



## Legislation Text

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**File #:** 25812, **Version:** 1

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### Fiscal Note

There are no anticipated fiscal impacts with the approval of the report for Converting Private Street to Public Right of Way and Providing City Services to Private Streets. Further agreements and contracts would be required for each project including an Agreement for Private Street Conversion and/or a Service Contract. Furthermore, prior to the City performing any work and subsequently accepting any private street as public right of way the City must reconstruct the private streets to City standards, which will include resolutions to establish assessment districts, and approving plans, specifications and schedule of assessments. Each project will have a separately calculated deposit and assessment and would be approved separate from this resolution.

### Title

Approving City of Madison Report regarding Converting Private Street to Public Right of Way and Providing City Services to Private Streets

### Body

City staff has studied the issues related to the converting existing private streets to public right of way and / or providing maintenance to private developments for solid waste collection, snow removal, and leaf and brush removal. Staff, including those from Engineering, Traffic Engineering, Planning, Zoning and the Streets Division have come up with a policy and criteria for reviewing the conversion of private streets to public right of way and also for providing public services to existing private streets. This process included the review of three types of private streets (World Dairy, 801 McClellan Drive, Park Ridge/Park Edge) to determine if private streets could be converted and if so, what sort of costs and issues were identified. In addition, the review also included the determination if the private streets could not be converted to public right of way what sort of services could be provided and what sort of system would need to be in place in order to provide those services.

A report was produced, including details on the background issues, policy, procedures and criteria for both converting private streets to public right of way or for providing public services to private streets. It is recommended that the City only review for conversion of those types of private streets that have either fee simple lots or have 1 or 2 family homes. It is further recommended that the City only review those types of private streets with residential lots with less than or equal to 15 units to determine if those private streets would be eligible to receive public services. Special consideration may be given based on the layout of the street and by the recommendation of the Streets Division staff to determine how feasible the property would be to serve. Deposits would be required to cover staff time and expenses. It is recommended that any private street would have to be reconstructed to City standards with the appropriate right of way dedicated prior to the City accepting the streets as public right of way. All improvements required by the applicants will be funded 100% by the applicants

NOW, THEREFORE, BE IT RESOLVED, that

1. That the report to the Mayor for Converting Private Street to Public Right of Way and Providing City Services to Private Streets is hereby approved.
2. That the City undertakes three pilot projects (World Dairy, 801 McClellan Drive, Park Ridge/Park Edge) to study the recommendations and procedures outlined in the report.

3. That resolution No. 2519, File Number 4754 is hereby amended to allow for City trucks and crews to enter onto private property to collect solid waste or to perform public services if the property owners or owner's association executes a damage waiver and/or a Service Contract prior to receiving public services on their private street.