



AN ORDINANCE: By Public Services & Safety
Committee
Re: Amending Code Sec. 13-5(i) relating to street
improvements special assessments special
considerations

ORDINANCE NO. 2013-2
Introduced: January 16, 2013
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

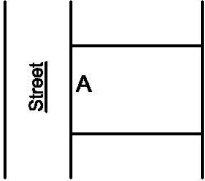
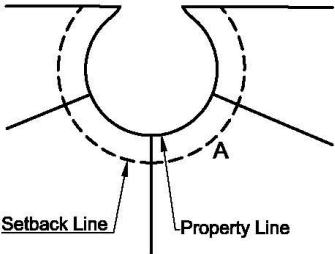
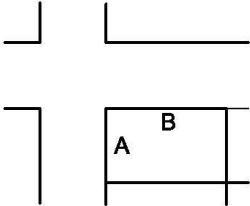
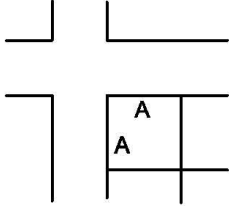
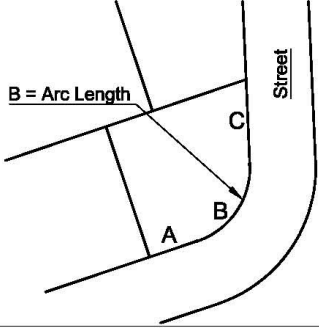
AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Section 13-5(i)(1) of the Code of Ordinances of the City of Neenah is repealed and recreated to read as follows:

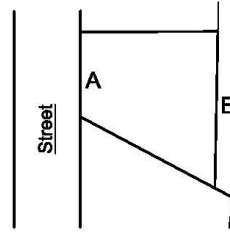
- (1) Assessable Frontage Calculation. To calculate the assessable frontage for a parcel, the City will choose from the most appropriate comparative lot from those shown in Figure 1 below. The committee of jurisdiction shall approve each variation.

13-5(i)(1) Figure 1. Comparative Lots

<p>a. RECTANGULAR INTERIOR LOT</p> <p>Assessable Frontage = A</p>	
<p>b. CUL DE SAC or LOT WITH A CONCAVE CURVE</p> <p>Assessable Frontage = Lot Width at Setback Line = A</p>	
<p>c. CORNER LOT - UNEQUAL FRONTAGES</p> <p>Short Side Assessable Frontage = A</p> <p>Long Side Assessable Frontage = Greater of: $(B \times \frac{1}{3})$ or $(B - 100)$</p>	
<p>d. CORNER LOT - EQUAL FRONTAGES</p> <p>Short Side = First Side Built Assessable Frontage = A</p> <p>Long Side = Second Side Built Assessable Frontage = Greater of: $(A \times \frac{1}{3})$ or $(A - 100)$</p>	
<p>e. CORNER LOT WITH A CONVEX CURVE</p> <p>Short Side = A Assessable Frontage = $A + (\frac{1}{2} \times B)$</p> <p>Long Side = C Assessable Frontage = Greater of: $[(C + (\frac{1}{2} \times B)) \times \frac{1}{3}]$ or $[C + (\frac{1}{2} \times B) - 100]$</p>	

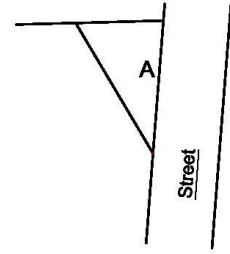
f. TRAPEZOIDAL LOT

Assessable Frontage = $(A + B) \div 2$



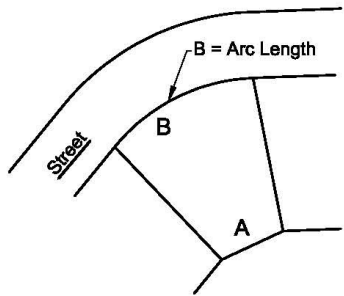
g. TRIANGULAR LOT

Assessable Frontage = $A \div 2$



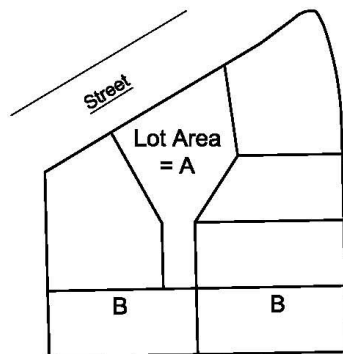
h. INTERIOR LOT WITH A CONVEX CURVE

Treat as Trapezoidal Lot
Assessable Frontage = $(A + B) \div 2$



i. UNCATEGORIZED IRREGULAR LOT

Compute Frontage using Lot Area and
Typical Lot Depth in the Neighborhood.
Assessable Frontage = $A \div B$



Section 2. Section 13-5(i)(2) of the Code of Ordinances of the City of Neenah is repealed and recreated to read as follows:

- (2) Assessable Frontage Exemptions. Multiple frontage lot exemptions shall not apply in the following cases:
- a. Multi-family, commercial, or industrial zoned and used properties.
 - b. Properties with R-1 or R-2 zoning or use where the backyard has access to an alley. In this case, the alley frontage shall be assessed at 50 percent of the residential rate as determined per Subsections (d), (g) and (h) of this section. The non-alley frontage of the property shall be assessed per Subsection (d).
 - c. Properties with R-1 or R-2 zoning or use, which because of their size and lot depth, could be subdivided into two separate buildable lots, provided none of the frontage is access restricted. Sufficient depth shall be considered to be any depth in excess of 200 feet.

Section 3. Section 13-5(i)(3) of the Code of Ordinances of the City of Neenah is repealed. Sections 13-5(i)(4) through (9) are renumbered 13-5(i)(3) through (8) respectively.

Section 4. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 5. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Zaretzke/Stevenson
Adopted: January 16, 2013
Approved: January 16, 2013
Published: January 21, 2013

Approved:



George Scherck, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
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State Bar No. 1005210