



City of Grand Forks

Staff Report

Planning & Zoning Commission - August 6, 2025

City Council - August 18, 2025

APPROVED & ACCEPTED

by City Council

08/18/2025

Maureen Storstad
Maureen Storstad
City Auditor

Item 3-4 (Final): Conditional Use Permit Request

Title: Residual Material Inc. Recycling Center Conditional Use Permit(s) Renewal (10 years)

Location: 2250 27th Ave N, 2900 & 2901 Mill Road, 222 Red Dot Place and 2230 N 20th St

Legal Description:

Lot D, Block 1, a replat of Lots A, B, And C, Block 1 of the replat of Lot 1, Block 1, Lockwood Addition

Lot A, Block 1, the replat of lot 1, block 1, N.S.P. & Pillsbury Industrial Park Second Resubdivision

Lot E, Block 1, a replat of Lots A, B, and C, Block 1 of the replat of Lot 1, Block 1, Lockwood Addition

Lot 1 Block 1 Auditor's Subdivision No. 39

Lot 2, Block 1, Gibbs Resubdivision

Applicant: Dusty Gibbs

Owner: Residual Materials, Inc. Gibbs Investments

Prepared By: Haylie Grasser, Planner

Submitted By: Ryan Brooks, City Planner

Purpose: Grant conditional use permit for 10 years to continue operating a Metal Recycling facility in the I-2 zoning districts.

Staff Recommendation

Staff recommends final approval of the Conditional Use Permit, subject to conditions shown on attached review copy. Recommend City Council grant approval.

Application Status

August 6, 2025 (Public Hearing) - Planning and Zoning Commission Recommended Action: Motion by Reichert, second by Sande for approval of request. Motion carried unanimously.

August 18, 2025- City Council Action:

Motion by Berg, second by Vein to approve on consent agenda. Motion passed unanimously.

Existing	Proposed
Land Use: Metal Recycling facility	Land Use: No change proposed
Zoning: I-2 Heavy Industrial	Zoning: No changed proposed

Uses Permitted: All uses permitted in I-2 district; recyclable processing center as a conditional use	Uses Permitted: No change
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Context
Adjacent Zoning Districts: I-2
Adjacent Streets: Mill Road, 27 th Ave N, N 20 th St, Red Dot PL
Adjacent Bike/Ped Facilities: None
Adjacent CAT Routes: None

Consistency with 2050 Land Use Plan
<ul style="list-style-type: none"> • Current use is consistent with Land Use Plan.

Background and Discussion
<ul style="list-style-type: none"> • The request is a ten-year Conditional Use Permit which allows Residual Material Inc. to operate as a Recyclable processing facility in the I-2 zoning district. The last CUP was in effect from 3/16/2015-3/15/2025 and was for a 10-year term. • Section 18-0219 (3)(H) requires a CUP for the recycling centers. • The last CUP had conditions listed for the established screening from neighboring properties. Since there have been new locations added for this permit, those requirements have been reviewed and added to the additional locations. Screening is described as fencing or tree line buffer depending on the topography of each site. • The CUP is subject to the following conditions: <ul style="list-style-type: none"> ○ CUP issued for a period of 10 years. ○ CUP provides necessary recycling of metal from local projects. • Staff is recommending approval of the request.

Notices
Grand Forks Herald Public Hearing Notice Published: July 23, 2025
Letters Sent to Neighboring Property Owners (400 ft): July 23, 2025
Comments Received: None at time of posting.

Findings of Fact
<ul style="list-style-type: none"> • A public hearing is required by the Planning and Zoning Commission prior to final approval of a CUP. • 18-0703 Conditional Use Permit Procedure states "...planning and zoning commission shall not recommend the granting of a permit unless it finds that the establishment, maintenance, or conducting of the use for which a conditional use permit is sought will not under the circumstances of the particular case be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to such use, or to the public welfare, or injurious to property or improvements in the area adjacent to such use. The planning commission may designate conditions and require guarantees in the granting of conditional use permits."

- City Council is required to give final approval of a CUP.
- Existing CUP was for a 10-year period beginning on 3/16/2015, allowing RMI of conducting a recycling processing center.

Attachments

- Draft CUP Permit
- Location of screening requirements

RESIDUAL MATERIALS INC. CONDITIONAL USE PERMIT

WHEREAS, Residual Materials Inc. has applied for and been granted a Conditional Use Permit to continue to operate a recyclable processing center, and;

WHEREAS, Residual Materials Inc. is the owner of parcel which includes a recyclable processing center and the equipment at the following described locations:

2550 27th Avenue North; 2900 and 2901 State Mill Road; 222 Red Dot Place, 2230 N 20th St

WHEREAS, Residual Materials Inc, desires to continue to operate a recyclable processing center on the described sites;

NOW THEREFORE, pursuant to the terms of Grand Forks City Code Chapter 18, a new Conditional Use Permit is hereby approved for Residual Materials Inc., upon the terms and subject to the conditions of this conditional use permit, with permission to operate a recyclable processing center at the following locations:

2550 27th Avenue North legally described as:

Lot D, Block 1, a replat of Lots A, B, And C, Block 1 of the replat of Lot 1, Block 1, Lockwood Addition to the City of Grand Forks.

2900 State Mill Road is described as:

Lot A, Block 1, the replat of lot 1, block 1, N.S.P. & Pillsbury Industrial Park Second Resubdivision to the City of Grand Forks.

2901 State Mill Road is described as:

Lot E, Block 1, a replat of Lots A, B, and C, Block 1 of the replat of Lot 1, Block 1, Lockwood Addition to the City of Grand Forks.

222 Red Dot Place is described as:

Lot 1 Block 1 Auditor's Subdivision No. 39 to the City of Grand Forks.

2230 N 20th St is described as:

Lot 2, Block 1, Gibbs Resubdivision to the City of Grand Forks.

The Conditional Use Permit is granted for a term of ten (10) years with the term of this Conditional Use Permit to expire, subject to renewal thereof, on the 18th of August, 2035 but subject to review by the Grand Forks City Council upon sixty (60) days' written notice. The permit is further issued contingent upon the following;

1. Recyclable processing center operations facilities shall conform to the regulations of the appropriate sections of the Grand Forks Land Development Code Chapter 18, Section 18-0218 (11) (D) Special Conditions/performance standards.
2. 2250 27th Ave N and 2901 Mill Road: Operations on-site include scrap metal yard sorting and processing. Conditions for these properties include:
 - a. Mill Road Screening: Fencing is required to screen scrap yard materials from Mill Road. Fencing exists from the corner of Mill Road to the northeast corner where the railroad ends, as depicted on attached exhibit A. This fencing is to be maintained and replaced as needed. The remaining distance along Mill Road to the north slopes downward due to coulee and this area is to maintain a tree line bufferyard that is dense enough to visually screen the scrap yard from view. The fencing and tree line bufferyard to be extended or installed as shown on attached exhibit A by August 18, 2027.
 - b. 27th Ave N Screening: Fencing exists from the corner of Mill Road to the eastern access to the facility on 27th Ave N, as depicted on attached exhibit A. This fencing

is to be maintained and replaced as needed. The remaining distance along 27th Ave N, except access areas is to maintain a tree line bufferyard that is dense enough to visually screen the scrap yard from view. A landscaping schedule is to be established to fill in any necessary gaps in the screening. Planning & Community Development staff will administratively review periodically to ensure this condition has been met.

- c. Coulee / Side Yard Landscaping Requirements: Existing tree line buffer to remain intact and trees replaced as needed to maintain a visually screened buffer between the scrapyard and properties across the coulee.

3. 2900 Mill Road – Operations on site include container and equipment storage for recycling processing center.

- a. Screening requirements for container and equipment storage are to follow standard Industrial zoning bufferyard S, which includes 1 shade tree per 50 feet.
- b. Site improvements to follow 18-0302 (12) Off-street Parking Construction & Maintenance requirements, provided below, for gravel storage yard as well as provide for a paved access from Mill Road into the site. Driveway access is to be installed by August 18, 2026.

18-0302- (12) Construction and maintenance:

(A) In all districts, except as otherwise provided herein, required off-street parking areas and access drives leading from the public right-of-way shall be paved and provided with proper surface drainage.

1. In I-2 districts that are not within a corridor overlay district as provided for in section 18-0224, heavy equipment and trailer circulation areas, storage areas, and laydown yards, not including required parking areas and access drives leading to it, may consist of crushed concrete or similar material approved by the city planner.

a. Circulation areas, storage areas, laydown areas, shall not be within fifteen (15) feet of any property line. The area between the circulation areas, storage areas and laydown yards and the property line shall be landscaped as provided for in section 18-0309.

2. For those areas where an access drive from a paved public right-of-way enters a loading or storage area that is not paved, a paved entrance of fifty (50) feet, or

such other equivalent means to catch gravel or sediment prior to entering the public right-of-way, is required.

- c. Any scrap yard operations, to include scrap piles not contained within storage containers, while not present at time of issuance of this permit, are required to be screened more heavily and are to follow the same screening requirements as the other scrap yard facility which include:
 - i. Fencing required along Mill Road the full property frontage.
 - ii. Landscaping schedule that provides fully screened view on side yards (north and south property lines.
 - iii. Standard Bufferyard S, 1 tree per 50ft along rear yard.

4. The term of this Conditional Use Permit shall expire, subject to any renewal thereof, on the 18th Day of August, 2035.

Dated this _____ day of _____, 2025.

Brandon Bochenski, Mayor

ATTEST:

Maureen Storstad, City Finance Director

RMI Recycling Facilities

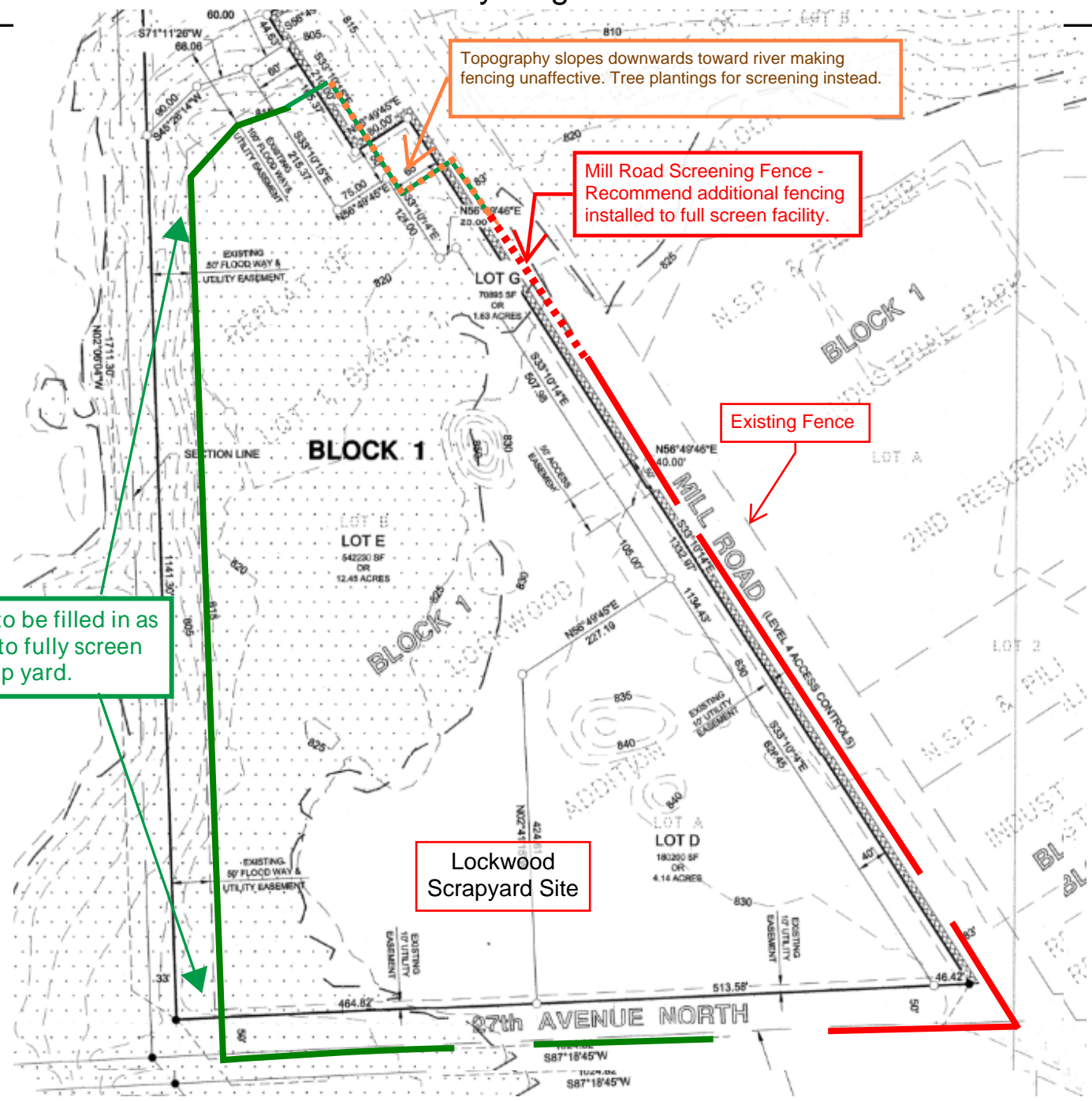
Topography slopes downwards toward river making fencing ineffective. Tree plantings for screening instead.

Mill Road Screening Fence - Recommend additional fencing installed to full screen facility.

Existing Fence

Tree Buffer to be filled in as necessary to fully screen scrap yard.

Lockwood Scrapyard Site



RMI Facilities - Offices & Non-ferrous metals



Legend

- Active Parcels
- Address Labels
- Road Labels
- Boundary City Limit
- Boundary Gray Area
- Boundary Two Mile

Offices &
Non-ferrous
material storage

1: 2,000

0.1 0 0.03 0.1 Miles
NAD_1983_StatePlane_North_Dakota_North_FIPS_3301_Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

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