

CITY OF NEW RICHMOND
ORDINANCE NO. 629

AN ORDINANCE AMENDING CHAPTER 121 OF THE MUNICIPAL CODE
OF THE CITY OF NEW RICHMOND, WISCONSIN

Upon review, recommendation, and consideration by the City of New Richmond Common Council, the Common Council does ordain that Chapter 121 New Richmond Zoning Ordinance is hereby amended as follows:

121 Art III Rules and Definitions

Sec 121-15 Definitions

Affordable Housing. A residential dwelling unit in which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities.

Persons of Low and Moderate Incomes. Individuals or families whose income is at or below 80% of the median income for St. Croix County as determined by the Department of Housing and Urban Development (HUD) for St. Croix County. "Low income" individuals or families have an income that does not exceed 50% of the area median income, and "moderate income" individuals or families earn between 50% and 80% of the area median income.

121 Art X Planned Unit Developments for Affordable Housing

Sec 121-70 Purpose

The City of New Richmond will consider requests from developers to adjust the City's zoning and subdivision regulations through a planned unit development (PUD) to provide affordable housing options for persons of low and moderate incomes. A PUD can provide a developer with greater flexibility in the development of land, while assuring substantial compliance with the City's regulations and Comprehensive Plan. When considering a PUD for affordable housing, the City of New Richmond will determine when the level of affordable housing and the guaranteed length of affordability provide a public benefit great enough to justify the potential impacts that would result from a deviation in the zoning or subdivision regulations.

For the intent and purpose of this ordinance, PUDs are allowed in Z2 Sub-Urban, Z3 Multi-Use Corridor District, Z4 General Urban, Z5 Traditional Neighborhood, and Z6 Central Business District Zoning Districts.

Sec 121-71 Requirements

Developers are not guaranteed approval of a PUD for affordable housing, as there is a multi-stage application and review process that provides the local government with discretion to approve, deny, or apply conditions on a proposed project. PUDs for affordable

housing shall meet the following criteria at a minimum to receive consideration from the Common Council:

- (a) **Ownership.** Developers shall have acquired actual ownership of or have executed a binding land sale contract for all the property within the proposed PUD. Ownership may be by an individual, corporation, partnership, association, trustee, or other legal entity.
- (b) **Consistency with Comprehensive Plan.** A proposed PUD must be consistent with the City of New Richmond Comprehensive Plan, and the intent and purpose of the New Richmond Municipal Code related to land use and development, and the promotion and preservation of public health, safety, and general welfare.
- (c) **Affordability.** A minimum of twenty percent of the proposed dwelling units shall be affordable to households earning at or below eighty percent of the area median income for St. Croix County as determined by the Department of Housing and Urban Development (HUD) at the time of application. Developers shall demonstrate a plan and mechanisms for enforcing and monitoring said affordability requirements.
- (d) **Community Benefit.** The proposed PUD shall provide a demonstrable benefit to the City of New Richmond by supporting the creation and integration of affordable housing, which justifies the potential impacts that would result from a deviation in the zoning or subdivision regulations. The development should enhance the surrounding area through intentional design, including the strategic arrangement of buildings, streets, and open spaces. This approach is expected to support cohesive neighborhood growth, improve access to affordable housing, and provide long-term value to both future residents and the City as a whole.

Sec 121-72 Review and Approval Process

Developers seeking the approval of a planned unit development for affordable housing shall follow the following process:

- (a) **Pre-Application Conference with City Staff.** Developers shall meet with City staff to discuss the development proposal and discuss the approval process and associated timeline for planned unit developments for affordable housing. Fees for concept plan and development plan applications shall be set according to the City of New Richmond Fee Schedule. This initial step is important to ensure an efficient submittal and review process.
- (b) **Concept Plan.** Applicants shall submit a concept plan for review by the Plan Commission and City Council. City staff shall review applications and prepare a detailed written analysis for both the Plan Commission and City Council. Both bodies shall review the concept plans at public meetings, and a public hearing shall be held to provide the community with an opportunity to ask questions and offer

feedback. A notice of the public hearing shall be published as a Class 2 Notice and mailed to all property owners within 100 feet of the outer boundaries of the property in question. Neither the Plan Commission nor the City Council vote to approve or deny a concept plan. Rather, both bodies provide input and ask questions about issues that are likely to be taken into consideration if and when a Development Plan is submitted. Comments, suggestions, remarks, or observations made by City staff, the Plan Commission, or City Council shall not be binding on the City for future steps in the process. The concept plan shall include the following information:

- (1) A statement that sets forth the reason for the PUD as it relates to affordable housing, the relationship of the proposed PUD to the City's Comprehensive Plan, and the general character of the uses to be included in the proposed PUD.
- (2) A statement of any proposed departures and requested waivers from the standards of development as set forth in the City's subdivision and zoning ordinances, and other applicable City regulations.
- (3) Total area in acres of the proposed PUD as well as total acres devoted to each land use, affordable housing, open space, and right-of-way.
- (4) Total number of dwelling units and residential density computations.
- (5) Percentage of impervious surface and greenspace within the proposed PUD.
- (6) Height and area in square footage of all proposed buildings.
- (7) A general outline of the intended organizational structure related to property owner's association, deed restrictions, and private provision for common services.
- (8) A summary of the estimated value of structures, affordable structures and site improvement costs, including landscaping.
- (9) A timeline for the staging of development including project commencement and anticipated completion.
- (10) Conceptual plan map and building elevations for the project depicting the proposed land uses, lot layout, street configuration, utilities, open space, landscape areas, and location of structures and densities of any proposed dwelling units.
- (11) A detailed affordability plan specifying the number of affordable units, targeted income levels, unit mix, term of affordability, and mechanisms for monitoring and enforcement of affordability requirements.

- (c) Development Plan. Following review of the concept plan by the Plan Commission and City Council, the Developer shall incorporate feedback from both bodies and submit a Development Plan containing detailed construction and engineering plans and related documents, including the following:
- (1) The required site plan materials identified in Sec 121-31 of the New Richmond Municipal Code, or in the case of a proposed land subdivision, the required documents for preliminary and final plat submissions per Sec 117-18 and Sec-117-19 of the New Richmond Municipal Code.
 - (2) An updated narrative description of the project and statement setting forth the reason for the PUD and any requested waivers from the standards of development as set forth in the City's subdivision and zoning ordinances, following review of the Concept Plan by the Plan Commission and City Council.
 - (3) Any phasing plan, if applicable, indicating the phases in which the project will be developed and the anticipated construction dates of each phase.
 - (4) Proposed agreements, bylaws, provisions, deed restrictions, or covenants which govern the organizational structure, use, maintenance, and continued enforcement of the proposed PUD.
- (d) Staff Review. City staff shall review the Development Plan and prepare a detailed analysis and corresponding recommendations for consideration by the Plan Commission and City Council. The Plan Commission shall serve as a recommending body to the City Council regarding Development Plans, but the City Council is not obligated to follow the recommendation of the Plan Commission to approve or deny a Development Plan. Approval of a Development Plan shall require a majority vote of the members present of the City Council at a publicly noticed meeting.
- (e) Development Agreement. If a Development Plan is approved via a majority vote of the City Council, the Developer will be required to enter into a development agreement with the City of New Richmond to memorialize the terms and conditions of the proposed development and PUD and provide legally binding assurances for both the City of New Richmond and the Developer. A financial guarantee for public improvements may also be required, pursuant to Sec 117-24 of the New Richmond Municipal Code, as a surety to guarantee the construction of public improvements. The Development Agreement shall require approval by a majority vote of the members present of the City Council at a publicly noticed meeting and be recorded with the St. Croix County Register of Deeds.

Sec 121-73 – 121-75. Reserved

Adopted by the Common Council of the City of New Richmond, Wisconsin, this 13th day of October, 2025.

APPROVED:


James Zajkowski, Mayor

ATTEST:


Michelle Scanlan, City Clerk