

**RESOLUTION NO. \_\_\_\_\_ - 2024**

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A HEAVY INDUSTRIAL USE (“AMERICAN PULVERIZER CAR SHREDDER”) IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT. THE PROPERTY IS LEGALLY DESCRIBED AS LOT 6, BLOCK 2, ENERGY CENTER 1<sup>ST</sup> SUBDIVISION, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA.

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 a special use permit from Robertson Metal Recycling, LLC for a American Pulverizer Shredder, which is a discretionary use provided for in the Dickinson City Code; 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 Robertson Metal Recycling, LLC:

195 28<sup>th</sup> Ave East, Dickinson, ND 56801  
Lot 6, Block 2, Energy Center 1st Subdivision

The Special Use Permit is subject to the following conditions:

1. The Special Use Permit runs with the land and requires an annual compliance review.
2. Nuisance complaints against the operations, including those relating to noise, vibration, odors, traffic, urban services, will be recorded as part of the annual review of the Special Use Permit. Staff will investigate any complaints and concerns and report any significant findings of nuisance to the Planning & Zoning Commission for further investigation and recommendation for the continuation of the Special Use Permit.
3. Operation of the facility shall comply with all applicable city, county, state and federal regulations.

4. The City's approval Special Use Permit is conditioned upon the approval of the North Dakota Department of Environmental Quality Permit.
5. The special use will be developed in accordance with the SUP application.

Dated this \_\_\_\_\_ day of January, 2024.

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Scott Decker, President  
Board of City Commissioners

ATTEST:

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Dustin Dassinger  
Dickinson City Administrator

1. To consider a Special Use Permit to allow for a heavy industrial use ("American Pulverizer car shredder") in the General Industrial (GI) zoning district. The property is legally described as Lot 6, Block 2, Energy Center 1<sup>st</sup> Subdivision City of Dickinson, Stark County, North Dakota. This property is located in the City of Dickinson.