

ORDINANCE # 99- 15

**AMENDMENT TO KENDALL COUNTY LAND-CASH ORDINANCE
TEXT AMENDMENT**

WHEREAS, the Kendall County regulates the use and development of land; and

WHEREAS, the Kendall County Board amends ordinances regulating the use and development of land from time to time in the public's interest; and

WHEREAS, the Kendall County Land-Cash Ordinance presently does not provide bonding of Land-Cash contributions; and

WHEREAS, the Planning, Zoning, and Building Committee has been asked to determine whether the bonding of Land-Cash contributions is in the best interest of Kendall County; and

WHEREAS, the Planning, Building, and Zoning Committee has found that bonding for Land-Cash contributions contributes to the rational and orderly growth of Kendall County;

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section C.2.c. of the Kendall County Land-Cash Ordinance to read as follows:

The total cash contribution to be required shall be determined prior to the approval of the final plat and paid prior to recording of said plat. If a subdivision contains more than three lots, the Owner/subdivider/developer may choose to pay the contribution as part of the building permit. Such alternative payment procedure is acceptable if, and only if, 110% of the total cash contribution is secured by a financial guarantee acceptable to the County, and 110% of the per-unit amount which would have been due if an up-front payment had been made is paid as part of each building permit. Beginning on the third anniversary of the approval of the Final Plat, the per-dwelling unit percentage shall be increased 5% per annum, on the anniversary date. For example, the per-unit rate will be 115% after the third anniversary, 120% after the fourth anniversary, 125% after the fifth anniversary, and so forth. The financial guarantee provided to the County shall be called on the sixth anniversary to cover any unpaid contribution. The cash contribution required for a residential unit not part of a platted sub-division subdivision shall be determined in the same manner as for other residential developments and shall be determined prior to the issuance of a building permit and collected prior to the issuance of a building permit. This ordinance does not apply to reconstruction. Upon request by the developer, the County shall reduce the land-cash bond in an amount equal to the land-cash donations for the preceding year, provided, however, that the amount

remaining in the bond is sufficient to cover the higher donations required for future years. For example, after the third anniversary, an amount equal to 115% of the outstanding donation shall be retained in the bond, 120% after the fourth anniversary, and so forth.

(Italics and Underline=Insert Text & Strikeout=Delete Text)

IN WITNESS OF, this Amendment to the Kendall County Land-Cash Ordinance was approved by the Kendall County Board on May 18, 1999.



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk