

State of Illinois
County of Kendall

ORDINANCE NUMBER ~~00~~⁰¹-01

AMENDING KENDALL COUNTY LAND-CASH ORDINANCE

WHEREAS the Kendall County Board approved the current Land-Cash Ordinance on November 21, 1995; and

WHEREAS the ordinance requires a periodic review of land values and formulas to ensure they are current; and

WHEREAS the Chief County Assessing Officer has determined that the land values have risen in both the urban and rural parts of the County; and

WHEREAS the Regional Superintendent of Schools has determined that the schools in the County are larger in population and area than they were under the 1995 ordinance; and

WHEREAS the tables of estimated population have changed since the 1995 ordinance; and


WHEREAS it is the best interests of the County to ensure that the Land-Cash Ordinance is up to date so that schools, park districts and the Forest Preserve District can acquire land-cash funds that are in line with the current standards.

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby approves of an amendment to the Land-Cash Ordinance, attached as Exhibit "A".

IN WITNESS OF, this ordinance has been enacted on January 16, 2001.



John A. Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

KENDALL COUNTY LAND CASH ORDINANCE

Revised _____

TABLE OF CONTENTS

TITLE	PAGE
Kendall County Land Cash Ordinance Text	2-8
Table 1- Estimated Ultimate Population Per Dwelling Unit	9
Table 2-Kendall County School Demographics	10
Table 3-Sample Calculation Sheets	11-13

KENDALL COUNTY LAND CASH ORDINANCE

In recent years, Kendall County has experienced a steadily increased population growth due primarily to the residential subdivision and planned unit development of vacant land within the County. Planning studies indicate accelerated growth during the next ten years resulting in the disappearance of available land and the marked increase in land value.

The County is dedicated to the concept that healthful, productive community life depends in part on the availability of recreational and park space and adequate school facilities. It has been found and determined that the location of park, forest preserve, recreation, and school sites to serve the immediate and future needs of adults and children of each new subdivision or planned unit development is just as essential to proper land development as are street, water, sewers and sidewalks. To this end, Kendall County has determined that the dedication of land for parks, forest preserve, recreation, and school sites or cash contributions in lieu of actual dedication (where the latter is deemed impractical) or a combination of both, shall prevail upon all new final plats of residential subdivisions and planned unit developments. The impact upon schools and parks is likewise equally affected by construction of new dwellings that are not part of a platted subdivision and accordingly, cash contributions should be made with regard to such construction as well.

Therefore, in the public interest, convenience, health welfare and safety, the establishment of parks, recreation and school sites and facilities are required for each final plat of a residential subdivision.

SECTION 1-DEDICATION OF PARK, FOREST PRESERVE AND SCHOOL SITES OR PAYMENTS IN LIEU THEREOF:

CRITERIA FOR REQUIRING PARK/FOREST PRESERVE DEDICATION

A) As a condition of approval of a final plat of subdivision or planned unit development, each individual subdivider or planned unit developer will be required to dedicate land or cash in lieu of actual land or a combination of both in accordance with the following criteria; (all single family detached dwellings are considered four bedrooms for ordinance computations unless proven otherwise by individual or developer).

1) Location

Plans of the park district or forest preserve district or appropriate standards adopted by said agencies shall be used as a guideline in location sites.

2) Requirement and Population Ratio

The ultimate population density to be generated by a subdivision or planned unit development shall bear directly on the amount of land required to be dedicated for park and recreation sites. The acreage of land dedication requirement shall be determined by obtaining the total population of the development times 10 acres per 1,000 population. Total population is determined by applying the estimated ultimate population per dwelling unit table, as per the Ultimate Yield Table published by the Associated Municipal Consultants, to the number of respective units in the development. For purposes of the following example, it is presumed that each single family home will have 4 bedrooms. For other dwelling units such as townhouses and apartments, it is presumed that each unit will have 2 bedrooms.

3) Donation Requirement Calculation Example:

Development "A" containing 200 single family homesites
(units) x (population factor) x the required acreage = Total Acres
per 1000 population
200 units x 3.764 x 10 acres = 7.53 acres
1,000

4) Credit for Land Development

When land dedication is required by this ordinance, credit to developers for said dedication will be given according to the following criteria.

For dedications to the park district, the first five(5) acres must be contiguous in one location, relatively flat, not included as part of a storm water management system, and above all known maximum flood levels in the area. Land in excess of the above mentioned five acres, and land to be dedicated to the forest preserve district shall be credited as follows:

100% Credit-for additional land as described above, natural areas, designated wetlands, or areas designated by the park district/forest preserve district as potential or future linear parks.

50% Credit-for areas that are a part of a storm water management system, if they are designed to be appropriate for active sporting purposes when they are dry, and are constructed to park district or forest preserve district specifications.

For purposes of this ordinance, appropriate for active sporting purposes shall mean having a bottom with minimum dimensions of 400 feet by 400 feet, free of any exposed sanitary sewer structures, storm sewer structures, and other utility structures (i.e. manholes, drains, outlets, valves, junction boxes, transformers, etc.)

No Credit-For storm water management facilities that do not meet the above standards, and land that has been or is suspected of being contaminated. The park district and forest preserve district may choose to recommend full or partial credit for manmade lakes or ponds that are judged to be of recreational or environmental benefit.

B) Criteria for Requiring School Site Dedication

1) Requirement and Population Ratio

The ultimate number of students to be generated by a subdivision, planned unit development and or special use permit shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined by obtaining the ratio of:

a) estimated children to be served in each school classification (this number is determined by applying the estimated ultimate population per dwelling unit table (Table 1) to the number of respective units in the development) over the: b) actual average number of students to be served in each such school classification as stated herein, and then applying such ratio to the: c) said actual average number of acres for a school site of each such classification as stated herein. The product thereof shall be the acres of land deemed needed to have sufficient land for school sites to serve the estimated increased children in each such school classification. For purposes of this computation it is presumed that each single family home will have 4 bedrooms. For other dwelling units, such as townhouses and apartments, it is presumed that each unit will have 2 bedrooms.

Example: Development "A" is composed of 100 single family "4 bedroom" units:

$$\frac{\text{estimated children by school classification}}{\text{actual school population by school classification}} \times \text{actual acreage by school classification} = \text{land donation}$$

<u>Classification by Grades</u>	<u>County Average Students per school classification</u>	<u>County Average Acreage per school classification</u>
Elementary	261.82 students	12.47 acres
Middle	468.5 students	17.37 acres
High School	744.5 students	67.82 acres

(Regional means are calculated to determine current student populations and acreage)

Elementary:

$$\frac{100 \times 0.644}{261.82} \times 12.47 = 3.067 \text{ acres}$$

Middle:

$$\frac{100 \times 0.184}{468.5} \times 17.37 = 0.682 \text{ acres}$$

High School:

$$\frac{100 \times 0.36}{744.5} \times 67.82 = 3.279 \text{ acres}$$

$$\text{Total Acreage} = 7.028$$

C) Criteria for Requiring a Contribution in Lieu of Park, Preserve, Recreational or School Sites

1) When available land is inappropriate for school sites, as determined by local agency officials, the County shall require a cash contribution in lieu of land dedication by the subdivider or unit developer. The county shall furthermore require a cash contribution for all residential dwellings which are constructed not part of a platted subdivision. For all computations, one acre is the maximum home site.

2) Collection of Fees

a) The cash contribution in lieu of park and recreation land dedication shall be held in trust by the County, or other public body designated by the County, solely for the acquisition of park or recreational land as herein classified, which will be available to serve the immediate and future needs of the residents of that subdivision or development, or for the improvement of other existing local park and recreation lands which already serve such needs. Distribution of cash contributions shall be made on a quarterly basis to appropriate park/forest preserve/recreation land agents.

b) The cash contribution in lieu of school sites shall be held in trust by the County or other public body designated by the County. Said funds shall be used solely for the acquisition of land for a school site to serve the immediate or future needs of children from that subdivision or development, or for the improvement to any existing school site or buildings which already serve or will serve such need. Distribution of cash contributions shall be made on a quarterly basis to appropriate districts.

c) 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. The cash contribution required for a residential unit not part of a platted 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.

d) All homes shall be computed on the basis of having four bedrooms unless the owner can prove otherwise. The number of bedrooms shall be determined by potential footage.

3) Refund

If any portion of a cash contribution in lieu of park, preserve, recreation or school sites is not expected for the purposes set forth herein within ten years from the date of receipt, it shall be refunded with accrued interest to the lot owner or owners of those lots for which the contribution was made which owner or owners are determined at the time the date of refund is established.

4) Criteria for Requiring Land Dedication and a Fee

There will be situations in subdivisions or planned unit developments when a combination of land dedication and a contribution in lieu of land are both necessary; these occasions will arise when:

a) Only a portion of the land to be developed is proposed as the location for a park, preserve recreation or school site. That portion of the land within the subdivision falling within the school, park, or forest preserve location shall be dedicated as a site as stated earlier, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated.

b) A major part of the park, preserve, recreation or school site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication and a cash contribution in lieu thereof shall be required.

5) Fair Market Value

The cash contributions in lieu of land shall be based on the "fair market value" of the acres of land in the area improved that otherwise would have been dedicated as park, preserve, recreation or school sites. An "Improved Acre" in a planned unit development is defined as a tract of land improved with streets, curbs, water, storm sewer, sanitary sewer, electrical, natural gas and telephone service. Fair market value for land not part of subdivision or a planned unit development shall be calculated on the market value of an improved acre. The fair market value of an improved acre is determined to be \$45,000. The fair market of an unimproved acre not part of a planned unit development is determined to be \$20,000. Fair market values shall be reviewed by the County Board every two years. The value of an unimproved acre shall be estimated with those improvements necessary to make the land habitable. Improvements shall include as a minimum septic, water, electricity, well, and roads.

6) Dual districts will be treated as they are affected by the impact of the subdivision or development within their territories: elementary and middle school contributions shall go to the elementary district and high school contributions shall go to the high school district.

D) Conveyance of Land

1) The subdivider or development shall convey to the respective school district, park or forest preserve the lands required under this agreement within 90 days after request by the district.

E) Density Formula

The attached table, marked as Table No. 1. being the same as Estimated Ultimate Population Per Dwelling Unit, is generally indicative of current and short-range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contributions in lieu thereof unless a written objection is filed thereto by the subdivider or developer.

In the event a subdivider or developer files a written objection to the Table of Estimated Ultimate Population Per Dwelling Unit, attached hereto, said subdivider or developer shall submit their own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development and in that even final determination of the density formula to be used in such calculations shall be made by the County Board, based upon such demographic information submitted by the subdivider or developer and from other sources which may be submitted to the County Board by the School District or others. It is recognized that population density, age distribution and local conditions change over the years, and the specific formula components for the dedication of land, or the payment of fees in lieu thereof, as stated herein is subject to periodic review and amendment upon verification of current data by the Kendall County Board or its designee.

F) Reservation of Additional Land

Where the park district, forest preserve district or school district's plan or standards of the County Plan call for a larger amount of park and recreational land or school sites in a particular subdivision or planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall be reserved for subsequent purchases by the County or other public body designated by the County, provided that such acquisition is made within one year from the date of approval of the final plat.

G) Site Condition

The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading and seeding on sites to be dedicated for park, preserve or school uses will be performed according to plans and specifications provided by the park, preserve or school district.

H) Improved Sites

All sites shall be dedicated in a condition ready for full service of electrical, water, sewer and streets (including enclosed drainage and curb and gutter) as applicable to the location of the site, or acceptable provision made therefor. Such improvements shall conform to plans provided by the park, forest preserve or school district.

**TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT
CHILDREN PER UNIT**

Type of Unit	Pre-School						Elementary		Junior High		Total		High School		Adults		Total Per Dwelling Unit	
	0 - 4 Years		5-11 Years		12-13 Years		Grades K-6		Grades 7-8		Grades K-9		Grades 9-12		18 Years +			
Detached Single Family																		
2 Bedroom	0.113	0.143	0.041	0.194	0.020	1.700	2.017	0.292	0.422	0.120	0.542	0.184	1.881	2.899	0.418	0.644	0.184	3.764
3 Bedroom	0.283	0.461	0.132	0.593	0.300	2.158	3.764	0.283	0.461	0.132	0.593	0.300	2.594	3.770	0.000	0.000	0.000	1.193
Attached Single Family																		
1 Bedroom	0.000	0.000	0.000	0.000	0.000	1.193	1.193	0.064	0.106	0.030	0.136	0.038	1.752	1.990	0.212	0.227	0.065	2.392
2 Bedroom	0.323	0.370	0.108	0.476	0.173	2.173	3.145	0.000	0.000	0.000	0.000	0.000	1.294	1.294	0.052	0.278	0.079	3.053
Apartments																		
Efficiency	0.000	0.000	0.000	0.000	0.000	1.294	1.294	0.000	0.000	0.000	0.000	0.000	1.754	1.758	0.000	0.002	0.001	1.914
1 Bedroom	0.000	0.000	0.000	0.000	0.000	1.294	1.294	0.047	0.100	0.026	0.128	0.046	1.693	1.914	0.052	0.278	0.079	3.053
2 Bedroom	0.052	0.278	0.079	0.357	0.118	2.526	3.053											

Note:
There are only three significant categories provided in this chart. Because of the similarity of yields of all types of attached single family dwelling units, only one category is provided. The same is true with apartments; thus, only one category. Because of the relatively short history of some newer types of detached and attached single family units, individual evaluations may be necessary.

Number 96 _____

Copyright 1996
Illinois School Consulting Service/
Associated Municipal Consultants, Inc.
Naperville, Illinois ©

TABLE 1

DEMOGRAPHICS

Kendall County Public Schools

District	Enrollment		Acres	
	99-00	Sub Total	per Site	Sub Total
Newark H S #18	<u>211.00</u>		<u>61.29</u>	
		211.00		61.29
Newark G S #66	Grade School	148.00	5.00	
	Millbrook Jr H S	<u>80.00</u>	<u>8.00</u>	
		228.00		8.00
Plano CUSD#88	Plano H S	358.00	39.00	
	Plano M S	294.00	12.12	
	P H Miller	468.00	10.48	
	Centennial	<u>224.00</u>	<u>6.74</u>	
		1344.00		68.34
Lisbon G S #90	<u>111.00</u>		<u>40.50</u>	
		111.00		40.50
Yorkville CUSD#115	Yorkville H S	725.00	54.00	
	Yorkville M S	515.00	24.70	
	Circle Center	477.00	29.90	
	Yorkville G S	273.00	4.00	
	Bristol G S	<u>217.00</u>	<u>4.40</u>	
		2207.00		117.00
Oswego CUSD#380	Oswego H S	1684.00	116.99	
	Thompson Jr H S	753.00	19.60	
	Traughber Jr H S	692.00	9.95	
	East View G S	1127.00	18.25	
	Boulder Hill G S	542.00	13.00	
	Old Post G S	721.00	9.40	
	Wheatlands G S	0.00	14.36	
	Fox Chase G S	<u>0.00</u>	<u>11.01</u>	
		5519.00		212.56
Grand TOTAL		<u>9620.00</u>		<u>507.69</u>

TABLE 2

LAND-CASH CALCULATION WORKSHEET

PROJECT NAME: URBAN (NEW)
BEDROOMS: 2
FOREST PRESERVE or PARK DISTRICT
SCHOOL DISTRICT(S):
FAIR MARKET VALUE: \$45,000

PARK:	# UNITS	x POPULATION	x 10 ACRES	x F.M.V.	= CONTRIBUTION
		<u>UNIT</u>	<u>1000 POP.</u>		
	1	2.017	0.01	\$45,000	\$907.65

SCHOOLS:	# UNITS	x STUDENTS	x School Acres	x F.M.V.	= CONTRIBUTION
		<u>UNIT</u>	<u>School Students</u>		
ELEMENTARY	1	0.143	<u>12.47</u> 261.82	\$45,000	\$306.49
MIDDLE SCHOOL	1	0.041	<u>17.37</u> 468.5	\$45,000	\$68.40
HIGH SCHOOL	1	0.02	<u>67.82</u> 744.5	\$45,000	\$81.99
SCHOOL SUBTOTAL					\$456.88
TOTAL CONTRIBUTION					\$1,364.53

TABLE 3
(Four Pages)

LAND-CASH CALCULATION WORKSHEET

PROJECT NAME: URBAN (NEW)
BEDROOMS: 3
FOREST PRESERVE or PARK DISTRICT
SCHOOL DISTRICT(S):
FAIR MARKET VALUE: \$45,000

PARK:	# UNITS	<u>x POPULATION</u> UNIT	<u>x 10 ACRES</u> 1000 POP.	x F.M.V.	= CONTRIBUTION
	1	2.899	0.01	\$45,000	\$1,304.55

SCHOOLS:	# UNITS	<u>x STUDENTS</u> UNIT	<u>x School Acres</u> School Students	x F.M.V.	= CONTRIBUTION
ELEMENTARY	1	0.422	<u>12.47</u> 261.82	\$45,000	\$904.46
MIDDLE SCHOOL	1	0.12	<u>17.37</u> 468.5	\$45,000	\$200.21
HIGH SCHOOL	1	0.184	<u>67.82</u> 744.5	\$45,000	\$754.26
SCHOOL SUBTOTAL					\$1,858.93

TOTAL CONTRIBUTION \$3,163.48

LAND-CASH CALCULATION WORKSHEET

PROJECT NAME: URBAN (NEW)
BEDROOMS: 4
FOREST PRESERVE or PARK DISTRICT
SCHOOL DISTRICT(S):
FAIR MARKET VALUE: \$45,000

PARK: # UNITS	<u>x POPULATION</u> UNIT	<u>x 10 ACRES</u> 1000 POP.	x F.M.V.	= CONTRIBUTION
1	3.764	0.01	\$45,000	\$1,693.80

SCHOOLS: # UNITS	<u>x STUDENTS</u> UNIT	<u>x School Acres</u> School Students	x F.M.V.	= CONTRIBUTION
ELEMENTARY	1	0.644	\$45,000	\$1,380.26
		<u>12.47</u> 261.82		
MIDDLE SCHOOL	1	0.184	\$45,000	\$306.99
		<u>17.37</u> 468.5		
HIGH SCHOOL	1	0.36	\$45,000	\$1,475.73
		<u>67.82</u> 744.5		
SCHOOL SUBTOTAL				\$3,162.98
TOTAL CONTRIBUTION				\$4,856.78

LAND-CASH CALCULATION WORKSHEET

PROJECT NAME: URBAN (NEW)
BEDROOMS: 5
FOREST PRESERVE or PARK DISTRICT
SCHOOL DISTRICT(S):
FAIR MARKET VALUE: \$45,000

PARK:	# UNITS	<u>x POPULATION</u> UNIT	<u>x 10 ACRES</u> 1000 POP.	x F.M.V.	= CONTRIBUTION
	1	3.77	0.01	\$45,000	\$1,696.50

SCHOOLS:	# UNITS	<u>x STUDENTS</u> UNIT	<u>x School Acres</u> School Students	x F.M.V.	= CONTRIBUTION
ELEMENTARY	1	0.461	<u>12.47</u> 261.82	\$45,000	\$988.05
MIDDLE SCHOOL	1	0.132	<u>17.37</u> 468.5	\$45,000	\$220.23
HIGH SCHOOL	1	0.3	<u>67.82</u> 744.5	\$45,000	\$1,229.78
SCHOOL SUBTOTAL					\$2,438.05
TOTAL CONTRIBUTION					\$4,134.55