



Legislation Text

File #: 53256, Version: 1

**Fiscal Note**

The proposed ordinance change clarifies the procedure used to determine park-infrastructure impact fee credits. An impact fee credit is given to a developer when the developer makes park improvements in lieu of paying an impact fee which the City would then use to fund park improvements. The clarifying language reflects how the provision has been historically administered, therefore, there is no fiscal impact.

**Title**

Amending Section 20.16(5) of the Madison General Ordinances to clarify the procedure used to determine park-infrastructure impact fee credits.

**Body**

DRAFTER'S ANALYSIS: This ordinance amends the Park-Infrastructure Impact Fee credit procedure by specifying that park improvements able to be made and credited toward the impact fee must be part of an approved park master plan, and also to allow the City and the Developer to determine the amount of the credit based upon the improvements to be made. Under the existing language, the impact fee needs assessment set the value of certain park improvements. However, in looking closer at the needs assessment values, certain costs, such as design costs, grading, drainage, utilities, paths, and other basic infrastructure costs are not able to be easily determined. This modified procedure established under this ordinance would allow the City and the developer to determine the appropriate credit to be given for building out a City park before the City would be able to do so. Moreover, this updated procedure is consistent with how this provision has historically been administered. Finally, it warrants noting that the developer's agreement allowing for the park improvement, which would include the credit amount, would have to be approved by the Common Council.

\*\*\*\*\*

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

Subsection (5) of Section 20.16 entitled "Credits" of the Madison General Ordinances is amended to read as follows:

"(5) The City and a developer may mutually agree to allow credit against the Park-Infrastructure Impact Fee for developer improvements to public parkland, ~~based on the typical costs anticipated for such improvements by the City in its Park Impact Fees Needs Assessment, as adjusted annually by the formula set forth in Section 20.08(2)(c)5.b. above~~ provided the improvements are part of an approved park master plan, which credit shall be an agreed upon determination of value of the improvements to be made by the developer and accepted by the City. Where the developer proposes to improve a public park before the City would normally develop and maintain it, the developer shall agree to maintain the park for 3 years after completion. The developer may also receive credit against the Park-Infrastructure Impact Fee for developer improvements to private parkland that qualifies for dedication credit under Sec. 16.23(8)(f)8. The credit shall be based on the costs anticipated for the typical standard for public improvements by the City. The developer may choose to install additional improvements to the private park, beyond the typical city standard, at the developer's expense without receiving credit."