



Legislation Details (With Text)

File #: 11883 **Version:** 1 **Name:** ElderberryImpactFeeDistrict
Type: Ordinance **Status:** Passed
File created: 9/3/2008 **In control:** BOARD OF PUBLIC WORKS
On agenda: 10/28/2008 **Final action:** 10/28/2008
Enactment date: 11/22/2008 **Enactment #:** ORD-08-00126
Title: Creating Section 20.08(8) of the Madison General Ordinances to establish the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee and District.
Sponsors: Paul E. Skidmore

Indexes:

Code sections:

Attachments: 1. PublicFacilitiesNeedsAssessment.pdf, 2. ExhibitA.pdf, 3. ExhibitB.pdf

Date	Ver.	Action By	Action	Result
10/28/2008	1	COMMON COUNCIL	Adopt	Pass
10/15/2008	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/6/2008	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
9/22/2008	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
9/16/2008	1	BOARD OF PUBLIC WORKS	Refer	
9/16/2008	1	BOARD OF PUBLIC WORKS	Refer	
9/16/2008	1	COMMON COUNCIL	Referred	
9/3/2008	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

This ordinance would establish the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee District, and authorize a development impact fee to reimburse the City for costs for the sanitary sewer 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 \$789,644.33. Construction of all of the facilities (and purchase of necessary land) would occur primarily in 2009. The total estimated sanitary sewer costs are to be reimbursed through impact fees, assessments, and connection charges. The 2008 and 2009 Capital Budgets include funding for the project associated with the implementation of this impact fee district, under the Sanitary Sewer Utility. (See 2009 Executive Capital Budget, Sewer Utility, Project #3 "Additions to Collection System", page 54.)

Title

Creating Section 20.08(8) of the Madison General Ordinances to establish the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee and District.

Body

DRAFTER'S ANALYSIS: This is an ordinance to create the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee and to establish the corresponding Impact Fee District. This ordinance will allow the City to extend public sanitary sewer service to serve new development within this watershed. Further information is available in the Public Facilities Needs Assessment for the Elderberry Neighborhood Sanitary Sewer Impact Improvement Fee District 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 (8) entitled "Elderberry Neighborhood Sanitary Sewer 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:

"(8) Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee.

(a) In response to new and future Development demands in the Elderberry Neighborhood area of the Pheasant Branch watershed, additional new public sanitary sewer facilities must be constructed to allow such Developments to proceed. The Common Council hereby establishes the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee District as a mechanism to equitably charge all new Developments their proportional share of the cost for necessary sanitary sewer facilities in the watershed.

For purposes of the Sanitary Sewer 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 Elderberry Neighborhood 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 are altered to discharge within the Elderberry Neighborhood area watershed. These lands are located within the City of Madison and Town of Middleton as follows:

Parts of the South ½ of Section 21 and parts of the Southwest ¼ of Section 22, all within Town 7 North, Range 8 East, 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 Sanitary Sewer 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 Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee shall be \$112.69 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 \$112.69 per 1000 square feet. The said Impact Fee and connection fee rates are established in 2009 dollars and shall be indexed for inflation annually (January 1st) thereafter with January 2009 as the base, using the Construction Cost Index as published by the Engineering News Record or equivalent successor index."