

**Town of La Pointe Zoning
Town Plan Commission Work Shop Minutes
Thursday, October 15, 2009**

Town Plan Commission (TPC) Members Present: Ted Pallas; Chair, Charlie Brummer; Vice-Chair, Larry Whalen, Ron Madich (arrives at 1:02 pm), Suellen Soucek (5)

Town Plan Commission Members Absent: Greg Thury, Carey Baxter (2)

Public Present: None.

Town Staff Members Present: Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (2)

I. Call to Order/Roll Call

TPC Chair Pallas calls the meeting to order at 1:00 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

None. L. Whalen mentions that the amendments for by-laws passed legal muster; the only time it is needed to rely on Robert's Rules is when people start getting unruly. R. Madich enters at 1:02 pm.

III. Zoning Ordinance Revision Project

Review and Discussion RE: Zoning Ordinance Section 4: "General Provisions"

a. Section 4.2

- Decisions from last workshop regarding section 4.2.6 reviewed. Consensus that Section 4.2.6 as amended is fine.
- In Section 4.2.7, part A: Drainage, Sanitation, and Water Supply, change "No principal dwelling shall be erected, structurally altered, or relocated on land which is not accurately drained..." to read "*No dwelling shall be erected, structurally altered, or relocated on land which is not accurately drained...*"
- In Section 4.2.7, part B: Drainage, Sanitation, and Water Supply, change "No principal building intended for human use or occupancy shall be erected..." to read "*No building/ dwelling unit intended for human use or occupancy....*"
- No changes to Section 4.2.7 part C.

- In section 4.2.7 part D: Draining, Sanitation, and Water Supply, decision made to remove all words from "located" on, thusly: "Where connection is not to be made to public water system, no residential use shall be permitted unless provision is made for a safe and adequate supply of drinking water ~~located on the premises, a permit for which has been obtained in accordance with the provisions of the Ashland County Sanitary and Private Sewage System Ordinances.~~"

- J. Croonborg states that she has spoken to Larry Hildebrandt and has been informed that Section 4.2.8: Developments in Areas with Poor Soils, can be removed in its entirety as this is overseen by the Uniform Dwelling Code now.

C. Brummer states that he would like to revisit Section 4.2.2: Height Exceptions before leaving 4.2. He reads from Height Exceptions section of Door County, WI Zoning Ordinance and suggests adding these to Section 4.2.2. Agreement. Add "*Architectural projections, such as spires, belfries, parapet walls, domes, chimneys, and cupolas, provided that such cupolas do not exceed 64 square feet in floor area, including stairwells, are not higher than 8 feet above the adjacent roof ridge, and contain no living quarters. Wind generators, provided such structures shall not exceed in height their distance from the nearest lot line*" to end of Section 4.2.2.

b. Section 4.3

- No changes to section 4.3.1: Airport Safety Zones.

- 4.3.2: Off-Street Parking. Discussion of 4.3.2, part A.2 regarding number of off-street parking spaces required (1.5) per rental unit, motel, condominium, etc. R. Madich states that Bayfield requires two parking spaces per *bedroom*. Discussion. C. Brummer reads Door County, WI Zoning Ordinance section on parking regarding loading/unloading and “abandonment” of parking spaces. Further discussion, regarding pedestrian right-of-way, public safety in the downtown area when congestion is created from loading/unloading and lack of parking. Decision to change section 4.3.2 part A.2 from “Each rental unit in a multi-family dwelling, motel, condominium, or other shall provide at least one and one half off-street parking spaces” To read “*Each rental unit in a multi-family dwelling, motel, condominium, or other shall provide at least two off-street parking spaces.*” Decision to add wording from Door County Zoning Ordinance to end of Section 4.3.2 part A.2, to read:

“Section 4.3.2 part C: Loading and Unloading Requirements: Any use which requires deliveries or shipments shall provide sufficient off-street loading and unloading space so that no public street, alley, or access to any parking area is blocked by such activities.

Section 4.3.2 part D: Abandonment: No parking space, or driveway providing access thereto, shall be abandoned, closed, converted to another use, or in any way eliminated from use as a parking space or driveway, unless adequate off-street parking and access are provided to the property in full compliance with the provisions of this Ordinance.”

- 4.3.3 Chair Pallas states that he talked a bit with Mike Fauerbach, and that Mr. Fauerbach is working on research regarding setbacks and special exemptions. Language in Section 4.3.3.3.B and 4.3.3.3.C is to be added to Section 4.2.5: Lot Sizes, after which Section 4.3.3.3 is to be removed as it is redundant.

Section 4.3.3 to be numerated like the rest of the ordinance. Change “4.3.3.1” to read “4.3.3 A,” “4.3.3.1.A” to read “4.3.3 A.1,” etcetera, throughout Section 4.3.3.

- 4.3.4: Camping on Private Lands. Discussion focuses on 4.3.4 part C, the issue of sanitary waste disposal and portable restrooms. J. Croonborg states that the Ashland County Zoning Administration issues non-plumbing sanitary permits for building sites only and notes that Ashland County is more restrictive than the State, but that is within their rights. C. Brummer apologizes to anyone who might have been on the zoning board before when this Section was written. He believes confusion in the Section arise from the fact that some language in the Section has been copied from the Door County ordinance that conflicts with other language therein, especially concerning number of days portable restrooms are allowed on private lands. Discussion regarding possibility of two sets of regulations, one for camping units 14 days and under, and another for camping units 15 days and over (seasonal campsite). Decision to create a draft of this Section for the next meeting.

c. Section 4.4

- J. Croonborg went through section with Larry Hildebrand, everything seems fine. No changes to Section 4.4.

d. Section 4.5

- Change “All lands within the corporate limits of Ashland County are subject to the Ashland County Floodplain Zoning Ordinance adopted April 21, 1981 which is hereby incorporated...” to read “*All lands within the corporate limits of Ashland County are subject to the current Ashland County Floodplain Zoning ordinance which is hereby incorporated....*”

C. Brummer states that George Haecker and Bill Bussey contacted him about a month ago with questions about the potential of adding a Historic Overlay to the Nebraska Row neighborhood. C. Brummer suggested they write a letter. Discussion about historic districts.

IV. Future Agenda Items

- Finalize sections 2 and 3
- revision of Section 4.3.4: Camping on Private Lands
- Section 5: Signs
- Section 6: Regulations of Special Uses

V. Schedule Next Meeting

To be scheduled at next TPC regular monthly meeting, October 21, 2009.

VI. Adjournment

C. Brummer moves to adjourn. L. Whalen seconds. All in favor, 5 aye. Motion Carries. Meeting ends at 3:03 PM.

Draft Town Plan Commission Minutes respectfully submitted by Zoning Clerical Assistant, Margaretta Kusch on Saturday, October 17, 2009.

Town Plan Commission workshop minutes are approved as amended by Margaretta Kusch; ZCA on Wednesday, October 21, 2009.