

RESOLUTION NO. 21-2019
A RESOLUTION APPROVING A SPECIAL USE PERMIT FOR A
COMPASSIONATE CARE CENTER DISPENSARY

WHEREAS, Dickinson City Code §39.12.003 allows the Board of City Commissioners to grant discretionary approval for certain uses within zoning districts that have unusual site development or operating characteristics; and

WHEREAS, Dickinson City Code §39.12.003 allows the Board of City Commissioners to establish such conditions and regulations for approval of a special use permit as the Board may deem appropriate; and

WHEREAS, the City has received a request for special use permit from GR Vending ND Dispensary 5, LLC for a Compassionate Care Center Dispensary and which is a special use pursuant to Dickinson City Code §39.03.020; and

WHEREAS, the Dickinson Planning and Zoning Commission has met and heard public testimony regarding this matter, and recommends approval of the special use permit, subject to the conditions noted below;

NOW, THEREFORE, BE IT RESOLVED that the Board of City Commissioners for the City of Dickinson, North Dakota, hereby grants a special use permit, as provided in Dickinson City Code §39.12.003, to GR Vending ND Dispensary 5, LLC for a Compassionate Care Center Dispensary at the following real property:

320 24th Street East, in the Kilwein 3rd Subdivision on Lot 38, Block 1, on approximately 1.59 acres in the General Commercial Zone within the City of Dickinson, Stark County, North Dakota.

The Special Use Permit SUP-002-19 is subject to the following conditions:

1. The applicant shall comply with all applicable state laws, including, but not limited to NDCC Ch. 19-24.1.
2. Waste generated from the dispensing of marijuana that contains any element derived from the marijuana plant must be stored in a secure waste receptacle that is only accessible by agents of the marijuana dispensary center and agents of the contracting waste collection company.
3. The applicant's facility must be equipped with an air filtration system such that any odor resulting from the storage or dispensing of marijuana does not unreasonably interfere with the surrounding landowners use and enjoyment of their property,
4. The proposed dispensary shall cease operations between the hours of 1:00 am and 7:00 am.
5. This Special Use Permit approval shall be considered non-transferrable to anyone else for this site. A new application would need to be obtained if ownership changes.
6. The applicant shall appear annually before the Planning and Zoning Commission for renewal of the permit. Failure to do so will allow the Planning Commission to reconsider and void the Special Use Permit approval.
7. The applicant shall maintain their good standing and registration with the State of North Dakota. If their registration lapses, operation on site shall cease until it is brought back into good standing, and the City shall have the option to void the Special Use Permit and require another application to continue operation on site.

Dated this 2nd day of July, 2019.

Scott Decker, President
Board of City Commissioners

ATTEST:

Joseph Gaa
City Administrator