

RESOLUTION NO. _____ - 2024

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO GEO CHEMICALS, LLC FOR A CHEMICAL STORAGE FACILITY LOCATED AT 4637 WEST VILLARD, DICKINSON, ND IN THE EXTRATERRITORIAL ZONE

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 GEO Chemicals, LLC for a chemical storage facility, 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 GEO Chemicals LLC:

4637 West Villard, Dickinson, ND 56801
Lots 2 and 3, Block 2 of the Dickinson Industries Addition located in the northwest quarter of Section 7, Township 140 North, Range 96 West, 5th, in the City of Dickinson's ETZ

The Special Use Permit is subject to the following conditions:

1. Hazardous materials to be stored on site shall be limited to the ones listed in the "Chemical Inventory" attached to the Staff Report
2. Development and on-site operations of hazardous materials shall be as described in this staff report as well as in the material found in the attachments.
3. No more than 25,000 gallons of chemicals shall be stored within 50 feet of any structure of human habitation.
4. No more than 25,000 gallons of chemicals shall be stored within 1,000 feet of any Residential or Commercial zoning districts.
5. As part of the development process, and to facilitate public safety, the applicant shall coordinate with law enforcement and emergency responders, including the Stark

County Sheriff's Department, the Dickinson Rural Fire Department, and the Stark County Emergency Management Department.

6. To ensure compliance with the all applicable regulations as well as the conditions of the special use permit, the applicant shall arrange for annual inspections by the City of Dickinson Community Development as well as other appropriate agencies. The first inspection shall occur no later than one year after approval of the special use permit.
7. The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.
8. On-site storage of hazardous materials shall comply with all applicable City, County, State and Federal regulations.
9. A final engineering review of the storm water volume calculation, berm detail, and synthetic line specifications shall be completed prior to final approval.

Dated this _____ day of March 2024.

Scott Decker, President
Board of City Commissioners

ATTEST:

Dustin Dassinger
Dickinson City Administrator