



156 East First Street  
New Richmond, WI 54017  
Ph 715-246-4268 Fax 715-246-7129  
www.newrichmondwi.gov

**August 30, 2017**

**TO ALL PLAN COMMISSION MEMBERS:**

<b>Fred Horne</b>	<b>Ron Volkert</b>
<b>Mike Montello</b>	<b>David Wilford</b>
<b>Mike Kastens</b>	<b>David Tyvoll</b>
<b>MaryKay Rice</b>	<b>Sarah Skinner (ex officio)</b>

**This is to notify you that there is a Plan Commission meeting scheduled for Tuesday, September 5, 2017 at 5:00 p.m. in the Council Chambers of the Civic Center, 156 East First Street, City of New Richmond, WI.**

**AGENDA:**

- 1. Roll Call**
- 2. Adoption of Agenda**
- 3. Approval of the Minutes of the Previous Meeting, August 8, 2017**
- 4. Public Hearing to discuss the following:**
  - a. Application from DLH Consulting LLC Amending a Planned Unit Development District moving from 10 foot side setbacks to 5 foot and leaving the 30 foot front setback on lots 179, 180, 183-186; and moving from 10 foot side setbacks to 5 foot and from 30 foot front setback to 25 foot on lots 167-176, and 212-225 of Evergreen Valley Third Addition. Also allow for single-family detached homes on the lots listed above.**
- 5. Action on Public Hearing Agenda**
- 6. Certified Survey Map for New Richmond Business & Technical Park**
- 7. Zoning Ordinance Amendment for Curb Requirements**
- 8. Communications and Miscellaneous**
- 9. Adjournment**

**Fred Horne  
Mayor**

**cc:**

**The News  
Mike Darrow  
Bob Meyer  
Jim VanderWyst  
Rae Ann Ailts**

**Northwest Cable  
Nick Vivian  
Tom Rickard  
Craig Yehlik  
DLH Consulting**

**City Website  
Mike Demulling  
Dan Licht  
Beth Thompson**

**Carleen Flettre  
James Davis  
Michael Mickelson  
Karl Focht**

**Matthew Wanless  
Donald Prinsen  
Joseph Kastens  
Delta Construction**

**Mary Jane Bridge  
Aaron Ruhde  
Whitney Strickland  
Allen Smith**

**Thomas March  
Eduardo Domenzain  
Eugene Hollom  
Kristi Hendel  
Samuel Schmitt  
James Michalski  
Myreon Hodur**

**Jody Dunn  
Aaron Rivard  
Jeff Fredrickson  
Robert Tatinger  
Debra Rosenberg  
Michael Wildes  
Rachel Culver**

**Sarah Koop  
Angela King  
Patricia Fplueger  
Marc Bishop  
C & M Properties  
Camp JJ  
Dustin Dreawves**

PLAN COMMISSION MEETING  
AUGUST 8, 2017 - 5:00 P.M.

Members Present: Fred Horne, Mike Kastens, Ron Volkert, MaryKay Rice, Kyle Hinrichs and Sarah Skinner (ex-officio)

Members Absent: David Wilford and Mike Montello

Others Present: Beth Thompson, Tanya Batchelor, Jeremiah Wendt, Tom Derrick, Matt Hieb, and Mike and Cheryl Krumm

Mayor Fred Horne called the meeting to order and roll call was taken.

Mike Kastens moved to adopt the agenda as presented, seconded by MaryKay Rice and carried.

MaryKay Rice moved to approve the minutes of the previous meeting on July 6, 2017, seconded by Kyle Hinrichs and carried.

**Public Hearing**

Fred Horne declared the Public Hearing open to discuss the following:

**Conditional Use Permit Application**

- a) Application from DCCI Land Planners, Inc. for a Conditional Use Permit to allow development of 18 twin-home buildings, 36 residential units on a single lot to allow multiple principle buildings on a single lot in accordance with Section 121-49.B of the Zoning Ordinance. Property is located at the extension of Casandra Drive and described as Part of the NW ¼ of the SE ¼ of Section 3, T30N, R18W, City of New Richmond, St. Croix County, Wisconsin.

Dan Licht explained the Conditional Use Permit Application. The Development Review Committee recommended approving the Conditional Use Permit for Richmond Prairie Condos 3 allowing multiple principal buildings on one lot, subject to the following conditions:

1. The sizes of the trees and shrubs to be installed in accordance with the typical landscape plan for each building shall comply with Section 121-55.E of the Zoning Ordinance.
2. The developer shall provide a financial guarantee equal to 125 percent of the cost for materials and labor for proposed landscape plan for each building to at the time a building permit is issued; the security is to be held by the City until it is verified that all plantings have survived through two winter seasons between October 31 and April 30 in accordance with Section 121-55.I.2 of the Zoning Ordinance.
3. All utility issues are subject to review and approval of the Public Works Director.
4. All grading, drainage, and erosion control plans shall be subject to review and approval of the Public Works Director.
5. Documents establishing a condo plat and/or a homeowners association for Lots 1 and 2 shall be submitted and are subject to review and approval of City staff.

**Zoning Ordinance Amendment for Wall Signs**

- b) Consideration of an ordinance amending Section 121-44 of the City Code (Zoning Ordinance) regarding wall signs within the Z3 District.

Dan Licht explained the ordinance change which was initiated by Best Western Plus. This building will be three stories tall and the current sign ordinance has a height limitation of not more than 25 feet above grade. The Development Review Committee recommended approval of

this ordinance change amending Table 11 of the Zoning Ordinance removing height limits for wall signs as presented.

### **Zoning Ordinance Amendment for Curb Requirements**

- c) Consideration of an ordinance amending Section 121 of the City Code (Zoning Ordinance) regarding curb requirements.

Dan Licht explained that staff has expressed the need to have some flexibility in curb requirements. Dan presented examples from local municipalities. Discussion followed. This will be discussed again at the next Plan Commission meeting.

### **Annexation Petition from Dionisopoulos**

- d) Petition for Annexation from Jeff & Ari Dionisopoulos with zoning requested of Z2 Sub Urban District. Property is located at 1642 140<sup>th</sup> Street, New Richmond and described as Sec 11 T30N R18W Pt NE being Lot 1 CSM 13/3684 approximately 5.63 Acres.

Dan Licht stated the annexation is consistent with our Comprehensive Plan and the Development Review committee recommends approval of an ordinance annexing property owned by Jeff and Ari Dionisopoulos to the City of New Richmond zoned as Z2 District.

### **Annexation Petition from Krumm Holdings LLC**

- e) Petition for Annexation from Krumm Holdings LLC with zoning requested of Z3 Multi-Use/Corridor District.
  - 036-1073-70-200 Property address is 1424 Hwy 64 and described as: Sec 30 T31N R17W PT SW SW CSM 27-6259 Lot 6, approximately .604 acres.
  - 036-1073-7-100 Property address is 1422 Hwy 64 and described as: Sec 30 T31N R17W PT SW SW CSM 27-6259 Lot 5, approximately 0.31 acres.

Dan Licht explained the annexation is consistent with the Comprehensive Plan. The Development Review Committee recommends Council approval of an ordinance annexing property owned by Krumm Holdings LLC and designating the property as being within the Z3 District. Mayor Horne declared the Public Hearing closed.

### **Action on Public Hearing Agenda**

- a) Mike Kastens moved to approve the Conditional Use Permit from DCCI Land Planners for Richmond Prairie Condos 3 allowing multiple principal buildings on one lot, subject to the conditions recommended by the DRC listed above, seconded by Kyle Hinrichs and carried.
- b) MaryKay Rice moved to recommend Council approval of the ordinance amending Section 121-44 of the City Code (Zoning Ordinance) regarding wall signs within the Z3 District, seconded by Mike Kastens and carried.
- c) Mike Kastens moved to table the ordinance amendment regarding curb requirements, seconded by Kyle Hinrichs and carried.
- d) MaryKay Rice moved to recommend Council approval of an ordinance annexing property owned by Jeff & Ari Dionisopoulos and designating it as Z2 District, seconded by Kyle Hinrichs and carried.
- e) Mike Kastens moved to recommend Council approval of an ordinance annexing property owned by Krumm Holdings LLC and designating it as Z3 Multi-Use/Corridor District, seconded by Kyle Hinrichs and carried.

### **Certified Survey Map from DCCI Land Planners**

Dan Licht explained the Certified Survey Map from DCCI Land Planners for the Richmond Prairie Condo 3. Discussion followed. Mike Kastens moved to approve the CSM, subject to the following conditions:

1. All street construction plans shall be subject to review and approval of the Public Works Director.
2. The proposed name of the street and cul-de-sac street within the CSM shall be is subject to review and approval of the City Council.
3. All utility issues shall be subject to review and approval of the Public Works Director.
4. All grading, drainage, and erosion control plans shall be subject to review and approval of the Public Works Director; the development agreement shall specify that the developer is required to make regional stormwater improvements during construction necessary for the development.
5. Park dedication requirements are to be subject to review and approval of the Park Board prior to review of the CSM by the Plan Commission or approval of the City Council.
6. Outlot 1 shall be conveyed to the Richmond Prairie homeowners association.
7. The developer (and owner of record if different) shall execute a development agreement with the City upon approval of the subdivision as required by Section 117-24 of the Subdivision Ordinance as drafted by the City Attorney and subject to approval of the City Council.

Motion was seconded by MaryKay Rice and carried.

### **Proposed Airport Projects**

MaryKay Rice read the following list of projects the Airport Commission has requested use of Federal and State funds for:

- 1) Acquisition of snow removal and mowing equipment (It is the intent of the airport to purchase a new, modern, self-propelled snow-blower to serve the airport for the next 25 years. Mowing equipment is now eligible for funding. Previously, the airport was 100% responsible for mowing equipment)
- 2) Crack fill and seal coat airport pavement. (The airport can participate in a State bid process for crack filling and seal coating, which will allow a reduced cost compared to bids received at the local level)
- 3) Reconstruct, strengthen and expand the north aircraft parking ramp, including concrete parking pads. (This will replace the 2.5" thick pavement installed in the fall of 2000 with thicker pavement. The existing pavement is failing in certain areas. The expansion will pave the area between the taxiway and the aircraft parking apron which will allow easier snow removal and better storm water drainage and control)
- 4) Reconstruct and expand the south ramp. (This will replace the aircraft parking ramp pavement in the south hangar area that was installed in the fall of 1992 with an expected service life of 25 years. The expansion portion is a small modification to the pavement to allow better storm water drainage)
- 5) Reconstruct and strengthen taxiways. (This will replace the taxiway and taxi lane pavement in the south hangar area that was installed in 1992 with an expected service live of 25 years)
- 6) Replace the rotating beacon. (This will allow the replacement of the 25 year old rotating beacon at the airport should it fail during the seven year time frame of this funding request)
- 7) Complete perimeter fencing. (This will complete the airport fencing project started in 2004 and expanded in 2010. Approximately 4,000 feet of fencing remains to be installed)
- 8) Conduct a wildlife site visit. (This is a State recommended item they have all airports include in their funding requests)
- 9) Clear and maintain runway approaches as permitted in Wisconsin Code Trans 55. (This is also a State recommended item they have all airports include in their funding requests)

10) Any necessary related work

The majority of the projects will be funded at 90% Federal, 5% State and 5% Local dollars. The mowing equipment is a 50/50 split with the State. The airport has \$450,000 worth of Federal funds in an account ready for use. The local funds of \$40,000 are also available. The majority of the Federal and State dollars come from user fees, including fuel tax on aviation and jet fuel. The local share of funds comes primarily through lease fees and personal property taxes on airport hangars. A Public Hearing was held before the Airport Commission in July. No public comments were received. Fred Horne moved to approve the list of airport projects as recommended by the Airport Commission, seconded by Kyle Hinrichs and carried.

Kyle Hinrichs moved to adjourn the meeting, seconded by Mike Kastens and carried.

Meeting adjourned at 5:40 p.m.

Tanya Batchelor  
City Clerk



3601 Thurston Avenue N, Suite 100  
Anoka, MN 55303  
Phone: 763.231.5840  
Facsimile: 763.427.0520  
TPC@PlanningCo.com

## MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 23 August 2017

RE: New Richmond – Evergreen Valley Third; PUD Amendment

TPC FILE: 164.02

## BACKGROUND

DLH Consulting LLC is proposing to develop approximately 30 single-family dwellings on lots planned as twin homes within Evergreen Valley Third Addition. Evergreen Valley Third Addition is located southeast of West Richmond Way and County Road A. The proposed development requires consideration of an application to amend the Evergreen Valley Planned Unit Development Plat (PUD) to allow for the single-family homes and establish setbacks for the buildings. The application to amend the Evergreen Valley PUD is subject to review by the Plan Commission and approval of the City Council.

### Exhibits:

- Evergreen Valley Third Lots (2 pages)
- Example Building Plans (2 pages)
- Draft PUD Document

## ANALYSIS

**Evergreen Valley PUD.** Prior to 1 January 2015 and adoption of the current Zoning Ordinance, the development was zoned R2 District. Allowed uses under the R2 District included one-family uses as a permitted use and two-family uses as a conditional use of the R2 District. The approval of the development is identified as a “PUD Plat” on 13 June 2005.

- The reference to “plat” indicates the purpose of the PUD was specifically related to the platting of the development, which includes two-family buildings on separate unit lots overlaying a common side lot line and establishment of setbacks.

- The requirements for an application for a PUD under the Zoning Ordinance in effect prior to 1 January 2015 list “preliminary building plans, including floor plans and exterior designs or elevations” in Section 121-171(c)(7). It is not clear from City files information regarding preliminary building plans was reviewed by the Plan Commission or City Council.
- Section 121-171(g)(2) of the Zoning Ordinance in effect prior to 1 January 2015 states that the approved PUD is established by a final development plan consisting of final versions of all statements and graphics presented in the general development plan.
- Building requirements of the R2 District were as follows:
  - Maximum building height: 35ft.
  - Minimum floor area per family:
    - One story: 800sf.
    - Two stories: 1,000sf.

City files include a copy of covenants for the subdivision that include architectural review authority. Article V of the covenants addresses architectural controls. There are no minimum specifications included as to exterior materials, minimum living floor area, minimum or maximum stories. A two car attached garage is required. The first sentence of Article V states that “From and after the completion of construction on any lot,…” This clause means that the initial construction upon a lot is not subject to architectural review. Furthermore, covenants are a private contract established between the owners of the lots within the subdivision and that do not preempt the Zoning Ordinance and are not enforced by the City.

- Lot requirements under the R2 District as follows (and subsequently modified by the PUD as outlined in subsequent paragraphs):
  - Minimum lot width: 70ft.
  - Front setback: 25ft.
  - Side setback: 5ft., minimum total of both side yards 12ft.
  - Rear setback: 20ft.
  - Maximum lot coverage: 40%

The developer has a right to request amendment of the PUD Plat approved by the City on 12 June 2005. The application before the City is specifically to allow one family dwellings on lots previously designated for construction of two family buildings and establish setback requirements for these lots. The recommendation of the Plan Commission and decision of the City Council is to be based upon the criteria established by Section 121-29.D.1 of the Zoning Ordinance adopted 1 January 2015:

- a. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the City Comprehensive Plan, including public facilities and capital improvement plans.*
- b. *The proposed action meets the purpose and intent of this [Zoning] Ordinance or, in the case of a map or text amendment; it meets the purpose and intent of the individual zoning district.*
- c. *There is adequate public infrastructure available to serve the proposed action.*
- d. *There is an adequate buffer or transition provided between potentially incompatible zoning districts.*
- e. *The change will be compatible with existing and planned use in the area.*

As an amendment to an approved PUD, the Plan Commission may recommend, and the City Council may require, such conditions as it deems necessary to reasonably provide for compatibility between the proposed one-family dwellings and existing/planned character of the area. Reasonable conditions would be limiting the lots upon which the proposed one family dwellings may be built or including requirements for exterior materials, minimum floor area, minimum garage area, maximum building, height, etc. related to the physical character of the existing/planned uses intended with the PUD final development plan approval.

**Proposed Dwellings.** The developer has submitted building plans representative of the one-family homes intended to be constructed on the vacant twin home lots within Evergreen Valley Third Addition. The one-family dwellings are intended to provide for one level living with additional space available with walkout basements (depending on grading plan). Each home will have a two-car attached garage. These homes have the same appeal in terms of floor plan and size as a twin home, but with the independence of a one-family home.

**Comprehensive Plan.** Evergreen Valley is guided by the Comprehensive Plan for low density residential uses. This land use category may include one and two-family dwellings as at less than 3.0 dwelling units per acre. The proposed development of approved two-family lots with one-family dwellings will not change the number of dwelling units. The change to the proposed one-family dwellings has appeal for an emerging sector of the housing market and will expand housing choice in New Richmond. The proposed PUD amendment is consistent with the Comprehensive Plan.

**Zoning.** Section 121-9.B of the Zoning Ordinance preserved certain PUDs upon adoption of the comprehensive update of the Zoning Ordinance on 1 January 2015, including Evergreen Valley Third Addition. The Evergreen Valley Phase 3 PUD plat was approved 13 June 2005. The Zoning Ordinance designates the site as Z2 District subject to the provisions of the PUD. Both the Evergreen Valley PUD and Z2 District allow for one and two-family uses as permitted uses.

**Surrounding Uses.** The lots within Evergreen Valley Third Addition proposed to be developed with the one-family dwellings are largely contiguous to one another. The 16 lots on Sequoia Lane and Cypress Trail have two-family uses to the north, two two-family buildings in between, and one-family lots to the south. Across Sequoia Lane to the west are two family buildings, and across Cypress Trail to the west are one-family lots. There are to be 14 one-family homes built on Aspen Court, which is all of the lots except for one two-family building at the entrance to the cul-de-sac. The abutting lots to the rear of the lots on Aspen Court are one-family homes. The undeveloped parcel east of Lots 167-176, 179, 180, 183-186 is planned and zoned for future industrial uses. The change from the approved two-family homes to one-family dwellings will be compatible with surrounding uses.

**Lot Requirements.** Table 5 of the Zoning Ordinance establishes minimum lot width requirements of 40 feet for two-family uses, and 80 feet for all other uses within the Z2 District. The existing two-family lots are a minimum of 50 feet wide and comply with the minimum lot width requirement of the Z2 District. Single-family lots would be required under the Z2 District to provide a minimum of 80 feet of width. However, in that these dwellings are intended to function as two-family homes essentially pulled apart, allowance of the 50-foot lot width for the one family dwellings may be allowed under the existing Evergreen Valley PUD. Each individual lot will be limited to 40 percent lot coverage in accordance with Table 5 of the Zoning Ordinance.

**Setbacks.** The table below summarizes the principal building setbacks required by the Evergreen Valley PUD District and Z2 District:

Existing Setbacks Requirements			
	Front	Side	Rear
PUD District	30ft.	10ft.	35ft. <sup>1</sup>
Z2 District	25ft. <sup>2</sup>	5ft.	20ft.
1. Decks may encroach to within 25ft. of rear lot line.			
2. Secondary front yard setbacks are 20 feet.			

Separating the approved two family homes into one-family dwellings requires space between the two structures. The 5 foot side yard setback required in the Z2 District allows for 10 feet of separation between the structures, with 5 feet remaining to the outside lot line. The proposed one-family dwellings would not be closer than 15 feet to any existing one-family or two-family home providing adequate separation. For consistency along Sequoia Lane and Cypress Trail, it is recommended that the 30 foot front yard setback established by the PUD be maintained. For the lots on Aspen Court, utilization of the 25 foot front yard setback will provide additional flexibility in siting the one-family dwellings on each lot.

Amended Setback Requirements			
	Front	Side	Rear

Lots 167-176, 179, 180, 183-186	30ft.	5ft.	20ft.
Lots 212-225	25ft. <sup>1</sup>		
1. The secondary front setback for Lot 225 shall be 30 feet.			

**Landscaping.** The Evergreen Valley PUD predates the landscape requirements established by the Zoning Ordinance adopted on 1 January 2015. However, the developer is proposing to install a minimum one shade tree, three deciduous shrubs, and two evergreen shrubs in the front yard of each lot as would be required by Table 15 of the Zoning Ordinance. The developer is proposing the area between the one family dwellings may be rock given that the east/west orientation of many of the lots will limit sun exposure in this area making grass difficult to maintain. This approach makes sense, but we would recommend that in side yards abutting existing one or two family dwellings that grass be installed. The rear yard will be grass.

**Utilities.** The proposed change from approved two-family homes to one-family dwellings will not have any effect on the sewer and water utilities already installed to each lot. The electric utilities were set up with one service to each building and will require some reconfiguration, which will be completed by the City Electric Utility at no cost to the developer.

**Grading.** The proposed change from approved two-family homes to one-family dwellings may require some minor adjustment to the grading of each lot to accommodate the stormwater that will drain from the area between the buildings. These issues can be addressed during construction of each lot and will be subject to review and approval of the Public Works Director.

**Easements.** The existing plat does not include drainage and utility easements over the lot line that would have been the common lot line between the two-family units of one building. A 10-foot drainage and utility easement must be recorded over these common lot lines (5 feet each side) to allow for drainage between lots and extension of electric utilities. These easements are subject to review and approval of the Public Works Director.

**Neighborhood Meeting.** The developer hosted a neighborhood meeting at City Hall on 22 August 2017 to provide area residents an opportunity to learn about the proposed changes within the neighborhood and ask questions. City staff was present to address any questions about Zoning Ordinance requirements or the review process. Residents were concerned about the change in the type of structure and architectural requirements, and consistency of the type of structures along Sequoia Lane and Cypress Trail. City staff provided follow up information regarding the approved PUD and architectural covenants to the extent they existing and apply to the developer.

**RECOMMENDATION**

The Development Review Committee considered the application at their meeting on 17 August 2017 and recommends approval of the PUD amendment to allow development of one-family

dwellings within Evergreen Valley Third Addition subject to the conditions outlined under possible actions.

**POSSIBLE ACTIONS**

A. Motion to **recommend City Council approval** of a PUD amendment for Evergreen Valley Third Addition allowing development of one family dwellings, subject to the following conditions:

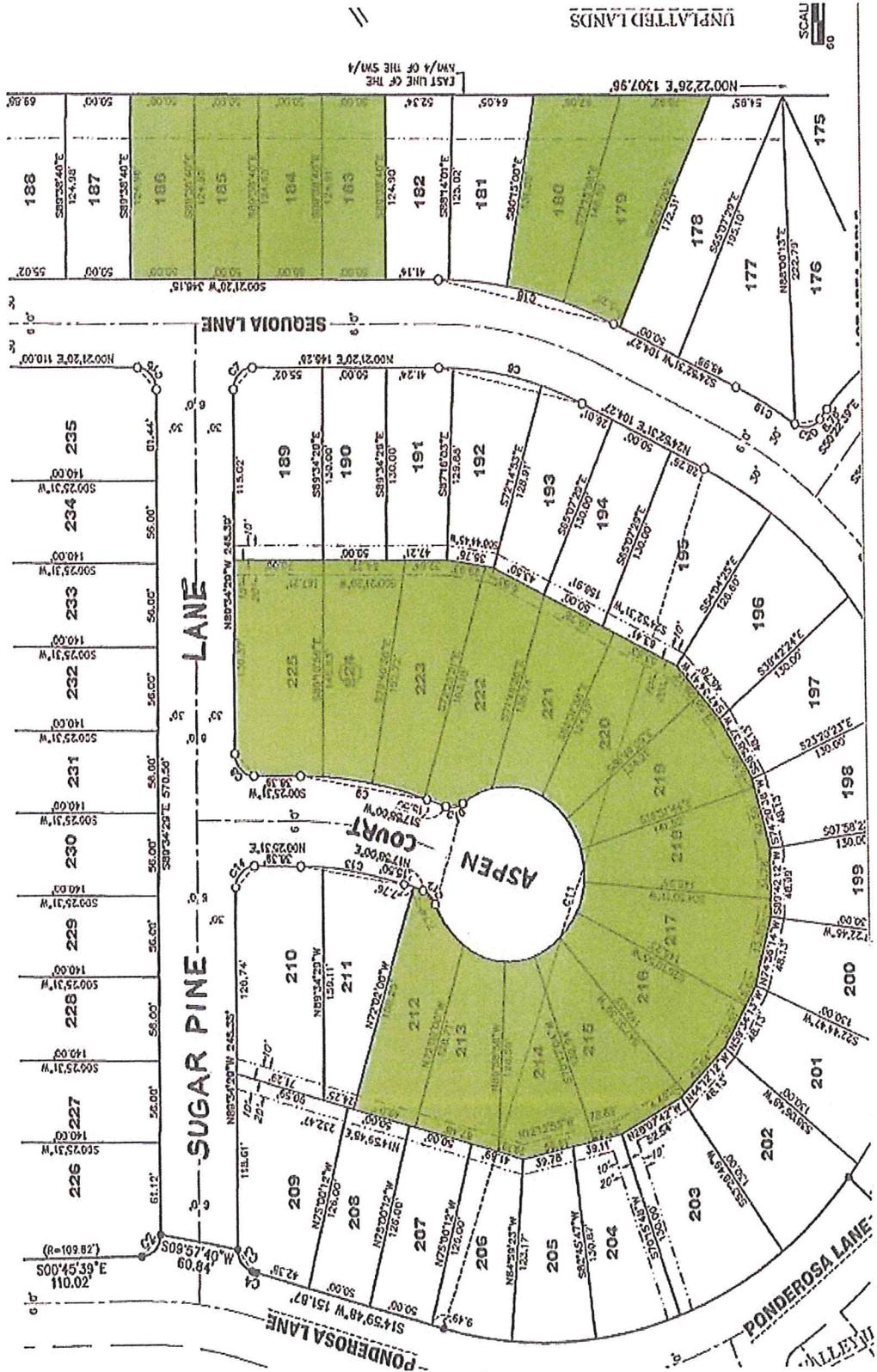
1. Lot coverage shall be limited to 40 percent.
2. Development of one family dwellings upon the lots within the PUD amendment shall be subject to the following setback requirements:

	Front	Side	Rear
Lots 167-176, 179, 180, 183-186	30ft.	5ft.	20ft.
Lots 212-225	25ft. <sup>1</sup>		
1. The secondary front setback for Lot 225 shall be 30 feet.			

3. Landscaping shall be installed in each front yard in accordance with Table 15 of the Zoning Ordinance. Rear yards and side yards abutting lots not included in the PUD amendment shall provide for turf grass. Side yards interior to the PUD amendment shall provide for turf or rock.
4. All grading, drainage, and erosion control issues shall be subject to review and approval of the Public Works Director.
5. The developer shall prepare a 10 foot wide drainage and utility easement document to be recorded over the common side lot line of the former twin-home lots (5 feet each side) subject to review and approval of the Public Works Director.

B. Motion to **recommend the application be denied** based on a finding that the request is not consistent with the Comprehensive Plan, the Evergreen Valley PUD, or the requirements of the Zoning Ordinance.

C. Motion to **table**.



UNPLATTED LANDS

SCALE  
60

FIRST LINE OF THE  
1/4 OF THE 5M/4

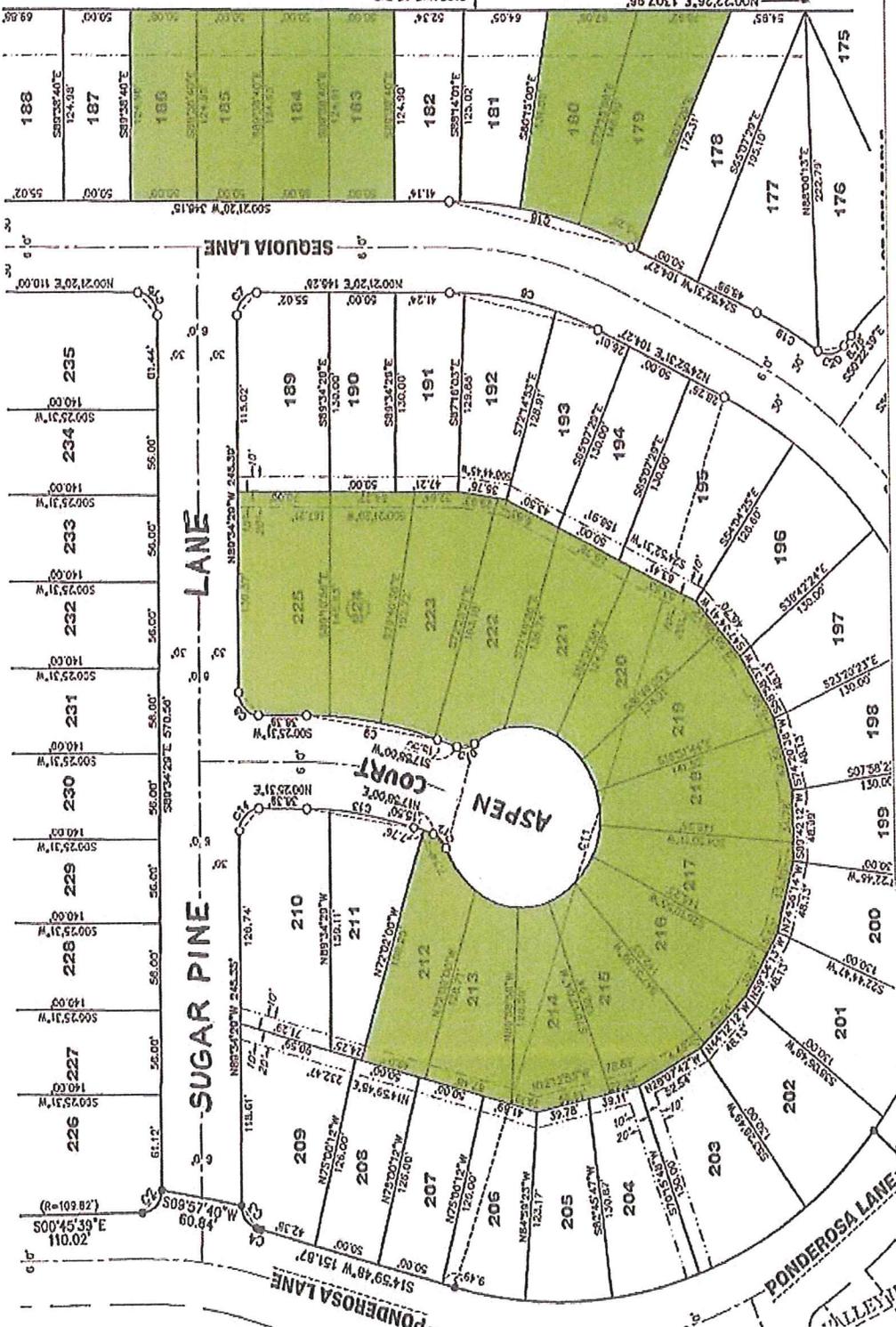
SEQUOIA LANE

LANE

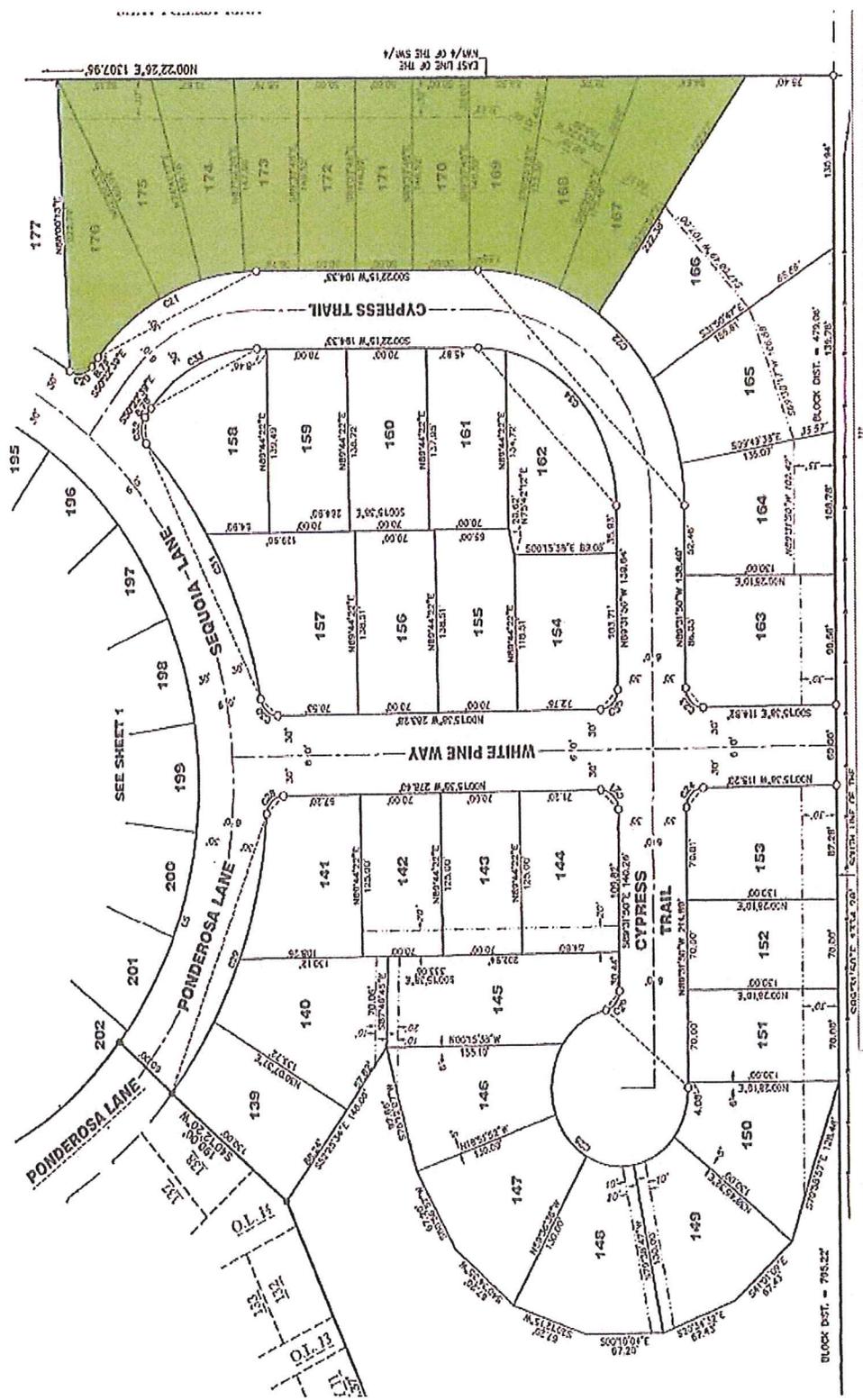
SUGAR PINE

ASPEN COURT

PONDEROSA LANE

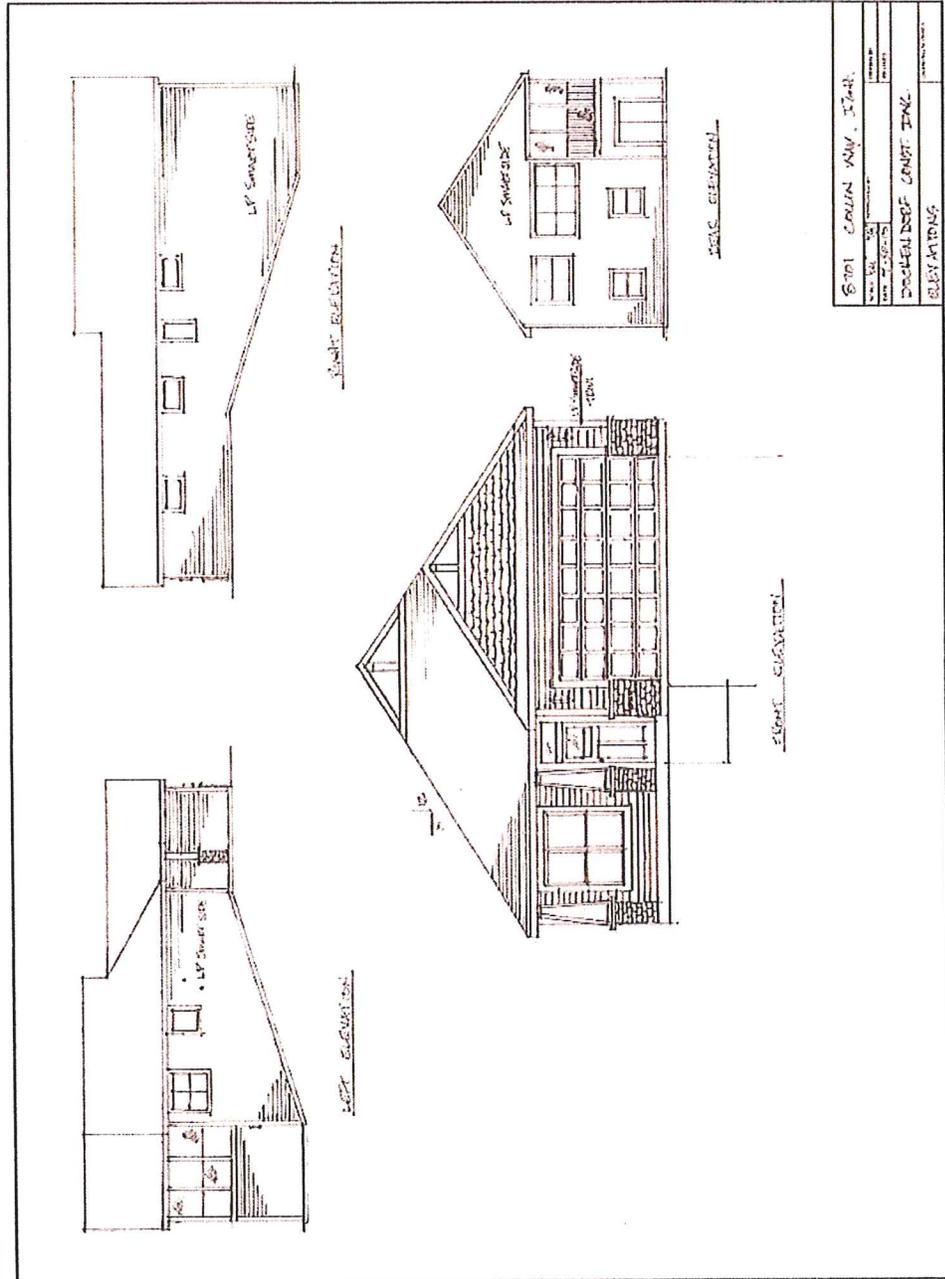


SCALE IN FEET  
0 60



SEE SHEET 1  
BLOCK DIST. = 796.22'  
BLOCK DIST. = 476.04'

# Dockendorf Plan



S101 COLIN WAY, ST. J.	
DATE	10/10/10
BY	DOCKENDORF CONST. INC.
ELEVATIONS	



**CITY OF NEW RICHMOND  
ST. CROIX COUNTY, WISCONSIN**

**PLANNED UNIT DEVELOPMENT AMENDMENT**

**APPLICANT:** DLH Consulting LLC

**APPLICATION:** Request to amend the PUD, Planned Unit Development (PUD) for Evergreen Valley Third Addition to allow one family dwellings on lots approved for construction of two family structures.

**FINDINGS:** Based upon review of the application and evidence received, the New Richmond Plan Commission now makes the following findings of fact:

- A. The legal description of the property is Lots 167-176, 179, 180, 184-186, and 212-225, 169, 170, 171, 179, 180, 183, 184, 185, 186; 176, 175, 174, Evergreen Valley Third Addition, City of New Richmond, St. Croix County, State of Wisconsin.
- B. The property is guided for low density residential uses by the Comprehensive Plan, as amended.
- C. The property is zoned Planned Unit Development in accordance Section 121-9.B.6 of the Zoning Ordinance with underlying Z2 District zoning as designated on the Zoning Map
- D. The applicant is proposing construction of 30 one family dwellings on lots approved for two family buildings; one and two family dwellings are permitted uses within the Z2 District.
- E. Applications for amendment of a PUD preserved by Section 121-9.B of the Zoning Ordinance are to be processed in accordance Section 121-29 of the Zoning Ordinance and are subject to review by the Development Review Committee and Plan Commission, and approval of the City Council.
- F. The Plan Commission and City Council must take into consideration the possible effects of the amendment with their judgment based upon (but not limited to) the criteria outlined in Section 121-29.D.1 of the Zoning Ordinance:

- a. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the City Comprehensive Plan, including public facilities and capital improvement plans.*
- b. *The proposed action meets the purpose and intent of this [Zoning] Ordinance or, in the case of a map or text amendment; it meets the purpose and intent of the individual zoning district.*
- c. *There is adequate public infrastructure available to serve the proposed action.*
- d. *There is an adequate buffer or transition provided between potentially incompatible zoning districts.*
- e. *The change will be compatible with existing and planned use in the area.*

- G. The planning report dated 23 August 2017 prepared by the City Planner, The Planning Company LLC., is incorporated herein.
- H. The Plan Commission opened a public hearing at their regular meeting on 5 September 2017 to consider the application, preceded by published and mailed notice; the Plan Commission reviewed of the application and received evidence; the Plan Commission closed the public hearing recommended by a \_\_\_\_ vote that the City Council approve the request based on the aforementioned findings.

**DECISION:** Based on the foregoing information and applicable ordinances, the request is hereby **APPROVED** and is subject to the following conditions:

- 1. Lot coverage shall be limited to 40 percent.
- 2. Development of one family dwellings upon the lots within the PUD amendment shall be subject to the following setback requirements:

	Front	Side	Rear
Lots 167-176, 179, 180, 183-186	30ft.	5ft.	20ft.
Lots 212-225	25ft. <sup>1</sup>		
1. The secondary front setback for Lot 225 shall be 30 feet.			

- 3. Landscaping shall be installed in each front yard in accordance with Table 15 of the Zoning Ordinance. Rear yards and side yards abutting lots not included in the PUD amendment shall provide for turf grass. Side yards interior to the PUD amendment shall provide for turf or rock.
- 4. All grading, drainage, and erosion control issues shall be subject to review and approval of the Public Works Director.
- 5. The developer shall prepare a 10 foot wide drainage and utility easement document to be recorded over the common side lot line of the former two family lots (5 feet each side), subject to review and approval of the Public Works Director.

**MOTION BY:**

**SECOND BY:**

**ALL IN FAVOR:**

**THOSE OPPOSED:**

**ADOPTED by the City Council of the City of New Richmond this \_\_\_\_ day of  
September, 2017.**

**CITY OF NEW RICHMOND**

By: \_\_\_\_\_  
Fred Horne, Mayor

Attest: \_\_\_\_\_  
Tanya Batchelor, City Clerk



SE - NE

NE - SE

9

A

10

BONDEROSA LN

TAMARACK BL

SW - NE

ASPEN CT

50 OAK PINE LN

SEQUOIA LN

TAMARACK BL

EXPRESS TRAIL

SW - SW

SE - NW

NE - SW

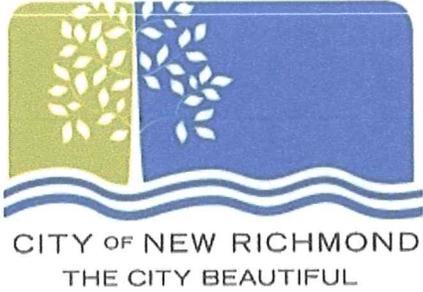
MADISON AVE

W RICHMOND WAY

SE - SW



Disclaimer: This map is not guaranteed to be accurate. It is for informational purposes only. The user assumes all responsibility of the use of this map.



## APPLICATION TO REZONE

City Ordinance Section 121-29  
www.newrichmondwi.gov



### City of New Richmond

156 East First Street ❖ New Richmond, WI 54017  
Phone: (715) 246-4268 ❖ Fax: (715) 246-7129

### APPLICATION FEE: \$250 ESCROW: \$500

*Application fee should be made payable to City of New Richmond upon submittal of completed application. Escrow funds will be drawn to cover project-related costs. Additional funds may be required; surplus funds will be returned.*

Please complete the application by typing or printing in ink. Use additional paper if necessary.

#### 1. Property Owner Information:

Company name: DLH Consulting LLC  
Last name: Hamilton First name: Debra / John  
Address: 7282 Newbury Ct City/State/Zip: Woodbury, MN 55125  
Phone number: 571-722-5893 Email address: dlhconsulting@rocketmail.com

#### 2. Applicant Information: (if different from above)

Company name: \_\_\_\_\_  
Last name: \_\_\_\_\_ First name: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

#### 3. Address(es) of Property Involved: (if different from above)

Please see attachment

#### 4. Zoning Change Requested: Complete item 5a and/or 5b as appropriate for your application.

##### a. Zoning Map Change:

Existing Designation(s): same

Proposed Designation(s): same  
Amendment to RUS District Evergreen Valley -

#### 5. Reason for Zoning Change: In approving a request for rezoning a property or amending the zoning text, one or both of the following circumstances must be evident; indicate which of the following best characterizes the reason that the intended use is not allowed by the existing zoning designation.

- A mistake was made when the existing zoning text or map was approved.
- Circumstances have changed since the original zoning that now justifies a change.

**6. Additional Required Information:**

- ✓ a. **Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved. *see attachment*
- N/A b. **Consultant Fees:** Whenever third party consultants are utilized in the preparation of application materials (e.g., a traffic study) or the City's review of an application (e.g., traffic study analysis) the applicant shall be responsible for paying the entirety of those costs.
- ✓ c. **Written Narrative:** The narrative should describe in detail the nature of the intended use, why you believe the use is not permitted by the existing zoning, and how the use would be permitted under the proposed rezoning or zoning text amendment. Narratives should also state whether any additional land use applications (e.g., conditional use Permit or variance) would be necessary to accommodate the intended use in compliance with the requirements of the proposed zoning change. *see attachment.*
- N/A d. **Consultant Fees:** Whenever third party consultants are utilized in the preparation of application materials (e.g., a traffic study) or the City's review of an application (e.g., traffic study analysis), the applicant shall be responsible for paying the entirety of those costs.
- e. **Other Information:** In addition to the written narrative, a full size site plan, topographic survey, landscape plan, grading and drainage plan, exterior building elevation drawings, and other information may also be required if deemed necessary by City Staff. *will provide if necessary.*

7. **Signature(s):** By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

Property Owner: *DJT Consulting LLC*  
*(Debra & John Hamilton)* Date: 8/7/17

Applicant: *DJT Consulting LLC*  
*(Debra & John Hamilton)* Date: 8/7/17

Fee Paid: \$250 Date: 8/10/17 Receipt # 6541

Escrow Paid: \$500 Date: 8/10/17 Receipt # 6544

**Zoning change applications must be received by the first Thursday of each month; applications received after this date cannot be heard at the Planning Commission meeting the following month.**

**DLH Consulting L.L.C.**

**John Hamilton**

**7282 Newbury Court**

**Woodbury MN 55125**

## **Application to Rezone 8/7/2017**

### **Item 3 and 6a.**

PID's requesting PUD amendment moving from **10 foot side setbacks to 5 foot** side setbacks on both living sides and none living sides. **No change in front 30 foot** side setback.

1718 SEQUOIA LN PID 261-1300-00-186 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1724 SEQUOIA LN PID 261-1300-00-185 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1730 SEQUOIA LN PID 261-1300-00-184 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1736 SEQUOIA LN PID 261-1300-00-183 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1764 SEQUOIA LN PID 261-1300-00-180 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1770 SEQUOIA LN PID 261-1300-00-179 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

PID's requesting amendment moving from **10 foot side setbacks to 5 foot** side setbacks on both living sides and none living sides. Requesting front set back from **30 foot to 25 foot**.

1802 Cypress Trail PID 261-1300-00-176 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1806 Cypress Trail PID 261-1300-00-175 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1812 Cypress Trail PID 261-1300-00-174 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1816 Cypress Trail PID 261-1300-00-173 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1822 CYPRESS TRL PID 261-1300-00-172 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1826 CYPRESS TRL PID 261-1300-00-171 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1830 CYPRESS TRL PID 261-1300-00-170 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1834 CYPRESS TRL PID 261-1300-00-169 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1838 CYPRESS TRL PID 261-1300-00-168 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

1842 CYPRESS TRL PID 261-1300-00-167 10-067-EVERGREEN VALLEY III LOTS 139/235 261-05

Xxxx Aspen Ct PID 261130000225 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05) LOT 225

1726 ASPEN CT PID 261-1300-00-224 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05) LOT 224

1732 ASPEN CT PID 261-1300-00-223 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 223

1742 ASPEN CT PID 261-1300-00-222 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 222

1758 ASPEN CT PID 261-1300-00-221 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 221

1774 ASPEN CT PID 261-1300-00-220 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 220

1782 ASPEN CT PID 261-1300-00-219 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 219

1788 ASPEN CT PID 261-1300-00-218 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 218

1775 ASPEN CT PID 261-1300-00-217 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 217

1767 ASPEN CT PID 261-1300-00-216 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 216

1759 ASPEN CT PID 261-1300-00-215 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 215

1747 ASPEN CT PID 261-1300-00-214 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 214

1739 ASPEN CT PID 261-1300-00-213 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 213

1731 ASPEN CT PID 261-1300-00-212 SEC 10 T30N R18W PT NW SW EVERGREEN VALLEY III (05)  
LOT 212

**6b.** N/A

**6c.** The new intended use would reduce the side setbacks of all lots to 5 feet, from the current approved PUD plan of 10 feet. The front set back would also be reduced to 25 feet, from 30 feet on some lots (as listed above). The property is remaining in the same use as residential homes with no increase or decrease in occupancy density. Accepting this amendment would allow homes to be built with a 5 foot side setback and some lots and with a reduced front setback to 25 feet. No new land will be added or subtracted from the currently approved PUD. No land use applications would be necessary to accommodate this request. No conditional use permit is necessary to accommodate this request. If this amendment is approved all the properties above would be required to follow the latest City of New Richmond Site Restoration and Planting table 15 requiring 1 shade tree, 3 decorative shrubs, and 2 evergreen trees in the front yard. The side yards maybe rock (not on table 15) or hardy grass, and the back yard being planted in hardy grass. Side yards being rock is being done to limit watering and lack of sun light making grass growing more difficult.

**6d.** N/A

**6e.** Will be provided upon request by City Staff.



3601 Thurston Avenue N, Suite 100  
Anoka, MN 55303  
Phone: 763.231.5840  
Facsimile: 763.427.0520  
TPC@PlanningCo.com

## MEMORANDUM

TO: Beth Thompson

FROM: Daniel Licht, AICP

DATE: 29 August 2016

RE: New Richmond – New Richmond Business & Technical Park; CSM

TPC FILE: 164.01

## BACKGROUND

The City of New Richmond has prepared a Certified Survey Map (CSM) to provide for subdivision of one lot into two lots within the New Richmond Business and Technical Park. The subject site is located at the southeast corner of West Richmond Way and Madison Avenue. The CSM is subject to review by the Plan Commission and approval of the City Council in accordance with Section 117-20 of the Subdivision Ordinance.

### Exhibits:

- A. Site location map
- B. CSM

## ANALYSIS

**Comprehensive Plan.** The Comprehensive Plan guides the subject site for commercial uses. The proposed CSM will provide opportunity for two development sites within the New Richmond Business and Technical Park that are to be more commercial or service oriented businesses that benefit from the visibility along West Richmond Way. The proposed subdivision is consistent with the land use plan designation established by the Comprehensive Plan.

**Zoning.** The subject site is zoned Z7 District. Table 3 of the Zoning Ordinance allows for a wide range of industrial type uses within the Z7 District as permitted or conditional uses. Both lots proposed as part of the CSM will be suitable for development of uses allowed within the Z7 District.

**Surrounding Uses.** The subject site is surrounded by the existing and planned land uses shown in the table below.

Direction	Land Use Plan	Zoning Map	Existing Use
North	Commercial	Z3 District	Multi-tenant bldg. Undeveloped
East	Commercial	Z3 District	Undeveloped
South	Industrial	Z7 District	Industrial
West	Industrial	Z7 District	Undeveloped

**Lot Requirements.** Table 10 of the Zoning Ordinance establishes minimum lot requirements for the Z7 District. There is no minimum lot area required. Each lot must have at least 80 feet of frontage to a public street, which both lots comply with. Lot coverage will be limited to 60 percent of the lot area (unless a regional stormwater plan is approved in this area). Setbacks for each lot are as shown in the table below and each lot has adequate area within the lot to accommodate development in compliance with these setbacks.

Z7 District Setbacks				
	North	East	South	West
Lot 31	25ft.	20ft.	10ft.	30ft.
Lot 32	30ft.	10ft.	20ft.	10ft.

**Access.** Lot 31 has frontage to West Richmond Way and Madison Avenue, whereas Lot 32 has frontage only to West Richmond Way. West Richmond Way is designated as a collector street by the Transportation Plan to which direct lot access is restricted, and Madison Avenue is a local street that provides property access and traffic circulation. Section 121-52.A.1 of the Zoning Ordinance encourages lot access to be provided via alleys wherever possible. The proposed CSM includes a 66 foot wide access easement along the south line of Lot 31 and Lot 32 to provide access to both lots from Madison Avenue via a shared private driveway. The design of the shared private driveway will be reviewed when the lots are developed but must comply with the provisions of Section 121-52.A of the Zoning Ordinance. An easement document establishing the ownership and maintenance provisions for a shared private driveway should be drafted and recorded with the approval of the CSM, subject to review and approval of the City Attorney.

**Stormwater Drainage.** Section 117-34 of the Subdivision Ordinance requires a plan for stormwater management within the parcels being subdivided. Stormwater management for the proposed lots is to be handled on a regional basis as part of the Business and Technical Park. Development of each lot within the CSM will be subject to approval of grading, drainage, and erosion control plans by the Public Works Director.

**Utilities.** There are connections for sewer and water utilities available to serve development of Lot 31 and Lot 32 within the public right-of-way adjacent to the subject site. Plans for connection to sewer, water and extension of electric service will be required at the time each lot is developed. All utility issues are subject to review and approval of the Public Works Director.

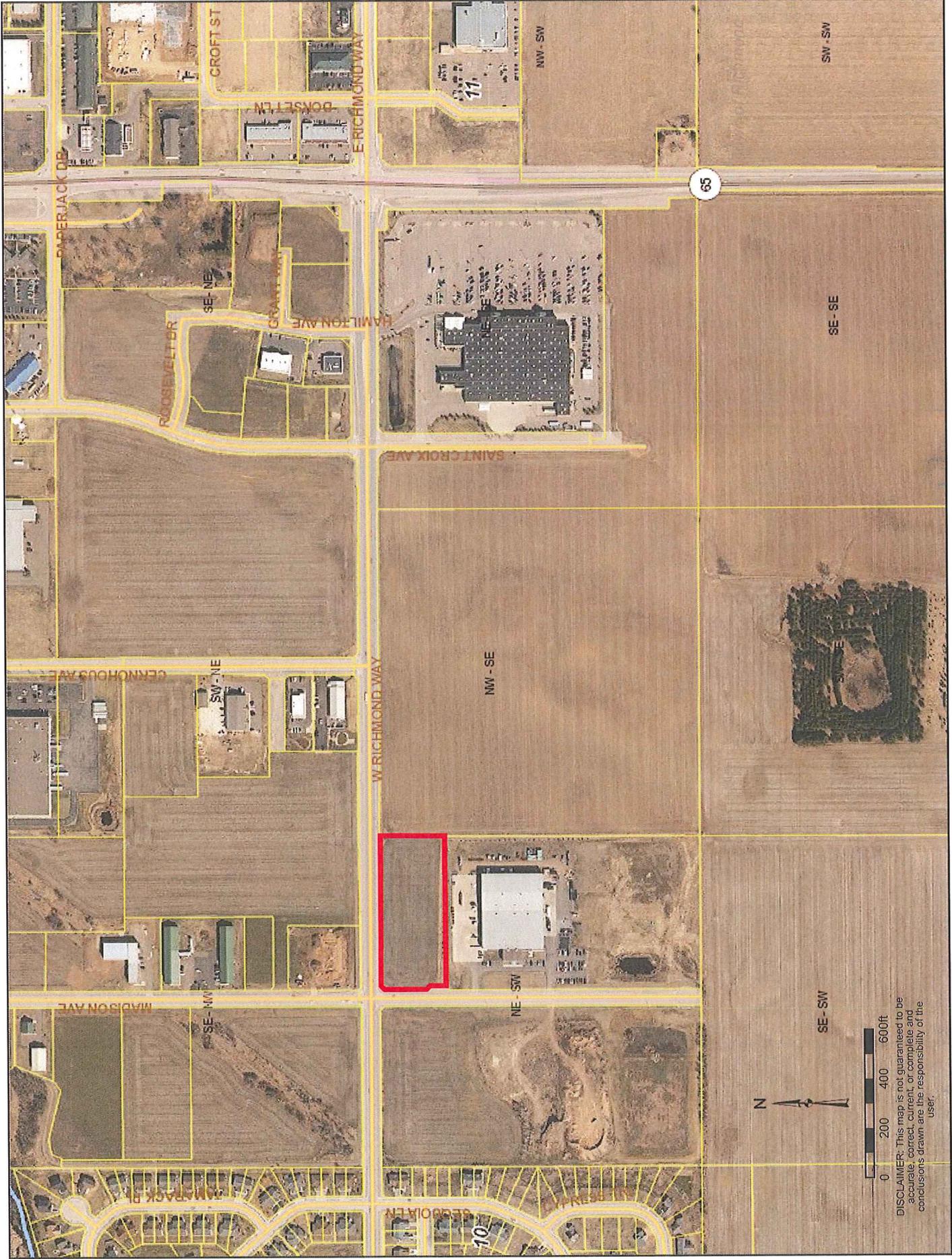
**Easements.** Easements have been provided at the perimeter of Lot 31 and Lot 32 to provide a minimum 10 foot wide area (five feet each side of the common interior lot line) for utilities and stormwater drainage as required by Section 117-41.C of the Subdivision Ordinance. All easements are subject to review and approval of the Public Works Director.

## **RECOMMENDATION**

The Development Review Committee considered the proposed CSM at their meeting on 17 August 2017. The DRC finds the CSM complies with the requirements of the Zoning Ordinance and Subdivision Ordinance and recommends approval subject to the conditions outlined below.

## **POSSIBLE MOTIONS**

- A. Motion to recommend City Council **approval** of a CSM for the City of New Richmond, subject to the following conditions:
  - 1. An ingress/egress easement providing for shared use and maintenance of a private driveway across Lot 31 and Lot 32 shall be drafted and recorded with the CSM, subject to review and approval of the City Attorney.
  
- B. Motion to recommend the application be **denied** based on a finding that the request is not consistent with the Comprehensive Plan, Zoning Ordinance and/or Subdivision Ordinance.
  
- C. Motion to **table** for further discussion.



65

10

SW - SW

SE - SE

NW - SE

SE - SW

NE - SW

SE - NE

SW - NE

SE - NW



DISCLAIMER: This map is not guaranteed to be accurate, correct, or complete and conclusions drawn are the responsibility of the user.



# CERTIFIED SURVEY MAP

LOCATED IN PART OF THE NE1/4 OF THE SW1/4 OF SECTION 10, T30N, R18W, CITY OF NEW RICHMOND, ST. CROIX COUNTY, WISCONSIN; BEING LOT 29 OF CERTIFIED SURVEY MAP RECORDED IN VOLUME 22, PAGE 5390, DOCUMENT NUMBER 849506.

## OWNERS

CITY OF NEW RICHMOND  
156 EAST FIRST STREET  
NEW RICHMOND, WI 54017

## SURVEYOR

EDWIN C FLANUM  
NORTHLAND SURVEYING, INC.  
P.O. BOX 152  
AMERY, WI 54001

## SURVEYOR'S CERTIFICATE

I, Edwin C. Flanum, Professional Wisconsin Land Surveyor, hereby certify that by the direction of the City of New Richmond, I have surveyed, mapped and described the parcel of land which is represented by this Certified Survey Map; that the exterior boundary of the parcel of land surveyed and mapped is described as follows:

Lot 29 of Certified Survey Map recorded in Volume 22, Page 5390, Document Number 849506 at the St. Croix County Register of Deeds Office. Located in part of the NE1/4 of the SW1/4 of Section 10, T30N, R18W, City of New Richmond, St. Croix County, Wisconsin.

Described parcel contains 3.80 acres (165,620 Sq. Ft.). Parcel is subject to all easements, restrictions, and covenants of record.

I, also certify that this Certified Survey Map is a correct representation to scale of the exterior boundary surveyed and described; that I have fully complied with the current provisions of Chapter 236.34 of the Wisconsin Statutes, the Land Subdivision Ordinance of the County of St. Croix, and the City of New Richmond Subdivision Ordinance in surveying and mapping same.

\_\_\_\_\_  
Edwin C. Flanum, P.L.S. #2487

\_\_\_\_\_  
Date

## Common Council Approval Certificate

Resolved, that this Certified Survey Map in the City of New Richmond, St. Croix County, owner, is hereby approved by the common council.

Date approved: \_\_\_\_\_ Signed: \_\_\_\_\_, Frederick Horne, Mayor

Date signed: \_\_\_\_\_ Signed: \_\_\_\_\_, Frederick Horne, Mayor

## Clerk's Certificate

I hereby certify that the foregoing is a copy of a resolution adopted by the common council of the City of New Richmond.

\_\_\_\_\_  
Tanya Batchelor, Clerk

\_\_\_\_\_  
Date



3601 Thurston Avenue N, Suite 100  
Anoka, MN 55303  
Phone: 763.231.5840  
Facsimile: 763.427.0520  
TPC@PlanningCo.com

## MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 17 August 2017

RE: New Richmond – Zoning Ordinance; Curb

TPC FILE: 164.01

## BACKGROUND

City staff has initiated discussion of the requirement within Section 121-52.A.5.f of the Zoning Ordinance for installation of 6-inch, concrete curb at the perimeter of all off-street parking areas. This issue has been raised by several builders/developers as part of the requirements for new commercial developments. City staff has also had to address this requirement to an expansion of a parking area for an existing business within the New Richmond Business and Technical Park, where the existing parking area does not have curb and gutter.

A public hearing was held by the Plan Commission on 8 August 2017 for City officials to provide direction as the appropriate policy regarding use of curbing and to consider possible amendments of the Zoning Ordinance. Comments from the public included those of a local builder active within the City that supported certain exemptions from providing high-back concrete curb. The Planning Commission also supported amending the Zoning Ordinance to provide specific exemptions where high-back curb would not be required and directed City staff to provide language to this effect.

### Exhibits:

- Draft ordinance amendment

## ANALYSIS

**Current Requirement.** Section 121-52.A.5.F of the Zoning Ordinance reads as follows:

- f. *Curbs. A 6-inch high, poured-in-place concrete curb shall be provided round the periphery of all parking lots and internal access roads, except where [the] Director of Public Works determines that a curb would impede the drainage plan.*

Section 121-55.H of the Zoning Ordinance additionally requires use of internal landscape islands for freestanding parking stalls:

*H. Internal parking lot landscaping.*

1. *Parking bays over 10 spaces in length shall be subdivided by intermediate landscape islands. Landscape islands shall provide at least one parking space width of landscape area. Double parking bays shall terminate with a planting area of a minimum of a double parking space of landscape area.*
2. *A minimum of one deciduous shade tree or 2 ornamental trees, salt tolerant low shrubs and/or perennial grasses or flowers shall be planted in each island. Where possible, planting islands should be depressed and surrounded by flat ribbon curbs to facilitate storm water infiltration.*

The requirements in the Zoning Ordinance requires use of curb for all off-street parking areas. This requirement would also apply to expansion of an existing parking lot that does not currently have curb. City staff has found the current language allowing an exception to curb for impeding the drainage plan too general as there is almost no circumstance where stormwater drainage cannot be accommodated by the design of the curb for a specific development. Snow removal operations and use of curb for outdoor storage areas has also been cited by developers as problematic from a cost and maintenance standpoint.

City staff has drafted a proposed amendment regarding curb requirements. A 6-inch high back curb would be required at the perimeter of all parking areas and islands would be required at the ends of freestanding parking rows except where approved to allow drainage to stormwater infiltration and treatment basins, along one side of the parking area to allow for snow removal operations and exempting pre-existing parking lots without curb or outdoor sales areas. The exception provision as written would still require installation of ribbon or surmountable curb in these areas to maintain and define the edge of the parking area. The Planning Commission may consider repealing entirely the provision requiring internal landscape islands within the parking area as these are primarily installed for aesthetic and traffic control reasons.

## RECOMMENDATION

The Development Review Committee discussed the direction from the Plan Commission and proposed ordinance amendment regarding curb requirements at their meeting on 17 August 2017. DRC recommends approval of an ordinance amending the curb requirements to provide specific exemptions as attached hereto.

## POSSIBLE ACTIONS

- A. Motion to recommend City Council **approval** of an Ordinance amending the Zoning Ordinance regarding curb as presented.
- B. Motion to **table**.

ORDINANCE #\_\_\_\_

THE COMMON COUNCIL OF THE CITY OF NEW RICHMOND DOES ORDAIN AS FOLLOWS:

**Section 1.** Section 121-55.A.5.f of the City Code is hereby amended to read as follows:

- f. A 6-inch high, poured-in-place concrete curb shall be provided ~~around~~at the periphery of all parking lots and internal access drives, except where ~~these Director of Public Works determines that a curb would impede the drainage plan ribbon or surmountable curb shall be~~ allowed as provided for below:
  - a. Expansion of an existing parking lot or internal access drives constructed prior to January 1, 2015 without periphery concrete curb.
  - b. Where needed to allow for storm water drainage to basins or structures.
  - c. Where required to allow for internal site circulation of delivery vehicles accessing loading areas.
  - d. On one side of the parking area for snow removal operations.
  - e. Outdoor sales areas as allowed by Section 121-48.A of the Zoning Ordinance shall not require curb as provided for by this Section.

**Section 2.** Section 121-55.H of the City Code is hereby amended to read as follows:

- H. Internal parking lot landscaping.

1. ~~Parking bays over 10 spaces in length~~ Freestanding parking stall rows shall be ~~subdivided~~delineated by intermediate landscape islands with high-back, surmountable, or ribbon curb at the end of each row. Landscape islands shall provide at least one parking space width of landscape area. ~~Double parking bays shall terminate with a planting area of a minimum of a double parking space of landscape area.~~
  
2. A minimum of one deciduous shade tree or 2 ornamental trees, salt tolerant low shrubs and/or perennial grasses or flowers shall be planted in each island. Where possible, planting islands should be depressed and surrounded by flat ribbon curbs to facilitate storm water infiltration.

This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed and approved:  
Published and effective:

**CITY OF NEW RICHMOND**

By: \_\_\_\_\_  
Fred Horne, Mayor

ATTEST: \_\_\_\_\_  
Tanya Batchelor, City Clerk