



Legislation Details (With Text)

File #: 01237 **Version:** 1 **Name:** Valley View Road Impact Fee
Type: Ordinance **Status:** Passed
File created: 5/10/2005 **In control:** BOARD OF PUBLIC WORKS
On agenda: 5/17/2005 **Final action:** 6/21/2005
Enactment date: 7/12/2005 **Enactment #:** ORD-05-00117

Title: Amending Section 20.09(1)(d) and creating Section 20.08(5) of the Madison General Ordinances to establish the Valley View Road Sewer and Drainage Improvement Impact Fee.

Sponsors: Paul E. Skidmore

Indexes:

Code sections:

Attachments: 1. Needs assessment.pdf

Date	Ver.	Action By	Action	Result
6/21/2005	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
6/20/2005	1	COMMITTEE ON THE ENVIRONMENT (ended 6/2020)	Return to Lead with the Recommendation for Approval	Pass
6/8/2005	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
6/6/2005	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
5/23/2005	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
5/17/2005	1	COMMON COUNCIL	Refer For Public Hearing	
5/17/2005	1	COMMON COUNCIL	Refer	
5/17/2005	1	COMMON COUNCIL	Refer	
5/17/2005	1	COMMON COUNCIL	Refer	
5/11/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
5/11/2005	1	Attorney's Office	Referred for Introduction	
5/10/2005	1	Attorney's Office/Approval Group	Approved As To Form	
5/10/2005	1	Attorney's Office	Fiscal Note Required / Approval	

Fiscal Note

This proposed ordinance would establish the Valley View Road Sewer and Drainage Improvement Impact Fee District and authorize a development impact fee to reimburse the City for costs of the sanitary sewer facilities and for costs of the storm water management facilities other than the costs assigned to existing developed parcels. Based on the needs assessment prepared by staff, the total cost of the sanitary facilities is estimated to be \$456,348.58 and the total cost of the storm water management facilities is estimated to be \$620,306.79. Construction of all the facilities (and purchase of necessary land) is to occur mostly in 2005 and be completed in 2006. Of the total estimated costs, the City's Storm Water Utility shall fund \$62,942.64 and the remainder of the Storm water management costs, and all of the Sanitary Sewer costs, is to be reimbursed through the Impact Fee and/or assessments or connection charges.

The 2005 Capital Budget includes funding for the project associated with the implementation of this Impact Fee District, under both the Sanitary Sewer Utility and the Storm Water Utility. Project #6 "Additions to Collection System" of the 2005

Sewer Utility Capital Budget contains \$365,000 for this project under the subcategory "a West side extension to serve the proposed University Research Park". (Account ES01-58275-810335). In addition, Project #9 "Assessable Drainage improvements" of the 2005 Stormwater Utility Capital Budget contains \$585,000 for this project under the subcategory "a Westside Greenway purchase and construction from Hawks Landing to Valley View". (Account ESTM-58270-810387). A total of \$950,000 in funding is therefore contained in the 2005 Capital Budget. Total project costs for the two-year period of 2005 and 2006 are estimated at \$1,076,655.37 (from above, \$456,348.58 + \$620,306.79). No further amendment of the 2005 Capital Budget is anticipated at this time. There is no additional impact anticipated upon the tax levy.

Title

Amending Section 20.09(1)(d) and creating Section 20.08(5) of the Madison General Ordinances to establish the Valley View Road Sewer and Drainage Improvement Impact Fee.

Body

DRAFTER'S ANALYSIS: This is an ordinance to make some housekeeping amendments regarding payment and to create the Valley View Road Sewer and Drainage Improvement Impact Fee District and impose an Impact Fee. Establishment of the Valley View Road Sewer and Drainage Improvement Impact Fee District shall allow the City to implement portions of the adopted stormwater management plan and extend public sanitary sewer service within this watershed. Construction of these necessary public facilities will allow development within this watershed on the Southwest side of the City. Further information is available in the Needs Assessment prepared by staff, a copy of which is on file in the City Clerk's Office.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (5) entitled "Valley View Road Sewer and Drainage Improvement Impact Fee" of Section 20.08 entitled "Schedule and Calculation of Impact Fees" of the Madison General Ordinance is created to read as follows:

"(5) Valley View Road Sewer and Drainage Improvement Impact Fee.

(a) In response to new and future Development demands in the Valley View Road area of the Upper Badger Mill Creek watershed, additional new public stormwater management facilities and public sanitary sewer facilities must be constructed to allow such Developments to proceed. The Common Council hereby establishes the Valley View Road Sewer and Drainage Improvement Impact Fee District as a mechanism to equitably charge all new Developments their proportional share of the cost for necessary additional public stormwater and sanitary facilities in the watershed.

For purposes of the Sewer and Drainage Improvement Impact Fee imposed under this section, the said District shall be all existing undeveloped land that currently drains or is altered to drain to the Valley View Road drainage area, and as more specifically described and identified as follows:

Any and all undeveloped parcels (platted and/or metes and bounds), or portions thereof, that reside within, or is altered to discharge within the Valley View area of the Upper Badger Mill Creek Watershed. These lands are located within the City of Madison and Town of Middleton as follows:

Parts of the South ½ Section 27; Section 34; and the Northeast ¼ Section 33 all within Town 7 North, Range 8 East, located in the Town of Middleton and the City of Madison.

The said Zone shall also be shown on the Development Impact Fee District Map.

(b) Calculation of the Impact Fee. The amount of the Sewer and Drainage Improvement Impact Fee to be imposed on individual properties shall be calculated based on the amount of Net Developable Area of the land being Developed within the above-described District. The subject Impact Fee is based upon the estimated Cost to construct the necessary improvements. Prior to recording of any certified survey map or any final Subdivision Plat, or the issuance of building permits following approval of a rezoning or conditional use permit, the City shall calculate the amount of net area being developed, based on the proposed certified survey map, final Subdivision Plat, or other applicable public records.

In the undeveloped areas, the Valley View Road Sewer and Drainage Improvement Impact Fee shall be \$134.9837 per 1000 square feet of Net Developed Area. In areas already developed without public sanitary sewer, the Impact Fee does not apply, but these parcels may be specially assessed or charged connection fees for sanitary sewer service at a rate of \$57.2140 per 1000 square feet. The said Impact Fee and connection fee rates are established in 2005 dollars and shall be increased or decreased annually each January 1 thereafter, with June 2005 as the base, by the product of (i) the percentage increase or decrease in the Construction Cost Index annual average, as published by the Engineering News Record or equivalent successor index, for the immediately prior year and the year next preceding and (ii) the fee applicable for the prior calendar year."

2. Subdivision (d) of Subsection (1) entitled "Collection of Impact Fee" of Section 20.09 entitled "Administration of Impact Fee" of the Madison General Ordinances is amended to read as follows:

"(d) Payment of ~~Upper Badger Mill Creek Stormwater Improvement~~ any Sewer and Drainage Improvement or Stormwater Impact Fee shall be in one lump sum prior to recording. As an alternative, when the said Impact Fee exceeds twenty thousand dollars (\$20,000.00), the subdivider may pay such fee in installments prior to execution of the City's subdivision improvement contract for each phase, with each such installment payment for the full amount of the respective phase adjusted for inflation as provided in sub. 20.08~~(3)~~(5)(b) above."