

## 4.0 City of Madison Policy for the Assessment of Storm Sewer and Drainage Improvements

This policy has been developed to guide the preparation of special assessments for storm sewer improvements undertaken by the City of Madison pursuant to MGO Sec. 4.09 and Wis. Stat. § 66.0701.

### 4.1 DEFINITIONS:

1. Reconstruction of an Existing Street – An existing street which is being resurfaced, or reconstructed.
2. New Street Construction – The construction of a street that is being constructed where one did not exist before, and for any number of reasons is being constructed by the City for transportation purposes, or at the request of a developer or development.
3. Storm Sewer Flood Mitigation Projects – Improvements for increasing storm sewer capacity (via pipe or overland flow) to allow for improved local or regional flood resilience.

### 4.2 ASSESSMENT COMPONENTS:

There are two (2) primary components used to determine the total assessment apportioned to a benefited parcel:

- Assessable Area
- Direct Assessments

How the assessment components are used is provided in the Assessment Policy section below. A particular parcel may be subject to one of the two assessment components or both depending upon the type of project and the needs of the parcel.

1. **Assessable Area** (assessments based upon the area of the parcel) is the area of the parcel as determined by the City Assessor's Office, or as computed by the Engineering Division.
2. **Direct Assessments** (assessments based upon specific work or improvements provided to a parcel):
  - a) Private services, laterals or connections to the public storm sewer for properties will be assessed 100% of cost to connect to the public system.
  - b) Rain gardens constructed in the public Right of Way as part of a public project shall be assessed directly to the adjacent property owner requesting such work in accordance with the City's rain garden policy in effect at that time.

### 4.3 ASSESSMENT POLICY

#### 1. Reconstruction of an Existing Street

- a) Policy: Except as noted in para. b, no assessments based upon Assessable Area. Direct Assessments will apply.
- b) Development Exception: The City shall not charge properties on reconstruction projects for the storm sewer main being installed or upgraded as part of the project unless the required improvements are necessitated by and being made to accommodate new/redevelopment.

If the storm sewer is being upgraded to serve new/redevelopment, the storm sewer and other required stormwater quality improvements shall be assessed in accordance with paragraph 2 of this section that otherwise applies to new street construction. Where this occurs, only those properties within the development/redeveloped shall be assessed.

- c) Flood Mitigation: If, in addition to the needed storm improvements to serve new/redevelopment under para. b, the City requires upgrades to the storm sewer beyond the minimum design standards for new/redevelopments to address flood mitigation, assessments shall proceed as follows:
  - The sewer that would typically be installed to meet the requirements of the new/redevelopment shall be designed and costs estimated.
    - This cost estimate shall serve as the maximum assessment to the new/redevelopment.
  - If the existing storm sewer was sufficient such that no upgrades would be required to serve the new/redevelopment but upgrades to the storm sewer are necessary for flood mitigation purposes, no additional costs shall be assessed to the new/redevelopment for the upgrade to meet the flood mitigation goals.

In the absence of a development driven project, storm sewer assessments associated with a flood mitigation project will be limited to direct assessments.

## **2. New Street Construction**

Policy: Assessments shall be made based upon Assessable Area as set forth in this section. Direct Assessments shall also be imposed.

The full cost of all new storm sewer and drainage improvements constructed by the City to serve the street or a development, in accordance with all requirements of the Madison General Ordinances and City policies, including all land costs incurred by the City needed for storm water management, shall be assessed to properties within the drainage assessment district based on Assessable Area. These costs shall also include the installation of conveyance systems such as greenways or ponds or for storm sewer and drainage improvements located outside the development that are required to serve the development. There may be Direct Assessments associated with this type of project as well for connection of private culverts, ditches, laterals or services to the public storm main that are specifically assessed to those lots that are being served by the improvements.

Streets of this type will normally require stormwater quality treatment to meet Wisconsin Department on Natural Resources (“WDNR”) codes for the new

street(s) or development. Any improvements that are needed to meet regulatory requirements shall be considered a project cost and assessed to those properties located in the drainage assessment district by Assessable Area. It is noted that if a Stormwater Utility Parcel is used to provide this treatment, the parcel providing said treatment to allow the construction of the street shall not be assessed for any of the street improvements, stormwater conveyance or quality improvements required to construct the street.

### **3. Storm Sewer for Flood Mitigation Purposes**

Policy: The Public Storm Sewer for a flood mitigation project shall not be assessed. Any project that is for the sole purpose of flood mitigation purposes (no component of the project is needed to facilitate new development, new street construction, new private connections or rain gardens), the storm sewer and other required improvements shall not be assessed.

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