



Legislation Details (With Text)

**File #:** 46997      **Version:** 1      **Name:** Eliminating High Point-Raymond-Midtown Neighborhood Transportation Improvement Impact Fee

**Type:** Ordinance      **Status:** Passed

**File created:** 4/24/2017      **In control:** FINANCE COMMITTEE

**On agenda:** 6/6/2017      **Final action:** 6/6/2017

**Enactment date:** 6/20/2017      **Enactment #:** ORD-17-00059

**Title:** Repealing Sec. 20.04(22) and Sec. 20.08(1) of the Madison General Ordinances to eliminate the High Point-Raymond-Midtown Neighborhood Transportation Improvement Impact Fee.

**Sponsors:** Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By                        | Action  | Result |
|-----------|------|----------------------------------|---|--------|
| 6/6/2017  | 1    | COMMON COUNCIL                   | Adopt   | Pass   |
| 5/24/2017 | 1    | FINANCE COMMITTEE                | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass   |
| 5/2/2017  | 1    | COMMON COUNCIL                   | Refer   | Pass   |
| 4/24/2017 | 1    | Attorney's Office/Approval Group | Referred for Introduction                         |        |

**Fiscal Note**

Projects funded through the High Point-Raymond-Midtown Neighborhood District were authorized and completed in prior budgets. The closure of the district has no impact on the 2017 budget.

**Title**

Repealing Sec. 20.04(22) and Sec. 20.08(1) of the Madison General Ordinances to eliminate the High Point-Raymond-Midtown Neighborhood Transportation Improvement Impact Fee.

**Body**

DRAFTER'S ANALYSIS: This ordinance repeals the High Point-Raymond-Midtown Neighborhood Transportation Improvement Impact Fee. The impact fee was enacted in 2001 and all improvements called for in the needs assessment establishing the impact fee have either already been completed or will be completed in the near future. Accordingly, there is no longer a need for the continuation of this impact fee. As part of this repeal, a corresponding definition is being deleted.

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

1. Subsection (22) entitled "Transportation Improvement Impact Fee" of Section 20.04 entitled "Definitions" of the Madison General Ordinances is repealed.
2. Subsection (1) entitled "High Point-Raymond-Midtown Neighborhood Transportation Improvement Impact Fee" of Section 20.08 entitled "Schedule and Calculation of Impact Fees" of the Madison General Ordinances is repealed.

Editor's Note:

1. Section 20.04(22), MGO, currently reads as follows:

“(22) TRANSPORTATION IMPROVEMENT IMPACT FEE shall mean a cost for off-site transportation improvements, including traffic signals and associated intersection improvements, needed to provide a level of service consistent with the service standard approved by the Common Council, imposed by this ordinance upon all residential, mixed and nonresidential development within a development impact fee zone.”

2. Section 20.08(1), MGO, currently reads as follows:

“(1) High Point-Raymond-Midtown Neighborhood Transportation Improvement Impact Fee.

(a) Transportation Improvement Impact Fee Zone. In response to new and future development generating demands for new City infrastructure, such as traffic signals and associated intersection improvements, the Common Council hereby designates the High Point-Raymond-Midtown Neighborhood Transportation Improvement Zone as part of a two-prong approach of special assessment district and impact fee zone as the mechanism to equitably treat all new developments in regard to paying for necessary off-site transportation infrastructure.

For purposes of the transportation improvement impact fee imposed under this section, the zone shall be all the land within the High Point-Raymond-Midtown Neighborhood Transportation Improvement Zone as identified in the City's Needs Assessment for the High Point-Raymond-Midtown Neighborhood Transportation Improvement Zone and as more specifically described and identified as follows:

Any and all parcels (platted and/or metes and bounds), or portions thereof, of land located in either the City of Madison, Town of Middleton or Town of Verona as follows:

Part of Sections 32, 33, 34 and 35, Town 7 North, Range 8 East, located in the Town of Middleton and the City of Madison and part of Sections 2, 3, 4 and 5, Town 6 North, Range 8 East, located in the Town of Verona and the City of Madison, described as follows:

Beginning at the Southwest corner of Lot 1, Certified Survey Map No. 6411; thence Easterly 1318.55 feet to the Southeast corner of Section 29, T 7 N, R 8 E; thence Easterly, along the North line of Sections 33, 34 and 35, T 7 N, R 8 E, 11,807 feet, more or less, to the East right-of-way line of South High Point Road as defined by the plat of Heritage Addition to High Point Estates; thence Southerly, along said East right-of-way line, 940 feet, more or less, to a point on the North line of Lot 1, Certified Survey Map No. 1949; thence Easterly, along said North line, 487 feet more or less, to the Northeast corner thereof; thence Easterly, along the Southerly line of Lots 79, 78, 77, 76, 75, 74 and part of Lot 73, all in the plat of High Point Estates, 800 feet more or less, to the point of intersection with the North-South ¼ line of Section 35, T 7 N, R 8 E; thence Southerly, along said North-South ¼ line, 2900 feet more or less, to the Southeast corner of Lot 4, Certified Survey Map No. 2664; thence Easterly along the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 35 to its point of intersection with the Easterly right-of-way line of South Gammon Road; thence Northerly and Northeasterly along the

Easterly and Southeasterly right-of-way line of South Gammon Road as located before vacation to its point of intersection with the East line of the property described in Volume 1016 of Records on Page 553 in the Dane County Register of Deeds Office, said East property line also being the line that bears North from a point on the South line of the Northeast 1/4 of the Southeast 1/4 of said Section 35 that is 529.98 feet East of the center line of South Gammon Road, measured along the South line of the North ½ of the Southeast 1/4 of said Section 35; thence South 501.60 feet along the said East property line of the last mentioned property and its Southerly prolongation to the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 35; thence South 88°43'02" West, 43.00 feet, more or less, along the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 35 to the Westerly line of the property acquired by the City of Madison for Elver Park, as described in Volume 65 of Records on Page

162 in the Dane County Register of Deeds Office; thence Southerly, 1320 feet more or less, to the South line of the Southeast  $\frac{1}{4}$  of Section 35, T 7 N, R 8 E; thence Westerly, along said South line, 460 feet more or less, to the East right-of-way line of South Gammon Road; thence Southerly, along said East right-of-way line, 395 feet more or less, to the North right-of-way line of Raymond Road; thence Southerly, 106 feet more or less, to the Northwest corner of Lot 1, Certified Survey Map No. 4978 and a point on the Southeasterly right-of-way line of Raymond Road; thence Southwesterly and Southerly, 8570 feet more or less, along the said Southeasterly right-of-way line, to the point of intersection with the North right-of-way line of McKee Road / County Trunk Highway "PD"; thence Southerly, 33 feet to a point on the approximate centerline of said McKee Road / County Trunk Highway "PD", also being the South line of the Southeast  $\frac{1}{4}$  of Section 03, T 6 N, R 8 E; thence Westerly, along the South line of Sections 3 and 4, T 6 N, R 8 E, 8100 feet more or less to the Southwest corner of said Section 4; thence Westerly, along the South line of the Southeast  $\frac{1}{4}$  of Section 5, T 6 N, R 8 E, 1336 feet more or less, to the Southwest corner of the East  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of said Section 5; thence Northerly, along the West line of said East  $\frac{1}{2}$  of the East  $\frac{1}{2}$ , 5,260 feet more or less to the point of intersection of the South line of Section 32, T 7 N, R 8 E, and the centerline of Meadows Road; thence Northerly, along said centerline, 5300 feet more or less to the point of beginning.

The said Zone shall also be shown on the Development Impact Fee Zone Map. The Transportation Improvement Impact Fee total amount to be imposed on all development within the Zone shall be the non-City, non-assessed share left over from transportation improvement special assessments for the same public facilities which have been levied proportionately against existing recent development within the Zone which has benefited. The Impact Fee total fee amount will be proportionately charged to all future development within the Zone which has not already been specially assessed for the subject transportation improvements, but which also benefits from the said transportation improvement public facilities.

- (b) Calculation of the Impact Fee. The amount of the Impact Fee to be imposed on individual properties shall be calculated, comparable to the above-mentioned special assessments, based on the number of trips estimated to be generated by the property at the time of development. The subject impact fee is based upon a new development's proportional share of traffic generated for the entire Zone, multiplied by the Zone's capital cost of the public facilities necessitated by or benefiting new development in the Zone, as outlined in the subject zone's needs assessment. The impact fee is charged as \$20.00 per trip generated in Year 2001 dollars. The fee shall be calculated based on the number of trips estimated to be generated by the proposed development as determined by the City multiplied by the \$20.00 per trip impact fee. The fee shall be indexed for inflation using 2001 as the base year with the Construction Cost Index as published by the Engineering News Record or equivalent successor index.
1. Prior to the recording of any certified survey map or any final plat, the City shall calculate the number of residential dwelling units to be developed on each lot and, in the case of non-residential development, the total estimated square footage of nonresidential development on each lot. These estimations shall be based on the proposed certified survey map or final subdivision plat, the zoning on each of the lots, and any further limitations on development imposed by notes on the face of the certified survey map or final plat. The total amount of the impact fee per lot shall be based on these calculations.
  2. Following the imposition of impact fees and the recording of certified survey maps or final plats, and prior to the issuance of building permits, the City shall again calculate the amount of development proposed for individual lots of record and shall impose an additional impact fee in the event that the amount of development is greater than that estimated at the time the final plat or certified survey map was recorded."