

Town of La Pointe Special Planning and Zoning Town Plan Commission Zoning Re-Write Question & Answer Session #3/Meeting Minutes

5:00 pm, October 29th, 2025 at Town Hall

<https://us02web.zoom.us/j/85817354068?pwd=WWY4REFXZ3dLaVROQXlMOWV3WVB4dz09>

Members Present: Chair Paul Wilharm (watched online), Charley Brummer, Jim Peters, Suellen Soucek, David Ehlen

Staff Present: ZA Richard M Kula, TA Max Imholte

Public Present: Alex Haecker, Steve McHugh, Rev. Dr. Heidi (see attached sign in sheet)

I. Call to Order/Roll Call

Members present reflected above

II. DRAFT Zoning Re-Write Question & Answer Meeting Schedule

(All at Town Hall from 5 pm to 6 pm)

- a. September 24th - Sections 1 – 5 (Completed)
- b. October 8th - Sections 6 – 10 (Completed)
- c. October 29th - Sections 11 -16

III. Overview of Process - RKula presented a PowerPoint presentation (attached to the meeting minutes) that gave an overview of history from 2019 to current, the public review timeline, the importance of feedback, the importance of hearing from the attendees including what concerns they have and what they like. The last slide listed the Sections (11-16) that we are reviewing tonight plus any other sections.

IV. Public Questions & Answers/Comments on DRAFT Zoning Ordinance

- a. Section 11 – Amendments
- b. Section 12 – Public Hearings
- c. Section 13 – Town Plan Commission
- d. Section 14 – Validity
- e. Section 15 - Complaints
- f. Section 16 - Appendices
- g. Other Sections, as needed.

Section 11 – Amendments - AHaecker commented that 11.2 Authority and Limitations to maintain internal consistency. This aligns well with the Comprehensive Plan and 11.8 also aligns well with the Comprehensive Plan. These are good edits.

CBrummer wants to review the portion that allows the Town Board to change any part of the ordinance at any time without public input. 11.2 needs some review to clarify that. This should be the communities document.

PBrummer would like to have a Public Hearing before any land use documents are modified, that he believes is required by Wisconsin State law. AHaecker believes this to be true.

Section 12 – Public Hearings – No Comments.

Section 13 – Town Plan Commission – AHaecker – 13.5 Powers – Interpretation should be balanced. Should be balanced with Zoning Board of Appeals. Application versus facts. Should be more balance there. Regarding balance and a definition, if there are changes, it needs to go through a process. Checks and balances. A process to appeal a decision without having to go through court. SSoucek raised the membership requirements and residency requirements. There needs to be no ambiguity. Talk to the Town's attorney.

Section 14 – Validity - No Comments.

Section 15 – Complaints – No Comments.

Section 16 – Appendices – PBrummer – It is all inline with what we previously discussed? CBrummer – After 16.3 it goes to 16.1a? Is that a typo? RKula indicated that he would verify the numbering. SSoucek asked as to why it is all in red? Red means changes. RKula clarified that why that happened was because R-4 was added. A column was added which highlighted the entire table. AHaecker – 16.3 Campers and Park models that are allowed in various zoning districts and how it is in relationship to Section 4.3.d in the Rental Ordinance. He is concerned that if not aligned, it could undermine the purpose of permanent affordable long-term housing that may already be happening on the Island.

Other Sections – SMcHugh has questions on the Signage part of the Ordinance. Home Business Type 2 – 1 sign in the right-of way and Type 5 – Page 3. Are two signs allowed? Are they independent? He would like directional signs from North Shore Road. There is no where in the Ordinance where this is addressed. He is researching State of Wisconsin regulations. Do they allow a tourist sign on County Road H? CBrummer indicated that we are more restrictive than the State. CBrummer read, for those in attendance, the full language in Section 5.1 and Section 5.2 of the Zoning Ordinance. SMcHugh also indicated that there are a lot of other signage, including firewood, that need to be addressed. CBrummer stated that enforcement and consistently treating everyone in the same way is the way it should be.

TB (5) TPC (5) Clerk (1) File (1) Email: Town Administrator; Assistant Administrator; Clerk; Deputy Clerk;
La Pointe Shop

AHaecker submitted a 14-page document earlier in the day. SMcHugh also submitted a letter with comments. Due to the length, these were not read during the meeting. However, both are attached to these meeting minutes.

AHaecker asked how comments will be addressed. CBrummer indicated that it would be on the TPC agenda to discuss. Revisions will be made and it will go out for public review again. Maybe another public hearing before it goes on to the Town Board. RKula discussed the process of receiving comments and providing them to the TPC Members and printing out a copy for a file in the office. Comments received are very important to the Town. This will be added to the Agenda for the November 5th Regular Monthly TPC Meeting.

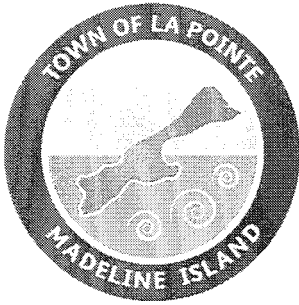
IV. Adjournment @ approximately 5:28 pm

Paul Wilharm, Town Plan Commission

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Clerk. Note: It is possible that members of other governmental bodies of the municipality (and possibly a quorum) may attend this meeting to gather information. No action will be taken by any governmental body at this meeting; other than the governmental body specifically referred to in this notice.

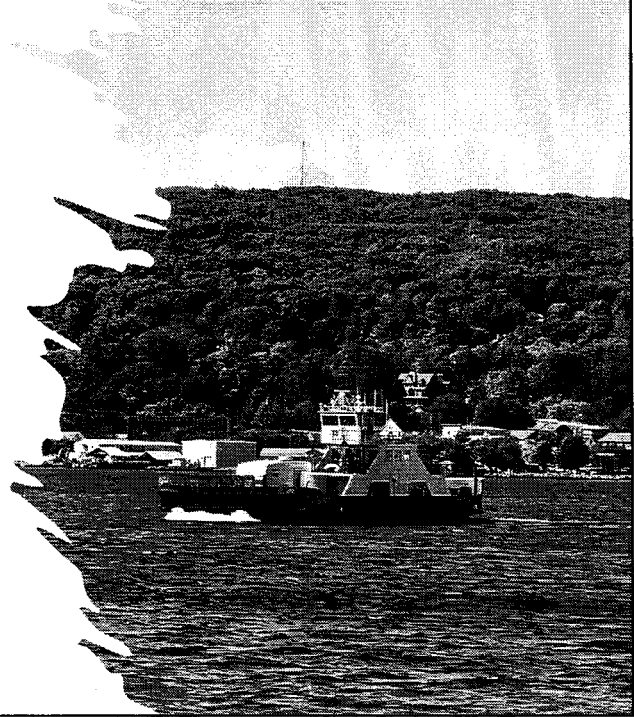
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733 Main St 895 Midvale Road
2027 Benjamin Box 164



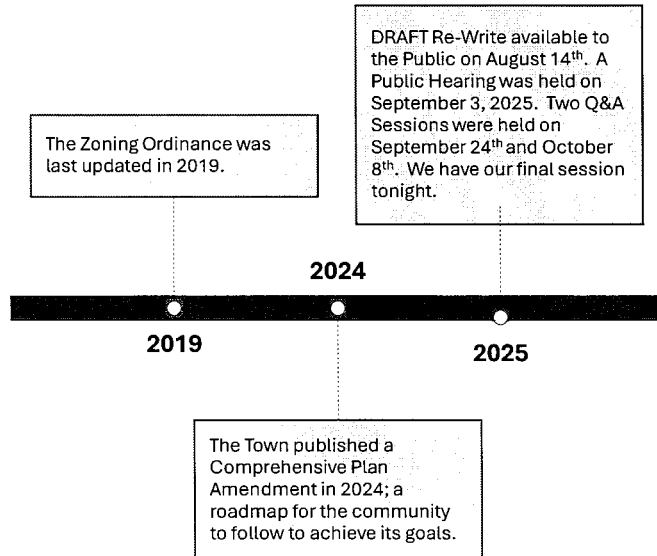
Town of La Pointe

Zoning Ordinance Re-Write
Question & Answer Session #3
October 29, 2025



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Zoning Re-Write: Question & Answer Session #3

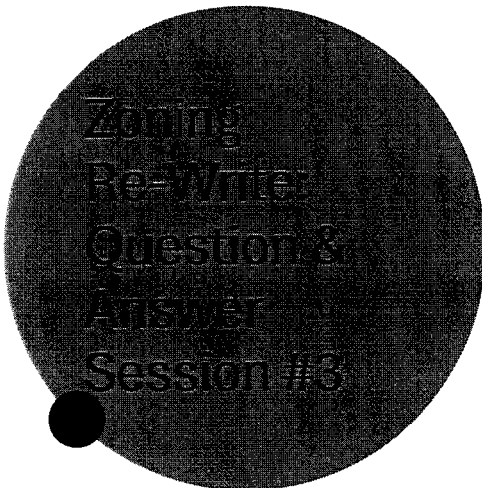


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Zoning Re-Write: Question & Answer Session #3



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- Your feedback & input are valuable and appreciated.
- While there are changes throughout the document, we want to methodically review the draft document with you in the following sequence:
 - September 24th – Sections 1 through 5,
 - October 8th – Sections 6 through 10,
 - October 29th – Sections 11 through 16.

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**Zoning
Re-Write:
Question &
Answer
Session #3**

Today we want to hear from YOU.

- What modifications do you like?
- Do you have any questions?
- What are your concerns?
- What would you change, and why?

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**Zoning
Re-Write:
Question &
Answer
Session #3**

DRAFT Zoning Ordinance Re-Write

- **Section 11 – Amendments**
- **Section 12 – Public Hearings**
- **Section 13 – Town Plan Commission**
- **Section 14 – Validity**
- **Section 15 – Complaints**
- **Section 16 – Appendices**
- **Other Sections**

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TO: Town of La Pointe Zoning Administrator, Plan Commission, and Town Board

FROM: Alex Haecker, AIA, 895 Nebraska Row

DATE: October 29, 2025

SUBJECT: Official Transmittal and Request for Formal Action on Proposed Legislative Amendments to the August 2025 Draft Zoning Ordinance

IMMEDIATE LEGISLATIVE DIRECTIVE FOR THE TOWN OF LA POINTE PLAN COMMISSION AND ZONING ADMINISTRATOR

SUBJECT: Official Response to Proposed Amendments for the August 2025 Draft Zoning Ordinance Rewrite.

ACTION REQUIRED: Pursuant to Wisconsin Statutes § 62.23 (3) (a) and (c) and established Town procedures for zoning ordinance amendment, the Plan Commission and Zoning Administrator **shall issue a formal, timely, and citable response** to the proposed legislative changes detailed within this report. This response must explicitly address the following:

1. **Compliance:** Whether the proposed text amendments comply with the Town's adopted Comprehensive Plan, particularly regarding density control and resource preservation.
2. **Procedure:** The specific public notice, public hearing, and referral procedures required by state law and Town ordinance for the official adoption of these amendments.
3. **Feasibility:** The administrative and enforcement feasibility of the proposed language changes, including any necessary adjustments to the Zoning Schedules or regulatory forms.

This official response is required to ensure that the process of revising the Zoning Ordinance adheres strictly to the legal and procedural requirements for local legislative action concerning land use regulation under Wisconsin law.

**Legislative Amendments for the Town of La
Pointe Zoning Ordinance: Balancing
Preservation, Progress, and Infrastructure
Capacity**

This report provides the Town of La Pointe Plan Commission and Zoning Administrator with precise, citable amendments required for the August 2025 Draft Zoning Ordinance. The amendments are designed to integrate the concerns raised by stakeholders in the September 2, 2025, Zoning Review Package, ensuring the updated ordinance aligns with the Town's Comprehensive Plan and utilizes the full scope of municipal regulatory authority under Wisconsin law. The proposed language changes prioritize the preservation of Madeline Island's unique historic character and explicitly address the limitations of its finite infrastructure and natural resources.

I. Policy Foundation and Legislative Authority

Policy Foundation: Alignment with the La Pointe Comprehensive Plan

The Town of La Pointe's legislative objectives, as articulated in its Comprehensive Plan, center on maintaining small-scale settlement patterns, preserving the historic fabric of the island, and prioritizing resource conservation.¹ Provisions within the current draft ordinance that permit increased density, such as allowing multi-family housing outside the core commercial area, providing density bonuses, and expanding Accessory Dwelling Unit (ADU) usage, are recognized as direct conflicts with these adopted goals.

The legislative effort to control density is fundamentally rooted in avoiding population increases that would lead to an untenable strain on the island's critical infrastructure. The Town's functional capacity is severely constrained by its geography: it relies on a single year-round ferry service for all inbound and outbound logistics and emergency services; properties frequently rely on limited septic and wastewater systems; and electricity is supplied via a single feed. Uncontrolled development and heightened density pose a direct threat to the reliability of emergency services, the capacity of the material recovery facility, and the environmental integrity of the island's septic fields and fragile natural resources.

Therefore, amendments that tighten density controls, clarify overlay supremacy, and restrict commercial encroachment are not arbitrary design choices but are necessary measures to maintain safe and healthful conditions for the public, consistent with the foundational purpose of zoning legislation.

Legal Basis for Density Control (Wis. Stats. § 61.34 & § 62.23)

The Town of La Pointe has adopted Village Powers, authorizing it to enact ordinances under Wisconsin Statutes § 61.34 and § 62.23. This authority grants the Town broad "police power" to regulate land use for the health, safety, convenience, and general welfare of the community.⁵

The reliance on a constrained public infrastructure—specifically the capacity of the ferry system and the limitations imposed by septic system requirements on the island—provides a robust legal justification for implementing highly restrictive density standards. When municipal services are demonstrably finite, a

regulatory restriction that links residential density directly to the capacity of the infrastructure system is defensible as a necessary exercise of police power to protect the general welfare. Zoning, in this context, functions as a mechanism to promote public safety by preventing overcrowding that would compromise the island's lifeline and essential utilities.

This legal framework mandates that the Town exercise strict control over land use that could exacerbate known limitations. The revisions herein are designed to explicitly reflect this necessity, ensuring the ordinance operates in harmony with state law while safeguarding the island's unique physical and logistical environment.

II. Amendments to Core Definitions (SECTION 2.0)

Amendments to Section 2.0, Definitions, are required to clarify regulatory intent, eliminate definitional loopholes, and ensure consistent application across districts, particularly regarding accessory units and transient occupancy.

Accessory Dwelling Unit (ADU) Definition Standardization

The draft ordinance presents somewhat conflicting or fragmented definitions related to Accessory Dwellings. The formal definition must be unified and clearly linked to the operational restrictions placed upon these units to control density.

- **Page 4, Section 2.0 (1) ACCESSORY DWELLING:**
 - **Legislative Action:** Clarify the primary ADU definition by striking the superseded size restriction and explicitly defining the conditional nature of the use, which now hinges on parcel size.
 - **Proposed Language Change (Replacement of existing struck-through text):**
 - "Accessory Dwellings shall and do require a sanitary permit. Accessory Dwellings shall not exceed sixty five percent (65%) of the square footage of the principal dwelling or up to fifteen hundred (1500) square feet, not including decks, whichever is lesser. **Accessory Dwellings shall only be considered a Conditional Use and shall be restricted to parcels of at least two (2) acres, consistent with Section 6.2.A.**"

Multi-Household Dwelling Definition Integrity

The definition of Multi-Household Dwellings (MFH) accurately describes structures containing separate living units for two to four households. While the definition itself is retained for clarity, its legislative purpose must be strictly curtailed by ensuring its use is prohibited in all low-density and preservation-focused

districts.

- **Page 9, Section 2.0 (27) DWELLING, MULTI-HOUSEHOLDS:**
 - **Legislative Action:** Retain the full definition (a, b, and c).
 - **Justification:** The definition itself establishes the unit type that is the target of density control. Its retention clarifies that any such building constructed must be restricted exclusively to the C-1 Commercial/Town Center District or the MU-1 Mixed-Use Overlay District, as requested by residents opposing multifamily expansion outside the town center.

Unifying Transient Occupancy Definitions

A primary concern raised by residents is the use of inconsistent definitions for Short-Term Rentals (STRs), Tourist Homes, and Lodging, which creates exploitable loopholes in residential districts. To address this, the ordinance must adopt a single, consistent definition for all transient rentals (less than 30 days) and remove specific, fragmented terms that allow commercial activity in residential zones.

- **Page 20, Section (104) TOURIST ROOMS:**
 - **Legislative Action:** Eliminate the term "Tourist Rooms" entirely from the ordinance.
 - **Proposed Language Change: STRIKE Section (104)** in its entirety.
 - **Justification:** This term allows commercial lodging within a principal single-household dwelling, contradicting the directive to restrict STRs exclusively to the C-1 and MU-1 commercial zones.
- **Page 16, Section (76) RENTAL OF PROPERTY, SHORT TERM:**
 - **Legislative Action:** Retain and designate this as the singular governing definition for transient occupancy.
 - **Proposed Language Change (Editorial Clarification):** Add a note: "This definition, rental for less than one month, shall serve as the singular legal definition for all transient occupancy lodging, including but not limited to tourist homes and lodging."
 - **Justification:** Standardizing terminology under the 30-day threshold ensures uniform application of rental property regulations and strengthens enforcement against loopholes.

III. Amendments for Residential Density Control and Scale

The density controls are the most critical element of these amendments, directly addressing infrastructure strain and the preservation of the island's low-scale character.

Prohibiting Multi-Household Dwellings (MFH) in R Districts

The allowance of MFH, apartments, and condominiums in Residential Districts (R-1, R-2, R-3, and R-4) provides a mechanism for rapid density intensification that is incompatible with the small-scale settlement

patterns of the island outside the Town Center. The prohibition of MFH in all non-commercial residential zones serves as the clearest and most effective measure to cap population growth and protect infrastructure capacity.

- **Page 29, Section 3.5 R-1 RESIDENTIAL DISTRICT:**
 - **Legislative Action:** Amend the title to reinforce the core character and strike MFH as a permitted use.
 - **Proposed Language Change (Title):** 3.5 R-1 RESIDENTIAL DISTRICT, SINGLE-HOUSEHOLD FAMILY ~~ , LOW DENSITY~~.
 - **Proposed Language Change (Permitted Uses):** STRIKE A.4: ~~Dwelling, Multi-Household (see Note 1)~~.
- **Page 31, Section 3.6 R-2 RESIDENTIAL DISTRICT:**
 - **Legislative Action:** Strike all high-density residential uses.
 - **Proposed Language Change (Permitted Uses):** STRIKE A.1, A.2, A.3 and A.6: ~~Apartment~~; ~~Condominium~~; ~~Dwelling, Multi-Household (see Note 1)~~.
- **Page 32, Section 3.7 R-3 RESIDENTIAL DISTRICT:**
 - **Legislative Action:** Strike all high-density residential uses.
 - **Proposed Language Change (Permitted Uses):** STRIKE A.1 and A.4: ~~Apartment~~; ~~Dwelling, Multi-Household (see Note 1)~~.
- **Page 33, Section 3.8 R-4 RESIDENTIAL DISTRICT:**
 - **Legislative Action:** Strike all high-density residential uses (Acknowledging that this reserved parcel's intent may involve density, the legislative mandate from residents to control density must prevail across all R districts).
 - **Proposed Language Change (Permitted Uses):** STRIKE A.1 and A.2: ~~Apartment~~; ~~Dwelling, Multi-Household (see Note 1)~~.

Accessory Dwelling Unit (ADU) Restrictions

ADUs, while functionally accessory, represent a second dwelling unit on a single lot, effectively doubling the density and infrastructure load. To manage this impact, ADUs must be subject to conditional use review and restricted to larger parcels to ensure adequate space for required sanitary systems.

- **Legislative Action:** Convert the ADU from a Permitted Use (P) to a Conditional Use (C) in all applicable residential and shoreland zones, requiring a 2-acre minimum lot size.

Text		Status	Legislative Action	Proposed Change	Justification
3.5)		Permitted (A.2)	STRIKE P, ADD C	STRIKE A.2; INSERT Conditional Uses (Accessory Dwelling (2-acre minimum	Implements minimum lot size and conditional review

				ed).	
3.9)		tted (A.2)	KE P, ADD C	KE A.2; INSERT in nditional Uses (Accessory Dwell (2-acre minimum ed).	ty control in Shore

Planned Unit Development (PUD) Density Bonus Elimination

Planned Unit Residential Developments (PUDs) have historically been authorized to modify base lot size and density requirements. Eliminating density bonuses is essential to ensuring that PUDs, though clustered, do not exceed the overall density limits deemed sustainable for the island's limited infrastructure.

- **Page 78, Section 6.1.D.3:**
 - **Legislative Action:** Amend the text to strictly prohibit density bonuses.
 - **Proposed Language Change (Replacement):**
 - *Current Draft:* "The overall density of a Planned Unit Residential Development is defined as the number of living units per acre and shall not exceed the regulations for the Zoning District in which it is to be developed."
 - *Proposed Amendment:* "The overall density of a Planned Unit Residential Development is defined as the number of living units per acre and **shall adhere strictly to the maximum density allowance** of the Zoning District in which it is to be developed. **No density bonuses or waivers of minimum lot size shall be granted.**"
 - **Justification:** Directly eliminates incentives for clustered subdivisions that increase population concentrations beyond the base capacity of the land.
 -

Updating Dimensional Requirements (Section 16.1)

The most direct mechanism for preserving the island's character and managing density is through dimensional requirements, specifically minimum lot size. The proposed draft significantly reduces lot area in R-2 and R-3 to 9,600 square feet, resulting in densities nearly five times greater than the 1-acre minimum in R-1. This reduction conflicts with the goal of maintaining low-density, rural character and threatens septic and well viability in non-sewered areas.

- **Legislative Action:** Amend the Zoning Schedules in Section 16.1 to require a 1-acre minimum lot area in R-2, R-3, and R-4 districts, reinforcing the low-density mandate across all standard residential zones.

The following table reflects the required adjustment to the lot area column in the **ZONING SCHEDULES – DIMENSIONAL REQUIREMENTS** section.

Zoning Schedules – Dimensional Requirements Amendment (Section 16.1)

Zoning District	Required Lot Area (S)	Proposed Required Lot Area (S)	Justification
R-1	10	1 acre (43,560 sq. ft.)	Preserving R-1 Scale
R-2	1	1/2 acre (21,780 sq. ft.)	Lot size reduction; septic capacity
R-3	1	1/2 acre (32,670 sq. ft.)	Lot size reduction; infrastructure
R-4	1	1/2 acre (9,600 sq. ft.)	Lot size allowed, promote family
Shoreland	1	1/2	Change (Shoreland Mandate)

- **Page 136, Section 16.1: AMEND TABLE** to reflect the 1-Acre requirement for R-2, R-3, and R-4.

Reaffirming the Structure Height Cap

The existing ordinance sets a 35-foot height cap for structures in nearly all zoning districts.¹ To satisfy the resident request to maintain this cap and preserve the island's scale and scenic beauty, language must be inserted in the general provisions to ensure architectural projections do not undermine the cap's intent.

- **Page 50, Section 4.2.B Height Exceptions:**
 - **Legislative Action:** Insert explicit language reaffirming the 35-foot cap limit for all non-exempted structures.
 - **Proposed Language Change (Insertion):** Amend the second paragraph of 4.2.B, after the phrase, "Wind generators, telecommunication and radio towers and solar collectors may extend beyond the (35) foot height regulation of this Ordinance." **INSERT:** "The maximum structure height shall in no case exceed the thirty-five (35) foot height regulation of this Ordinance, **except for those functional utility components explicitly exempted herein.**"
 - **Justification:** Maintains the established height cap to preserve the island's aesthetic character and ensure consistency with small-scale development objectives.¹

IV. Amendments for Special District Preservation and

Regulatory Precedence

Prohibiting Dwellings in Wilderness Districts (W-1 and W-2)

The most glaring inconsistency in the draft ordinance involves the W-1 and W-2 Wilderness Preservation Districts, which are intended for conservation, forestry, and wilderness character. The current draft permits permanent dwellings (Single-Household and Accessory Dwellings) and Tourist Rooms as Permitted Uses within these zones. This allowance fundamentally defeats the purpose of "preservation" and must be rectified.

- **Page 25, Section 3.3 W-1 Permitted Uses (A):**
 - **Legislative Action:** Strike all habitation uses.
 - **Proposed Language Change (Deletion):** STRIKE A.2, A.3, A.4, and A.12: ~~Accessory Dwelling, Accessory (1 only)~~; ~~Accessory Dwelling, Rental of Incidental~~; ~~Dwelling, Single-Household~~; ~~Tourist Room~~. The district uses must be limited to conservation, recreation, forest crops, and habitat protection.¹
- **Page 27, Section 3.4 W-2 Permitted Uses (A):**
 - **Legislative Action:** Strike all habitation uses.
 - **Proposed Language Change (Deletion):** STRIKE A.1, A.2, A.3, A.4, and A.13: ~~Accessory Dwelling, Accessory (1 only)~~; ~~Accessory Dwelling, Rental of Incidental~~; ~~Dwelling, Incidental~~; ~~Dwelling, Single-Household~~; ~~Tourist Room~~.
 - **Justification:** Ensures that W-1 and W-2 function purely as intended preservation zones, aligning the regulations with the Comprehensive Plan's emphasis on natural resource protection and conservation.¹

Clarifying Overlay Precedence and Regulatory Conflict

To ensure robust environmental protection, particularly for sensitive shorelands and wetlands, the ordinance must explicitly state that the requirements of any Overlay District supersede those of the underlying Base District when a conflict exists. This addresses potential ambiguity regarding jurisdictional boundaries and leverages the Town's authority under Wisconsin law to enact stricter shoreland protections than the County.

- **Page 3, Section 1.2 INTERPRETATION:**
 - **Legislative Action:** Amend the final sentence to establish the clear precedence of Overlay Districts.
 - **Proposed Language Change (Insertion):**
 - *Current Draft:* "Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted regulations, ordinances, or private covenants, the most restrictive, or that imposing the higher standards, shall govern."
 - *Proposed Amendment:* "Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted regulations, ordinances, or private covenants, **or whenever the requirements of an Overlay District conflict with the requirements of an underlying Base District**, the most restrictive, or that imposing the higher standards, shall govern."

- **Justification:** This guarantees that the intent of the S-O Shoreland Overlay District ¹ and the W-P Wetland Protection Overlay District ¹ is upheld, providing the maximum possible legal protection for these critical environmental resources.¹

V. Amendments for Short-Term Rentals (STRs) and Commercial Activity

Restricting Transient Occupancy to Commercial Districts

Restricting Short-Term Rentals (STRs) and other forms of transient lodging to the C-1 Town Center and MU-1 Mixed-Use Overlay districts is crucial for preventing commercialization of residential and wilderness neighborhoods. This concentration ensures that the commercial lodging is managed where infrastructure can best handle increased seasonal demands (traffic, waste, parking).

- **Legislative Action:** Eliminate all transient lodging uses from R, S, and W districts, including any explicit or implied authorization for STRs or room rentals.

Text	Text	Text to be STRIKED	Justification
3.3)		~Tourist Room~	prohibited in preservation zones.
3.4)		~Tourist Room~	prohibited in preservation zones.
3.5)		~Dwelling, Single-Family Household, Rental of~	prohibited in residential zones.
3.5)		~Tourist Rooms (one room only)~	prohibited in residential zones.
3.9)		~Dwelling, Single Family Household of~	prohibited in shoreland and residential zones.

3.10)		~Dwelling, Single Family l of~~	prohibited in shoreland ential zones.
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Regulating High-Intensity Short-Term Rental Use

A specific concern related to STRs is their use as high-intensity venues for events, parties, and large gatherings, which generate traffic, noise, and substantial waste, straining the Material Recovery Facility. This activity constitutes commercial usage that is inappropriate for residential districts.

- **Page 79, Section 6.2 REGULATION OF SPECIAL USES REQUIRING A LAND USE PERMIT:**
 - **Legislative Action:** Insert a new subsection to control the intensity of transient occupancy, ensuring it remains commensurate with residential standards.
 - **Proposed New Section 6.2.C. Rental Limitations on High-Intensity Use:**
 - "Short-Term Rental (STR) units, as defined in Section 2.0 (76), shall not be used for commercial event centers, weddings, parties, or large gatherings that exceed twice the maximum stated occupancy of the dwelling unit, nor shall they produce noise, traffic, or waste that exceeds levels customary for residential use in the district. High-intensity uses intended for commercial events or large gatherings shall be strictly limited to the C-1, LI-1, and LI-2 districts, and shall require a Conditional Use Permit (CUP) in all cases, subject to review of the proposed use's impact on public services, parking, and solid waste disposal."
 - **Justification:** This provides a concrete, enforceable standard against excessive commercialization and large gathering impacts within residential neighborhoods.¹

Limiting Commercial Encroachment in Residential Zones (Home Occupations)

Residential districts must be protected from commercial activities that generate significant traffic or alter the neighborhood character. While Home Business (6.4.C) is typically a Conditional Use allowing more intensity, Home Occupation (6.4.B), which is often a Permitted Use, must be strictly limited to activities that generate no customer traffic, as mandated by the residents.¹

- **Page 83, Section 6.4.B. Home Occupation:**
 - **Legislative Action:** Revise the criteria to prohibit public visitation and remove conflicting language regarding parking for visitors.
 - **Proposed Language Change (Replacement of B.1):**
 - *Current Draft:* "All activities at the site shall be conducted entirely within the principal dwelling or in one (1) accessory building."
 - *Proposed Amendment:* "All activities at the site shall be conducted entirely within the principal dwelling, and **shall not generate customer or client traffic or public visitation to the premises.**"
 - **Proposed Language Change (Amendment of B.4):**
 - *Current Draft:* "Provide adequate off-street parking for employees and visitors. Reference Sections 4.3 B.3."
 - *Proposed Amendment (Replacement):* **STRIKE B.4** and **REPLACE** with: "No parking beyond that

required for the principal dwelling shall be generated or utilized by the Home Occupation activity, as no customer or client visitation is permitted."

- **Justification:** By defining Home Occupation as strictly a no-public-traffic use, the Town establishes an unambiguous boundary against commercial encroachment in residential areas, making enforcement clear and defending the integrity of the R districts.¹ Activities requiring customer traffic must utilize the more restrictive Home Business (Conditional Use) designation or relocate to C-1/MU-1.

VI. Conclusions and Legislative Action Matrix

The recommended revisions address the fundamental contradictions identified between the August 2025 Draft Zoning Ordinance and the Town of La Pointe’s comprehensive commitment to preservation, limited scale, and sustainable infrastructure management. By removing high-density uses (MFH, density bonuses) from residential zones, enforcing a 1-acre minimum lot standard (where applicable), eliminating dwellings in conservation districts, and unifying transient occupancy regulations, the ordinance will be brought into clear legislative compliance with the Town’s policies and the demands of sound public planning.

The legislative process requires precise identification of these textual changes. The table below summarizes the critical actions required for immediate review and adoption by the Plan Commission, ensuring strict adherence to the policy objectives outlined in the resident review package.¹

Legislative Action Matrix: Key Ordinance Amendments

on Reference		/Topic	lative Action	osed Language ge (Excerpt)	ification/Refere
terpretation		ay Precedence	RT TEXT	private covenants ever the rements of an ay District con the requiremer derlying Base ct, the most ctive...	ies overlay cont oreland protect

04)		st Room Definition	KE SECTION	ction 2.0 (104) st Rooms~~	ates loophole, s STR definition
-1 Title		omenclature	ND TITLE	-1 RESIDENTIAL RICT, LE-HOUSEHOLD LY~~, LOW ITY~~	rms single-family cter.
-1 (A.4)		n R-1	KE USE	elling, -Household (seeing outside C-1. 1)~~	pits multifamily
-2 (A.1, A.2, A.6)		n R-2	KE USES	artment; ominium; Dwelling outside C-1. -Household~~	pits multifamily
-1 (A.4)		ing in Wilderness	KE USE	elling, e-Household~~	ids conservation prohibits habita l.
-1 (B)		Restriction	C.U.	RT into B. ditional Uses (NCUP. Accessory Dwelling y) (2-acre minimum quired).	cts ADUs to 2+
Height		Cap Integrity	RT TEXT	maximum structure t shall in no case ed the thirty-five height regulation ordinance, except ose functional y components citly exempted n.	rms 35 ft height
3 PUD Density		ty Bonuses	ND TEXT	ll adhere strictly aximum densities es for clustered ance of the Zoning opment.	ates density es for clustered

				ct... No density ses or waivers num lot size sh anted.	
.1 Home Occ.		hercial Traffic	ND TEXT acement)	ctivities at the site be conducted ly within the pal dwelling, and public-traffic use. not generate omer or client c or public tion to the ises."	
(New)		vent Centers	NEW SECTION	Section 6.2.C. Rec ations on Intensity Use ibits use for s/large gathering eding twice state pancy in residen).	
able		rea R-2/R-3	ND VALUE	red Lot Area -3: 1 Acre (repla sq. ft.)	ces 1-acre minir e in residential cts.

10/28/25

RICHARD KULA - ZA
TOWN OF LA POINTE PLANNING & ZONING

Town Plan Commission Zoning Re-Write

Dear Zoning Committee,

I regret not being able to attend all the past planning hearings and meetings, but on review of the proposed Zoning rewrite, I feel that you have not addressed the issue of signage for small home businesses on the Island and that there is still select enforcement of the directional signage on the Island.. After listening to the recent Harbor committee meeting and hearing nearly 60,000 folks came to the Island in August, my visitor count was just over 60 independent visitors. It's because of signage and visitors all complain about not being able to find me.

I would like to have you review the Executive Summary reference to The Comprehensive Plan, "Thriving artists. A consistent strategy to raise the visibility of the Island's art community."

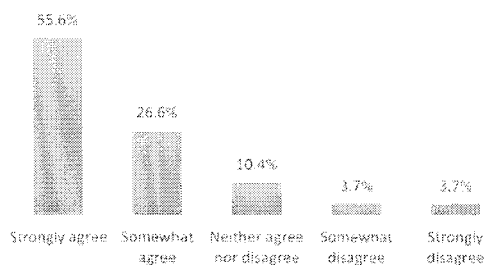
Thriving artists

"The Island's creative output historically has far outstripped its size of population. La Pointe is fortunate to have a variety of active arts organizations, individual artists, and art-centric businesses that make this possible. However, like many important initiatives on the Island, the creative community lacks a consistently **visible** sense of strategy to raise the visibility of artists in the larger community consciousness. Based on findings from the Community Survey, there is fertile ground: More than 80% of participants say "art and cultural facilities are essential to the Island's local economy they "value" the island's cultural assets, and that cultural activities help reflect the community's diversity." You have to help promote this growth, not prevent it.

I know that I'll receive no sympathy for lack of visitors, "Why not move into town?." The answer is that there's no commercial space available, and 60% of the zone is housing. You need to address promoting small businesses outside of the commercial zone in order for any growth. Other people on the Island could open up studios, but if folks can't find your place, they will not succeed. You need to find a way to direct traffic to these locations; otherwise, you'll find folks just taking matters into their own hands and not follow the rules. We need limited directional signs of a small but visible at intersections as proposed earlier in the year and later removed.

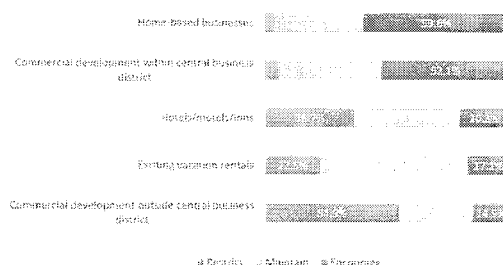
Respectfully,
Steve McHugh

Art and cultural activities are essential to the Island's economy and quality of life



Source: 2022 La Pointe Community Survey Q. 37

Level of support for these land uses/activities



Source: 2022 La Pointe Community Survey Q. 42