 13. Effective Date. This ordinance shall take effect on October 1, 2026.