



**CITY OF RANIER**  
P.O. Box 186  
Ranier, MN 56668  
Telephone: 218.286.3311 Fax: 218.286.2051  
Email: [cityofranier@frontiernet.net](mailto:cityofranier@frontiernet.net)  
[www.raniermn.govoffice2.com](http://www.raniermn.govoffice2.com)

**CITY OF RANIER LAND USE PLANNING COMMISSION  
MEETING JUNE 22, 2015 @ 6:30 PM  
MINUTES**

Present: Planning and Zoning Commissioners: Ladd Kocinski, Jeff McHarg, Jeff Oveson, Sue Swendsen, Ron Wilcox, Land Use Commissioner Sherril Gautreaux and Koochiching County Planning Commissioner Steve Blair

**1. INTRODUCTION**

This was the first meeting of the Land Use Planning Commission and served as an introduction to the commission's duties and a general overview of Ranier Unified Land Use (ULU) Ordinance. Members were introduced to each other. We were fortunate to have Koochiching County Planning Commissioner Steve Blair attend our first meeting and offer guidance in the commission's role.

**2. OVERVIEW OF UNIFIED LAND USE ORDINANCE**

Each commissioner was given a complete copy of the ULU, the zoning map, the FEMA floodplain map and various informational materials on zoning rules issued by the League of Minnesota Cities. Gautreaux asked that each commissioner review the ULU and stressed the importance of the 60 Day Rule.

**3. PLANNING COMMISSION POWERS**

Gautreaux read section 2.02 of the ULU which describes the powers of the City Council as the Board of Zoning Appeals and Adjustment and the Land Use Planning Commission as an advisory board to the Council on land use matters. Section 2.02.2.2 Membership states that the commission consists of five members with 4 members being nominated by the mayor and

approved by the council. One member shall be selected by the Council from their ranks to serve as a member of the Commission. The Ordinance states that special consideration should be given to appointing members from each section of Ranier. We are fortunate to have volunteers from each section: Ladd Kocinski – Brennan’s Beach, Jeff McHarg and Sue Swendsen – Ranier Town Center, Jeff Oveson – French Addition and Ron Wilcox – Jameson Addition.

#### **4. PLANNING COMMISSIONER TERMS**

Section 2.02.2.3 describes the terms of the commissioners stating that one shall be appointed for a term of 2 years, one for a 3 year term and two commissioners for 4 year terms. Councilors are to be appointed biennially with their terms expiring March 31. Their successors are appointed for 4 year terms. Mr. Blair suggested that that all commissioners’ terms expire on the same calendar day for consistency.

The commissioners agreeably chose each of their terms as follows:

Ron Wilcox – 2 years (as dictated by the ULU) expiring 3/31/17

Sue Swendsen – 2 years expiring 3/31/17

Ladd Kocinski – 3 years expiring 3/31/18

Jeff McHarg – 4 years expiring 3/31/19

Jeff Oveson – 4 years expiring 3/31/19

#### **5. REVIEW OF NON-CONFORMITY DEFINITION**

Gautreaux read the definition of non-conformity – any legal use, structure or parcel of land already in existence, recorded or authorized before adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized. **4.09.1 Allowance of Non-Conformities** states that non-conformities are allowed to continue including through repair, replacement, restoration, or improvement, but not including expansion, unless the non-conformity is discontinued for a period of more than one year. 4.09.2 - any subsequent use or occupancy of the land or premises must be a conforming use.

## **6. RANIER TOWN CENTER**

Gautreaux explained that the ULU Ranier Town Center - RTC district is zoned residential, therefore, all existing commercial uses are non-conforming uses that continue. Following the adoption of the ULU, any newly proposed commercial uses would need to file a conditional use permit application and go through that review process. The theory behind having the RTC zoned residential, with commercial uses being “conditional uses”, is to provide a review process to ensure compatibility with the surrounding properties.

The Commission discussed the Woody’s Pub building which is listed for sale and not currently operating. McHarg stated that the pub has been closed since June 1, 2014 and the lodging portion operated until October 2014.

Because the property is in RTC district and the commercial use of the property was non-conforming (and therefore grandfathered in for one year if the use is discontinued), a conditional use permit application must be filed for any proposed business. McHarg suggested that the realtor should be contacted to explain the CUP requirement for potential buyers.

## **7. GENERAL DISCUSSION OF ULU**

McHarg also suggested that we publish a summary of the ULU in the newspaper, specifically explaining land uses that now require a permit. Gautreaux will draft a notification and send it around for the commission to review.

The commission discussed the rail car Phil Paulbeck moved from Thomas Hall’s property on Duluth St. to his property @ 3470 Main St questioning whether it would fall within the ULU ordinance. After discussing the definition of accessory structure and non-conforming uses, the Commission agreed that the rail car was not covered by the ULU. Gautreaux confirmed that the rail car does not encroach on the city right-of-way.

The commission discussed shoreland overlay and allowable alterations to the shoreland. Blair explained that the DNR regulates the shoreland up to the high water line and Ranier has authority over areas above the high water line. The city of Ranier is charged with enforcing the DNR regulations. Blair explained that a grading and filling permit is required for the movement of more than 10 cubic yards.

## **8. INCOMPLETE CONDITIONAL USE PERMIT APPLICATION – SHARON BALL-3495 Duluth St. Parcel #98-001-11070**

The Commission discussed the proposed conditional use application that Ms. Sharon Ball will file for commercial uses at 3495 Duluth St; the lot measures 140' x 150'. Though Ms. Ball is not ready to file for her CUP application, Gautreaux thought it would be a good case to review and practice applying the ordinance rules to the facts.

Ms. Ball is still working on her business plan, but intends to have a business that caters to the tourism industry. She would like to rent out golf carts and kayaks, possibly have a mobile concession stand and possibly dog daycare. She is contemplating putting in a new storage building on the east side of her property. If she were to put a tent canopy type of storage shed rather than a building, she would not need a permit. Blair explained the floodplain regulations stating that the 1112' elevation is the boundary of the 100 yr. floodplain which is around 30 feet from the western edge of the pavement.

The commission discussed the kayak rental and agreed that she could launch the kayaks at the Spruce Street DNR launch. The commission discussed that the kayaks should not be launched from city property @ 7 Oaks or Ranier Beach because a commercial business shouldn't be operated on city property. The commission discussed the golf cart rental business. Blair stated that there is no county ordinance regulating golf carts. Golf carts may be used on county and city roads at speeds of under 15 mph. Blair stated that Kooch Co does have dog kennel boarding regulations that must be followed.

Blair stressed that the commission should ensure that the business owner submits a complete site plan with location and size of existing and proposed structures showing setbacks; proposed hours of operation; health department licensing requirements; insurance requirements and kayak safety requirements. The commissioners were interested in having a new business in town and plan to work closely with Ms. Ball in her CUP application process.

Gautreaux needs to determine the width of Duluth St on the west side of the property. An alley runs along the north side of the property.

**9. REQUEST TO VACATE SPECIFIC ALLEYS – TOM KELLNER**

Tom Kellner of Alberta Park addition requested the vacation of specific alleys surrounding property he owns. Blair suggested that Gautreaux confer with Koochiching County Administrator Teresa Briggs about the proper procedures to be followed.

**10. MISCELLANEOUS**

The commission discussed blight/public nuisance vs. ULU “performance standards” in section 4.04. The performance standards are enforced through the ULU ordinance. The city of Ranier does have a public nuisance ordinance which is more extensive and specific than the ULU. Gautreaux is in the process of amending the public nuisance ordinance and will forward that to the commission for their review.

**11. NEXT MEETING**

No follow up meeting was scheduled. The commission agreed that they would have meetings as needed being mindful of the 60 day rule.