



## Staff Report

**To:** City of Dickinson Planning & Zoning Commission  
**From:** City of Dickinson Community Development Services  
**Date:** February 26, 2024  
**Re:** SUP-002-2024 Chemical Storage Special Use Permit

### OWNER/APPLICANT

Bill Kainz  
 GEO Chemicals, LLC 2225 West Villard,  
 Dickinson, ND 58601  
 Bill.kainz@geo-chemicals.com  
 (701) 260-3339

<b>Public Hearing</b>	March 13, 2024	Planning and Zoning Commission
<b>Final Consideration</b>	March 19, 2024	City Commission

Geo Chemicals, LLC is applying for a Special Use Permit on a property located at 4637 West Villard. The special use permit will be for the storage and distribution of oilfield chemicals along with the daily operations of their business. They are currently operating at 2367 West Villard and have communicated that the operations as they can be observed at the current site should be expected to be no different from those at the 4637 West Villard location.

They will store chemicals which have are listed in the chemical inventory in accompanying attachments, on site in pails, drums, and totes. No bulk storage tanks are being proposed.

Public Comments: None

Staff Recommendation: Approval subject to conditions listed within this staff report.

**LOCATION**

The property proposed for this Special Use Permit is legally described as 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, 5<sup>th</sup>, in the City of Dickinson’s ETZ. The site is located at the southwest corner of the intersection between Villard St W and GTA Dr.



<b>CURRENT ZONING</b>	<b>GI</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>Industrial</b>
<b>GROSS SITE ACREAGE</b>	<b>+/- 2.7 acres</b>
<b>LOTS PROPOSED</b>	<b>N/A</b>

<b>NEARBY ZONING &amp; LAND USE</b>		
<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	<b>AG</b>	<b>Agriculture</b>
<b>East</b>	<b>GI</b>	<b>Varied industrial uses</b>
<b>South</b>	<b>GI</b>	<b>Varied industrial uses</b>
<b>West</b>	<b>GI</b>	<b>Varied industrial uses</b>

## STAFF ANALYSIS

### Purpose for SUP Application

#### **Section 39.04.005 Development Regulations: Table 4-2: Permitted Uses by Zoning District**

Note 8. Toxic Gaseous Storage: Storage facilities of toxic gaseous, materials, tanks/or bulk facilities shall not be built within (2) two miles of any residential subdivision or within (1) mile of any building for human occupancy generally, unless approved by a special use permit after a finding that storage will not pose a potential public health hazard.

#### **Section 39.06.007 Performance Standards for Industrial Uses**

##### **(10) Industrial Uses in the GI District: Performance Standards**

Storage of Chemical Products: If allowed by Special Use Permit, any above of below ground storage of liquid petroleum products or chemicals of a flammable or noxious nature shall not exceed 150,000 gallons when stored on one lot less than one acre. Such storage shall not exceed 25,000 gallons in any one tank. Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 50 feet from any structure intended for human habitation and at least 1,000 feet from any Residential or Commercial Zoning district.

### Compatibility with Local Uses

With the assumption that all necessary precautions are made relating to the transmission, storage, and/or use of the listed chemicals, the surrounding land uses are found to be compatible, as the nearest residence is over 1,000 feet from the subject parcel. All adjacent parcels are zoned as General Industrial.

### Compliance with Zoning and Subdivision Regulations

If approved, the subject parcel will comply with requirements as set forth by Articles 39 Zoning and 34 Subdivision. The City of Dickinson Fire Department has reviewed this request and has issued no statements of concern which would not be addressed by the recommended conditions.

### Public Input

As of the date of this report, City staff has not received any public comments.

### Staff Recommendation

City Community Development Services Staff recommends approval of SUP-002-2024, subject to the following conditions:

1. Hazardous materials to be stored on site shall be limited to the ones listed in the attached "Chemical Inventory"
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 City of Dickinson Police 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.

**MOTIONS:**

**\*\*\*Approval\*\*\***

*“I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-002-2024** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare “*

**(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):**

1. \_\_\_\_\_;
2. \_\_\_\_\_.

**\*\*\*Denial\*\*\***

*“I move the Dickinson Planning and Zoning Commission recommend Denial of **SUP-002-2024** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.”*