

**Town of La Pointe Zoning
Town Plan Commission Work Shop Minutes
Thursday, August 27, 2009**

Town Plan Commission (TPC) Members Present: Charles Brummer (CBr); Vice-Chair, Larry Whalen, Greg Thury, Suellen Soucek, Ron Madich, Carey Baxter (CBx)(6)

Town Plan Commission Members Absent: Ted Pallas; Chair (1)

Public Present: none

Town Staff Members Present: Jennifer Croonborg; ZA, Jessica Hatch; ZCA (2)

I. Call to Order/Roll Call

In the absence of the TPC Chair, Vice Chair, Charles Brummer called the meeting to order at 1:04 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

None

III. Zoning Ordinance Revision Project

a. **Review and Discussion RE: Zoning Ordinance Section 3: “Zoning Districts”**

Discussion on the definition for “Recreation Facility” is discussed. Commissioner Soucek submits a list of recreational activities (on file) that could possibly be used as Permitted Uses in lue of “recreation facility.”

The TPC propose to change the following in Section 3 of the Town of La Pointe’s existing Ordinance:

“7. S-1 Shoreland Protection District”

Add to the end of the definition of S-1: “All Permitted and Conditional Uses must conform to the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”

Permitted Uses:

- Change “Single-Family Dwellings” to “Dwelling, Single Family (1 only)”
- Delete “Seasonal and Recreational Dwellings for single-family use”
- Change “Production of agricultural products except livestock” to “Agricultural Crop Farming (outside of Shoreland Overlay District)
- Change “Production of forest crops” to “Forest Crops and Products (outside of Shoreland Overlay District)

ZA brings to the attention of the Commission the issue of erosion happening on lakeshore lots, she says banks are falling into the lake. She is asking the Commission to consider this in permitting forestry and agriculture on the lakeside of the road. She informs them of Ashland County regulations in matters such as these.

- Change “Rental of Single-Family Dwellings” to “Dwelling, Single Family Rental of”
- Delete “One Guest House only is allowed”
- Add “Dwelling, Guest House (1 only)”
- Add “Dwelling, Guest House Rental of”
- Add “Accessory Structure”

- Add “Road Access”
- Add “Road/Driveway Extension”
- Add “Dwelling, Double Family Rental of Existing (See Note 1)”
- Add “Home Office/Studio”
- Add “Home Occupation Enterprise (outside of the Shoreland Overlay District)”

Conditional Uses:

- Delete “including but not limited to”
- Delete “Airport”
- Change “Cemeteries” to “Cemetery”
- Change “Public Utilities” to “Public Utility”
- Change “Public Service Utilities” to “Public Service Utility”
- Change “Game Preserves” to “Game Preserve”
- Change “Production of livestock products” to “Livestock Production/Products”
- Change “Quarrying and mining” to “Quarrying and/or Mining”
- Change “Fish hatcheries” to “Fish Hatchery”
- Delete “Parking Lots”
- Delete “Multi-family rental dwellings”
- Change “Planned Unit Developments” to “Planned Unit Development”
- Delete “Public Facilities”
- Delete “Recreation Facilities”
- Add “Home Occupation Enterprise (within the Shoreland Overlay District)”
- Add “Home Business”
- Add “Dwelling, Multiple Family (maximum of 3) (See Note 1)”
- Add “*Note 1:” to bottom of page which states: “Required lot size for Double and Multiple Family Dwellings and Planned Unit Developments shall be the number of residential units times the Minimum Required Lot Area and minimum lot shoreline width shall be the number of residential units times the Minimum Shoreline Lot Width for the Zone specified in the Zoning Schedule-Lot Dimensional Requirements.”
- Add “Park/Campground, Municipal”
- Add “Wind Generator, Solar Collector Over 35’ High”

“8. S-2 Shoreland Protection District”

Add to the end of the definition of S-2: “All Permitted and Conditional Uses must conform to the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”

Permitted Uses:

- Change “Single-family dwellings” to “Dwelling, Single Family (1 only)”
- Delete “Seasonal and Recreational dwellings for single-family use”
- Delete “Production of agricultural products except livestock”
- Delete “Production of forest crops”
- Change “Rental of Single-Family Dwellings” to “Dwelling, Single Family Rental of”
- Delete “One Guest House only is allowed”
- Add “Dwelling, Guest House (1 only)”
- Add “Dwelling, Guest House Rental of”
- Add “Accessory Structure”

- Add “Road Access”
- Add “Road/Driveway Extension”
- Add Home Office/Studio”

Conditional Uses:

- Delete “including but not limited to”
- Delete “Airports”
- Delete “Cemeteries”
- Change “Public Utilities” to “Public Utility”
- Change “Public Service Utilities” to “Public Service Utility”
- Delete “Game Preserves”
- Delete “Production of livestock products”
- Delete “Quarrying and mining”
- Delete “Fish hatcheries”
- Delete “Parking Lots”
- Delete “Multi-family rental dwellings”
- Delete “Planned Unit Developments”
- Delete “Public Facilities”
- Delete “Private Recreation Facilities”
- Add “Agricultural Crop Farming”
- Add “Home Occupation Enterprise”

“9. C-1 Commercial District”

Add to the end of the definition of C-1: “All Permitted and Conditional Uses must conform to the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”

Permitted Uses:

- Change “Retail Trade Facilites” to “Retail Trade Facility”
- Change “Business and Professional Offices” to “Business and Professional Office”
- Change “Health Care Facilities” to “Healthcare Facility”
- Change “Automobile Service and Supply Facilities” to “Automobile Service and Supply Facility”
- Change “Restaurants and Taverns” to “Restaurant and Tavern”
- Change “Banks” to “Bank”
- Change “Commercial Entertainment Facilities” to “Commercial Entertainment Facility”
- Change “Laundromats” to “Laundromat”
- Change “Single Family Dwelling” to “Dwelling, Single Family (1 only)”
- Change “Mutli-Family Dwelling” to “Dwelling, Multiple (maximum of 3) Family (See Note 1)”
- Delete “Rental of Single-Family Dwellings”
- Delete “One Guest House only is allowed”
- Add “Accessory Structure”
- Add “Automobile Sales Establishment”
- Add “Building, Municipal”
- Add “Contracting and Building Supply Sales”
- Add “Road Access”

- Add “Road/Driveway Extension”
- Add “Dwelling, Double Family (See Note 1)”
- Add “Dwelling, Guest House (1 only)”
- Add “Dwelling, Guest House Rental of”
- Add “Dwelling, Multiple (maximum of 3) Family Rental of Existing”
- Add “Home Office/Studio”
- Add “Home Occupation Enterprise”
- Add “Home Business”
- Add “Parking Lot”
- Add “Religious Facility”
- Add “Transportation Facility”

Conditional Uses:

- Delete “including but not limited to:”
- Change “Warehouses” to “Warehouse/Storage Facility”
- Delete “Transportation Facility”
- Delete “New and used car establishments”
- Change “Fuel Storage” to “Fuel Storage Retail Facility”
- Change “Light industrial establishments” to “Light Industry”
- Change “Veterinary establishments” to “Veterinary Care Facility”
- Change “Public Utilities” to “Public Utility”
- Change “Public Service Utilities” to “Public Service Utility”
- Add “Bed & Breakfast”
- Add “Marina”
- Add “*Note 1:” to bottom of page which states: “Required lot size for a Shoreline lot for Double and Multiple Family Dwellings and Planned Unit Developments shall be the number of residential units times the Minimum Required Lot Area and minimum lot width shall be the number of residential units times the Minimum Lot Width for the Zone specified in the Zoning Schedule-Lot Dimensional Requirements.”

“10. Shoreland Overlay District”

Add to the end of the definition of S-O: “All Permitted and Conditional Uses must conform to the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”

Permitted Uses:

- Change “Any use permitted in the underlying districts, subject to the shoreland provisions of this Ordinance.” to “Any use permitted in the underlying districts, subject to the Ashland County Shoreland Amendatory Ordinance.”
- Change “Any accessory use permitted in the underlying districts, subject to the shoreland provisions of this Ordinance.” to “Any accessory use permitted in the underlying districts, subject to the Ashland County Shoreland Amendatory Ordinance.”
- Change “Rental of Single Family Dwellings” to “Dwelling, Single Family Rental of”
- Change “One Guest House only is allowed” to “Dwelling, Guest House (1 only) subject to minimum lot size requirements of Ashland County Shoreland Amendatory Ordinance.”

Conditional Uses:

- Change “Any conditional use authorized in the underlying districts subject to the shoreland provisions of this Ordinance.” to “Any conditional use authorized in the underlying districts subject to Ashland County Shoreland Amendatory Ordinance.”
- Change “Public Utilities” to “Public Utility”
- Change “Public Service Utilities” to “Public Service Utility”

“11. F-O Flood Hazard Overlay District”

Add to the end of the definition of F-O: “All Permitted and Conditional Uses must conform to the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”

- Delete last sentence of F-O definition. Delete “Sheets 1 of 2 and 2 of 2 prepared by Nelson Surveyors and Warzyn Engineering (dated August 17, 1987) which are attached hereto and made a part hereto, indicated two levels of potential inundation.”
- Change the second paragraph that reads: “The elevation indicated by the term “FIS 100 year instantaneous maximum” shall be the flood elevation to be enforced by the Ashland County Zoning Department within the Flood Hazard Overlay District which has the following boundary: Lake Superior, the Madeline Island Ferry Terminal Pier, the northernmost Marina breakwater and the centerline of Main Street,” to “604.5 plus wave Run-up National Geographic Vertical Datum (NGVD) shall be the flood protection elevation enforced by the Ashland County Zoning Department within the Flood Hazard Overlay District.”

Permitted Uses:

- Change “Any principal use permitted in the underlying districts, subject to the shoreland provisions of this ordinance and the Ashland County Floodplain Zoning Ordinance,” to “Any principal use permitted in the underlying districts, subject to the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”
- Change “Any accessory use permitted in the underlying districts subject to the shoreland provisions of this ordinance and the Ashland County Flood plain Zoning Ordinance,” to “Any accessory use permitted in the underlying districts subject to the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”
- Change “Rental of Single-Family Dwelling” to “Dwelling, Single Family Rental of”
- Change “One Guest House only is allowed” to “Dwelling, Guest House (1 only) subject to minimum lot size requirements of Ashland County Shoreland Amendatory Ordinance”

Conditional Uses:

- Change “Any Conditional use authorized in the underlying districts subject to the shoreland provisions of this ordinance and the Ashland County Floodplain Zoning Ordinance,” to “Any Conditional use authorized in the underlying districts subject to Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”
- Delete “Public Utilities”
- Change “Public Service Utilities” to “Public Service Utility”

“12. LZ Light Industrial Zone”

Add to the end of the definition of LZ: “All Permitted and Conditional Uses must conform to the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance.”

Permitted Uses:

- Change “Warehouses” to “Warehouse/Storage Facility”

- Change “Transportation Facilities” to “Transportation Facility”
- Delete “Fuel Storage”
- Change “Light Industrial Establishments” to “Light Industry”
- Change “Contracting and Building Storage and Services” to “Contracting and Building Storage and Service”
- Change “Public Service Utilities” to “Public Service Utility”
- Change “Public Utilities” to “Public Utility”
- Add “Accessory Structure”
- Change “Auto Service and Supply Facility” to “Automobile Service and Supply Facility”
- Add “Automobile Sales Establishment”
- Add “Road Access”
- Add “Road/Driveway Extension”
- Add “Forest Crop and Products”
- Add “Junk/Salvage Yard”
- Add “Parking Lot”
- Add “Transportation Facility”

Conditional Uses:

- Delete “Conditional Use Permits may be issued in accordance with the process outlined in the Zoning Ordinance.”
- Add “Fuel Storage Facility”

b. Review and Discussion RE: Zoning Ordinance: “Zoning Schedules Dimensional Requirements”

Not discussed

c. Review and Discussion RE: Zoning Ordinance Section 2: “Definitions”

Not Discussed

IV. Future Agenda Items

Same Agenda for next Workshop.

V. Schedule Next Meeting

Special Monthly Meeting Wednesday, September 2, 2009 at 5 PM at the Town Hall.

ZA suggests when we go back to “Definitions,” we look at the definition for “Town Park” and or “Park, Municipal.” As well she would like to see “Bed & Breakfast” be looked at to see what zones this is appropriate for.

VI. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 6 aye. Motion Carries. Meeting ends at 3:02 PM.

Draft Town Plan Commission Minutes respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Monday, August 31, 2009.

TPC minutes are approved as amended by ZCA, J. Hatch, on Wednesday, September 16, 2009.