

# Impact Fee Program Procedures Manual

January 2022





## Table of Contents

### Section 1: Impact Fee Ordinance

1.1	GENERAL INFORMATION	3
1.2	ACTIVITIES REQUIRING PAYMENT OF AN IMPACT FEE	3
1.3	EXEMPTIONS	4

### Section 2: Impact Fee Application

2.1	APPLICATION INFORMATION	5
2.2	PROPERTY INFORMATION	5
2.3	PRINCIPLE BUILDING USE	5
2.4	OPTIONAL INFORMATION	6
2.5	ONLINE IMPACT FEE ESTIMATE	7

### Section 3: Impact Fee Assessment

3.1	EXEMPT LAND USES	8
3.2	APPLICABLE ORDINANCE	8
3.3	DISCOUNTS AND CREDITS	8
3.4	CHANGES IN USE	9
3.5	INDIVIDUAL ASSESSMENTS	9
3.6	APPEALS	15
3.7	ENFORCEMENT	16

### Section 4: Discounts and Credits

4.1	IMPACT FEE DISCOUNT PROGRAM	17
4.2	IMPACT FEE CREDITS	21
4.3	DEMOLITION CREDITS	22

### Section 5: Impact Fee Payments

5.1	REGULAR PAYMENTS	23
5.2	IMPACT FEE PAYMENT AGREEMENTS	23
5.3	PRE-PAYMENT OF IMPACT FEES	25
5.4	DEFERRED PAYMENT OF IMPACT FEES	25
5.5	REFUNDS	25

### Appendices

A-1	DEFINITIONS	
A-2	ROAD IMPACT FEE APPLICATION	
A-3	IMPACT FEE DISCOUNT APPLICATION	
A-4	SIMPLIFIED INDIVIDUAL ASSESSMENT APPLICATION	
A-5	SUMMARY OF IMPACT FEE ASSESSMENT UNDER PREVIOUS ORDINANCES	
A-6	IMPACT FEE SERVICE AREA MAP	
A-7	FEE SCHEDULE AND MULTIPLIER TABLE	
A-8	STANDARD AGREEMENTS	

## Section 1

# Impact Fee Ordinance

### 1.1 General Information

#### Ordinance No. 22-27 Section Four

This Procedures Manual has been prepared by the County of Kane (hereinafter the “County”) pursuant to the Kane County Road Improvement Impact Fee Ordinance. The original version of the Ordinance is Kane County Ordinance No. 04-22 (hereinafter referred to as “Ordinance No. 04-22”). The amended version of the Ordinance is Kane County Ordinance No. 22-27 (hereinafter referred to as “Ordinance No. 22-27”). The Ordinance requires that the Kane County Engineer (hereinafter referred to as the “County Engineer”) establish a Procedures Manual identifying the procedures the Kane County Division of Transportation (hereinafter “KDOT”) will utilize in administering the Ordinance. This Procedures Manual does not amend or otherwise supersede any of the requirements of the Ordinance or any other applicable law. Applicants are encouraged to familiarize themselves with the Ordinance and the Road Improvement Impact Fee Law (605 ILCS 5/5-901).

Defined terms referenced in this Procedures Manual are underlined and linked to the definitions provided in Appendix A-1.

### 1.2 Activities Requiring Payment of an Impact Fee

#### Ordinance No. 22-27 Section Five

All persons, corporations, organizations, or other legal entities undertaking new development within the boundaries of Kane County are required to pay an impact fee. To ensure that all necessary information is provided to the County for the proper assessment and payment of impact fees, the County has developed an Impact Fee Application form (hereinafter the “Application”). The Application is included as Appendix A-2.

#### 1.2.1 Residential New Development

Residential new development typically involves structures designed for human habitation. Each dwelling unit within a structure shall be assessed an impact fee. Additions to or modifications of existing dwelling units that do not generate additional traffic are not required to pay an impact fee, but are nonetheless required to submit a completed Impact Fee Application (Appendix A-2). Construction of accessory buildings to residences (e.g., garages, storage sheds, fences, gazebos, decks, pool houses) are not required to pay an impact fee, as long as no additional dwelling units are constructed.

#### 1.2.2 Non-Residential New Development

Impact fees are required for construction of and additions to nearly all non-residential new development. Exceptions are based on whether the resulting building space could be expected to generate additional vehicular traffic, whether immediately or at some point in the future. Non-residential buildings that do not generate additional traffic include unattended parking garages and utility facilities that are not staffed on a regular basis (e.g., electrical substations, cell towers) but are nonetheless required to submit a completed Impact Fee Application (Appendix A-2).

## 1.3 Exemptions

### Ordinance No. 22-27 Section Eight

The following uses are exempt from payment of an impact fee. Even though these uses are exempt, an Impact Fee Application (Appendix A-2) must still be submitted.

1. Alterations or expansion of an existing dwelling unit where no additional units are created and the use of the unit is not changed;
2. Nonresidential new development where an existing building will be structurally altered or enlarged and does not exceed the lesser of (a) 25,000 square feet of floor area or (b) 25% of the existing floor area square footage of the building; where (i) the nonresidential new development does not require a zoning change; and (ii) where additional trips created by the alteration or enlargement does not exceed 10% of trips per existing land use; or (iii) where the alteration is required by the building code;
3. The construction of nonresidential accessory buildings which do not constitute an increase in intensity of the existing use;
4. The reconstruction of a destroyed or partially destroyed building with a new building of the same size and use;
5. Publicly-owned and operated school buildings;
6. Public buildings owned, operated and occupied by government agencies;
7. Temporary structures;
8. Affordable housing unit(s) or designated percentage of units in a multi-family development; rental housing developments qualifying for this exemption shall meet the minimum affordability requirements of the Illinois Housing Development Authority for a period of ten (10) years. If a rental housing development fails to meet the affordability requirement in any year, the impact fee that would otherwise have been due shall be paid in full by the owner of record; and
9. Private schools.



Huntley Road at Galligan Road  
**Intersection Improvements**

**NORTH**  
**IMPACT FEE AREA**



Burlington Road at Bolcum Road  
**Roundabout**

**CENTRAL**  
**IMPACT FEE AREA**



Orchard Road  
**Corridor Improvements**

**SOUTH**  
**IMPACT FEE AREA**

## Section 2

# Impact Fee Application

### 2.1 Application Information

Applicant information is collected to enable the County to work with the applicant or contact person (hereinafter collectively referred to as the “Applicant”) if there are any questions regarding the Application and to provide the Notice of Fee Assessment. Applicants should complete all fields of the Application. Applicants are required to provide an email address to facilitate communication regarding the Application. Applications that do not include an email address may be delayed. The information collected is strictly for the purpose of administering the Impact Fee Program. The County will not release contact information to any private party.

### 2.2 Property Information

#### **Ordinance No. 22-27 Section Seven**

Property information is collected to identify the location of the new development, determine the version of the Ordinance under which the new development will be assessed an impact fee, and provide other data required by the Ordinance. Applicants shall provide the following information:

- Site address
- Subdivision name and lot number
- Parcel Identification Number (PIN)
- Plat of survey
- Agency issuing the building permit
- Final plat of subdivision or planned unit development (PUD) approval date (if applicable)

In addition to the property information listed above, Applicants shall provide documentation of site specific development approval. Acceptable documentation includes the following:

- Village Board or City Council meeting minutes
- Ordinance or resolution
- Approved preliminary or final plat of subdivision
- Approved preliminary or final planned unit development (PUD) plat
- Approved final development plan

If the site specific development approval is preliminary in nature, the final plat or plan for the new development must be in substantial conformance with the approved preliminary plat or plan.

### 2.3 Principle Building Use

#### **Ordinance No. 22-27 Section Seven**

Principle building use information is collected to enable the County to properly assess the impact fee. Where an accessory use is provided, only the principle use should be identified. A multi-tenant building will be assessed based on the use of each tenant space. For non-residential buildings, Applicants shall provide the following information:

- Site plan;
- Building floor plan for each floor; and
- Signed and sealed letter from the architect with the PIN and gross square footage of the building.

Land use definitions are provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*.





## 2.4 Optional Information

### Ordinance No. 22-27 Multiple Sections

Based on the new development, the Applicant may provide optional information for review as part of the impact fee assessment. The Applicant shall select the appropriate field on the Application and submit the required supplemental information as summarized below.

#### 2.4.1 Exempt Uses

##### Ordinance No. 22-27 Section Eight

The Applicant must submit documentation that demonstrates, to the satisfaction of the County Engineer, that the new development qualifies as an exempt use. The following requirements apply to exemption for affordable housing and private school.

- **Affordable housing:** Applicants will be required to enter into a Fee Payment Agreement with the County which specifies that there are exemptions from payment of impact fees. The Fee Payment Agreement is provided in Appendix A-8.
- **Private school:** The new development must be a private, non-profit educational facility servicing one or more grades (kindergarten through grade 12) and the owner of the private school must be recognized and accredited by the Illinois State Board of Education. A copy of the issued Region-County-District-Type-School (RCDS) code must be submitted.

#### 2.4.2 Impact Fee Previously Paid Under a Fee Payment Agreement

##### Ordinance No. 22-27 Section Twelve

If an Applicant has previously entered into an Impact Fee Payment Agreement with the County, and desires to apply the previous impact fee payment against an Application, the Applicant shall so indicate on the Application and identify the Impact Fee Payment Agreement number.

#### 2.4.3 Impact Fee Paid Through Application of Improvement Credits

##### Ordinance No. 22-27 Section Fourteen

If the Applicant has previously entered into an Improvement Credit Agreement with the County, and desires to apply impact fee credits against an Application, the Applicant shall so indicate on the Application and identify the Improvement Credit Agreement number.

#### 2.4.4 Charitable Organizations

##### Ordinance No. 22-27 Section Ten

Buildings solely owned and solely occupied by a 501(c)(3) designated charitable organization may be eligible for up to a 100% reduction in the impact fee that would otherwise be assessed. If the subject new development qualifies, the Applicant shall attach a copy of the charitable organization's most recent IRS determination letter, and a letter from the organization's chief executive officer stating that the new development will be solely owned and occupied by the charitable organization. The County will determine the amount of the charitable organization discount in accordance with Section 4.1.6 of this Procedures Manual.

#### 2.4.5 Demolition Credits

##### Ordinance No. 22-27 Section Nine

If there are existing buildings on the subject property where demolition is planned or completed in conjunction with the new development, the Applicant may be eligible for a demolition credit. In order to receive the demolition credit, the Applicant shall attach a copy of the demolition permit and documentation of the previous use and density (e.g., gross square footage, units) of the building(s) to be demolished. The County will calculate the demolition credit in accordance with Section 4.3 of this Procedures Manual. Demolition of an accessory building is not eligible for a demolition credit.

## 2.4.6 Impact Fee Discount Program

### Ordinance No. 22-27 Section Ten

Through the Impact Fee Discount Program, new development may qualify for up to a 70% discount from the impact fee that otherwise would have been assessed. Applicants should submit a completed Impact Fee Discount Application (Appendix A-3) with all required attachments. Further information regarding available discounts is provided in Section 4.1 of this Procedures Manual.

Applicants are encouraged to contact the KDOT Impact Fee Coordinator to explore discounts which may be available based on the land use, density, and location of new development.

## 2.5 Online Impact Fee Estimate

Applicants are encouraged to contact the KDOT Impact Fee Coordinator prior to initiating an Impact Fee Application (Appendix A-2). For planning purposes, the County offers an online estimate tool. The online tool includes instructions, a printable estimate worksheet, the Impact Fee Schedule, and the Service Area Map.

The online estimate tool is intended for planning purposes only, and does not constitute a Notice of Fee Assessment. The actual impact fee will be determined by the KDOT Impact Fee Coordinator upon submittal of a complete Road Impact Fee Application. Applicants will be required to submit payment following KDOT issuance of a Notice of Fee Assessment. Payment shall not be submitted based on the online estimate tool.

# Section 3

## Impact Fee Assessment

The process of calculating the appropriate impact fee for a new development is referred to as the "assessment." Upon completion of the assessment, the County shall issue a Notice of Fee Assessment. A summary of the assessment process is provided below.

### 3.1 Exempt Land Uses

#### Ordinance No. 22-27 Section Eight

If the new development meets the requirements for exemption (Section 1.3 of this Procedures Manual), the Applicant will be notified that the new development is exempt from payment of impact fees. A receipt marked EXEMPT will be issued to the Applicant.

### 3.2 Applicable Ordinance

#### Ordinance No. 22-27 Section Seven

The County adopted its first Impact Fee Ordinance in 2004 (hereinafter referred to as "Ordinance No. 04-22"). The following amendments were subsequently approved:

- Ordinance No. 07-232
- Ordinance No. 12-100
- Ordinance No. 17-092
- Ordinance No. 22-27

New development will be assessed an impact fee based on the Impact Fee Schedule included as Exhibit D to Ordinance No. 22-27 unless site specific development approval is dated prior to January 1, 2008. If site specific development approval is dated prior to January 1, 2008, Applicants should contact the KDOT Impact Fee Coordinator to initiate an Application. A summary of the previous ordinances is outlined in Appendix A-5. All previous ordinances are available on the [KDOT Impact Fees webpage](#).

Kane County Division of Transportation  
41W011 Burlington Road  
St Charles, IL 60175

Application #: PLT120220000209  
Date: 02/16/2022

**Road Improvement Impact Fee  
Notice of Fee Assessment**

Application Information								
Company Name:	New Homes Inc.							
Contact:	John Smith							
Phone:	603-555-1234							
Fax:	Jsmith@newhomes.com							
Project Information								
Site Address:	123 Park Blvd							
City, State, Zip:	Elgin IL 60124							
Subdivision Name:	Blue Lake Subdivision Lot 1							
<b>Notice:</b>								
We have completed review of your Road Improvement Impact Fee Application and have determined the amount of the fee required as noted below. In accordance with the provisions of the Road Improvement Impact Fee Ordinance, you may appeal this determination to the Kane County Board Transportation Committee by submitting a written petition of appeal to the Division of Transportation within 14 days of the date of this Notice. Applicants who are considering an appeal are encouraged to first discuss their concerns with the Impact Fee Coordinator.								
Road Improvement Impact Fee Determination								
Impact Fee Assessed - North	1,360.5900							
Net Fee (Amount Due)	\$1,360.59							
Payment Instructions / Fee Payment Agreements								
Payment may be in the form of a Cashier's Check, Certified Check, Money Order, or Company Check and shall be payable to the "Kane County Division of Transportation (KDOT)." Deliver or mail to: Impact Fee Coordinator, Kane County Division of Transportation, 41W011 Burlington Rd, St Charles, IL 60175. Phone: (630) 845-3799 Fax: (630) 587-2474.								
<i>Please note the Application Number on your check and include a copy of this notice with your payment. If your fees cover more than one service area, a separate check will be required for each area.</i>								
Fee Payers for Multi-Family Residential and Non-Residential developments who wish to defer payment of a portion of the calculated Road Improvement Impact Fee may request a Fee Payment Agreement. This Agreement may provide for deferral of up to 50% of the calculated fee for a period of up to one year at an interest rate 3% over the prime rate. Fee payment agreements for developments receiving Assisted Financing as defined in the Impact Fee Ordinance may provide for installment payments over a period of up to ten years.								
Special Instruction/Description:								
Legal Description								
Parcel Index Number	Section	Lot	Block	Township	Range	Half Sec	Qtr Sec	Service Area
01-09-100-008								North

Notice of Fee Assessment example.



### 3.3 Discounts and Credits

#### Ordinance No. 22-27 Sections Ten and Fourteen

New development may be eligible for discounts or credits as outlined in Section 4 of this Procedures Manual.

### 3.4 Changes in Use

#### Ordinance No. 22-27 Section Seven

In cases where a new development or redevelopment is a change in use, the impact fee shall be based on the net impact of the new development, as follows:



#### PROPOSED USE

Calculate the gross impact fee as if the building is constructed on a vacant site.



#### PREVIOUS USE

Calculate the gross impact fee for the building under the previous use.



#### DIFFERENCE IN ASSESSED FEE

Subtract the result under step 2 from the result under step 1. If positive, the difference is the gross impact fee. If zero or negative, the new development will not be required to pay an impact fee.



#### DOCUMENTATION

Calculations should be entered in the "Remarks" section of the Notice of Fee Assessment. **In no case shall the County pay as a result of a change in use.**

In addition, changes in use meeting the following criteria are exempt from paying an impact fee.

- The nonresidential new development consists of the internal alteration of a building of less than 25,000 square feet of floor area or 25% of the existing floor area square footage of the building.
- The nonresidential new development does not require a zoning change.

- The additional trips created by the alteration or enlargement do not exceed 10% of trips per existing land use.
- The alteration was required by a municipal or County building code.

### 3.5 Individual Assessments

#### Ordinance No. 22-27 Section Thirteen

Any developer may choose to provide an individual assessment of the impacts of the new development. The individual assessment may be used to determine the following:

- Whether the share of the highway improvement capital costs necessitated by the new development should be less than the impact fee established in Section Seven of the Ordinance; or
- The impact fee for a particular land use or combination of land uses not identified in the Impact Fee Schedule.

The County offers two individual assessment options. The maximum reduction in any impact fee assessed determined through an individual assessment (**simplified** or **standard**) shall not exceed 70% of the impact fee required per the Notice of Fee Assessment.

- **Simplified Analysis** – Where the impact fee assessed per the Impact Fee Schedule does not reflect the impact of the new development, and where the latest version of the Institute of Transportation Engineers (ITE) *Trip Generation Manual* provides trip generation data for another Land Use Code(s) which more closely represents the new development.
- **Standard Analysis** – Where the impact fee does not reflect the unique impact of the new development, and where empirical trip generation data is used to determine the impact.

For both options, the individual assessment shall be prepared by a Professional Traffic Operations Engineer (PTOE) utilizing industry accepted procedures. The standard individual assessment shall be signed by the qualified engineer.

### 3.5.1 Application for Individual Assessment – Simplified Analysis

Within 30 days of County issuance of the Notice of Fee Assessment, the Applicant may request a simplified individual assessment with submittal of a Simplified Individual Assessment Application (Appendix A-4). The following information must be submitted with the Simplified Individual Assessment Application:

- ✓ A copy of the Notice of Fee Assessment.
- ✓ A copy of the complete Road Impact Fee Application (Appendix A-2).
- ✓ A copy of the approved traffic impact study prepared by a Professional Traffic Operations Engineer (PTOE). If a traffic impact study was not required by the permitting agency or municipality, the Application shall include a trip generation memorandum summarizing the trip generation estimated for the new development. The trip generation memorandum shall be prepared by a PTOE.
- ✓ Institute of Transportation Engineers (ITE) Land Use Code (LUC) which most closely represents the new development. The Land Use Code shall be included in the latest edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.



**KANE COUNTY**  
IMPACT FEE PROGRAM

**Simplified Individual Assessment Application**

To request a Simplified Individual Assessment, please complete this Application. Additional information related to the Simplified Individual Assessment process is provided in Section 3.5 of the Impact Fee Procedures Manual.

Office Use Only  
Date Received: \_\_\_\_\_  
Application #: \_\_\_\_\_

**APPLICANT INFORMATION (Please type or print clearly)**

Applicant Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Contact (Architect): \_\_\_\_\_ Contact (Engineer): \_\_\_\_\_  
Service Area: \_\_\_\_\_ North \_\_\_\_\_ Central \_\_\_\_\_ South \_\_\_\_\_  
Was a traffic impact study prepared for the new development?  
\_\_\_\_ Yes \_\_\_\_ No  
*Refer to map provided in Appendix A-5 of the Impact Fee Procedures Manual. If yes, include a copy of the approved study with this Application.*

**CURRENT ASSESSMENT**

To complete this section, please refer to the Impact Fee Assessment Notice issued by KDOT.

Land Use Category: \_\_\_\_\_ ITE Land Use Code: \_\_\_\_\_  
Impact Unit: \_\_\_\_\_ Number of Impact Units: \_\_\_\_\_  
*See Impact Fee Schedule Per Site Specific Development Approval*  
Reduced Impact Fee per Impact Unit: \_\_\_\_\_ **Assessed Fee:** \_\_\_\_\_  
*See Impact Fee Schedule Number of Impact Units x Reduced Impact Fee per Impact Unit*

**PROPOSED ASSESSMENT**

Please attach relevant information to support the requested revision to the land use utilized for the initial assessment. Documents could include an approved traffic study, architectural/engineering plans, and/or local approval documents which designated allowed property uses. Please include only information relevant to the requested ITE Land Use Code revision. Other requested adjustments, including discounts, credits, or other considerations would require the completion of a full Individual Assessment.

Reason for Requested Revision (Check all that apply):  
\_\_\_\_ Other ITE Land Use Code more representative of proposed use.  
\_\_\_\_ Updated ITE manual data published.  
Proposed ITE Land Use Code: \_\_\_\_\_  
ITE Trip Generation Manual (Select one):  
\_\_\_\_ 11th Edition \_\_\_\_ Other (Specify Edition)

Reason for change in ITE Land Use category: \_\_\_\_\_

Trip Units: \_\_\_\_\_ Number of Trip Units: \_\_\_\_\_  
*See the ITE Trip Generation Manual Per site specific development approval*  
ITE Trip Generation Rate (per Trip Unit): \_\_\_\_\_ Projected Trips PM Peak Hour Trips: \_\_\_\_\_  
*Use the rate established for PM Peak Hour of Adjacent Street Traffic in the ITE Trip Generation Manual. Refer to approved traffic impact study or trip generation estimate provided by a Professional Traffic Operations Engineer (PTOE) licensed in the state of Illinois.*

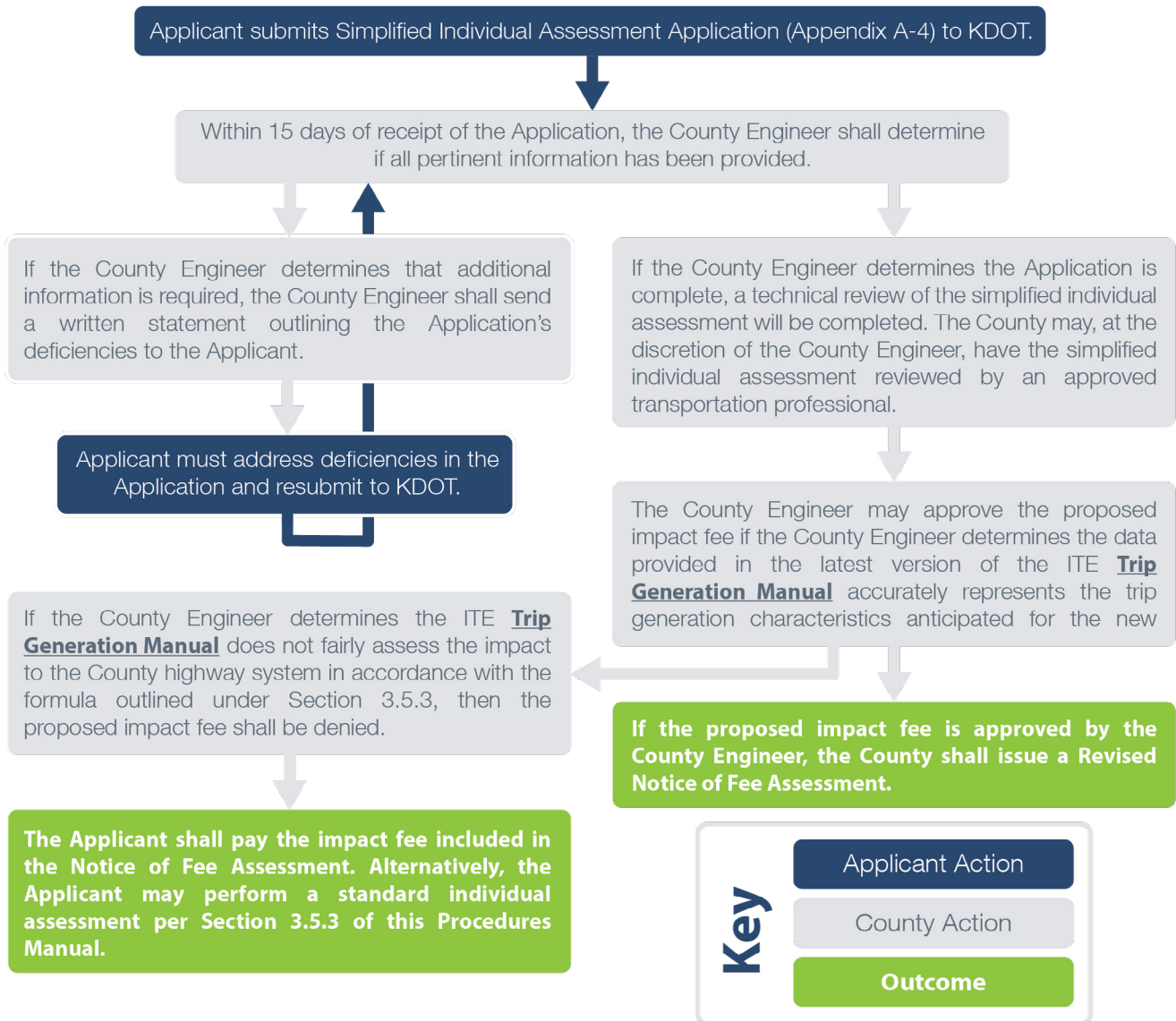
Cost per Trip (Select one):  
\_\_\_\_ North Service Area: \$2,895 \_\_\_\_ Central Service Area: \$2,911 \_\_\_\_ South Service Area: \$2,900  
Reduced Impact Fee per Impact Unit: \_\_\_\_\_ **Proposed Assessed Fee:** \_\_\_\_\_  
*ITE Trip Generation Rate x Cost per Trip x 50% multiplier Number of Trip Units x Reduced Impact Fee per Impact Unit*

Appendix A-4: Simplified Individual Assessment Application 1

Refer to **Appendix A-4** for the Simplified Individual Assessment Application.

### 3.5.2 Approval Procedures for Individual Assessment – Simplified Analysis

When a request for a Simplified Individual Assessment Application is received, the County will take the following steps:



### 3.5.3 Application for Individual Assessment – Standard Analysis

Within 30 days of County issuance of the Notice of Fee Assessment, the Applicant may submit a written request to perform a standard individual assessment. The request shall include the proposed methodology, as defined by a Professional Traffic Operations Engineer (PTOE), prior to performing analysis. The request will be subject to review and approval from the County Engineer. Where appropriate, the County Engineer may recommend a simplified individual assessment (See Section 3.5.1).

If the County Engineer authorizes the standard individual assessment, the following information will be required. The standard individual assessment must be signed by the PTOE prior to submittal to the County for review.

- ✓ The trip generation rates for the proposed new development, on an average weekday and peak design hour basis. The trip generation rates shall be based on local empirical surveys for the same or similar land use types. Empirical surveys shall include data collected from 4:00 pm to 6:00 pm at a minimum of three (3) locations having the same or similar land uses, or three (3) consecutive days at the same location. Survey locations should be similar to the location of the new development in terms of land use, adjacent street daily traffic, and mobility options. Coordination with the KDOT Impact Fee Coordinator is required for survey locations outside of Kane County.
- ✓ The proposed trip reduction rates for pass-by and diverted-linked trips, if any. The trip reduction rates shall be based on data provided in the latest edition of the ITE *Trip Generation Manual* or local empirical surveys for the same or similar land use types.
- ✓ Any other data and supporting calculations that demonstrate a lower impact fee would be justified due to the unique nature or location of the new development.

The individual assessment shall be calculated according to the following formula:

### Primary Trip Rate



### Trips



### Gross Impact Fee



### Net Impact Fee



### Reduced Impact Fee



Where:

#### GROSS TRIP RATE

Equals the number of trips generated by one IMPACT UNIT of the new development on a weekday during the peak hour, between 4:00 p.m. and 6:00 p.m., of adjacent street traffic, as defined in the latest edition of the ITE *Trip Generation Manual*.

#### TOTAL TRIP REDUCTION

Equals the percentage of trips generated by a new development that are pass-by trips or diverted-linked trips as defined in the latest edition of the ITE *Trip Generation Manual*.

#### PRIMARY TRIP RATE

Equals the portion of the GROSS TRIP RATE that represents new trips on the highway system, discounting pass-by and diverted-linked trips.

#### IMPACT UNITS

Equals a measure of the size of the new development that correlates with the number of peak hour trips generated by the new development between 4:00 p.m. and 6:00 p.m.

For residential new developments, the IMPACT UNIT is the number of dwelling units of various types in the new development. For nonresidential new developments, the IMPACT UNIT is generally a multiple of the number of gross interior square feet of the buildings constructed in the new development.

#### IMPACT FEE PER TRIP

Equals the GROSS IMPACT FEE for the service area for new development that generates one trip during the peak hour of adjacent highway traffic between 4:00 p.m. and 6:00 p.m. (See Impact Fee Schedule).

#### DEMOLITION CREDIT

Equals the GROSS IMPACT FEE that would have been assessed on a building that a fee payer demolishes in conjunction with new development.

#### IMPROVEMENT CREDIT

Equals the value of impact fee eligible highway improvements constructed by a developer in conjunction with new development and pursuant to an improvement credit agreement with the County.

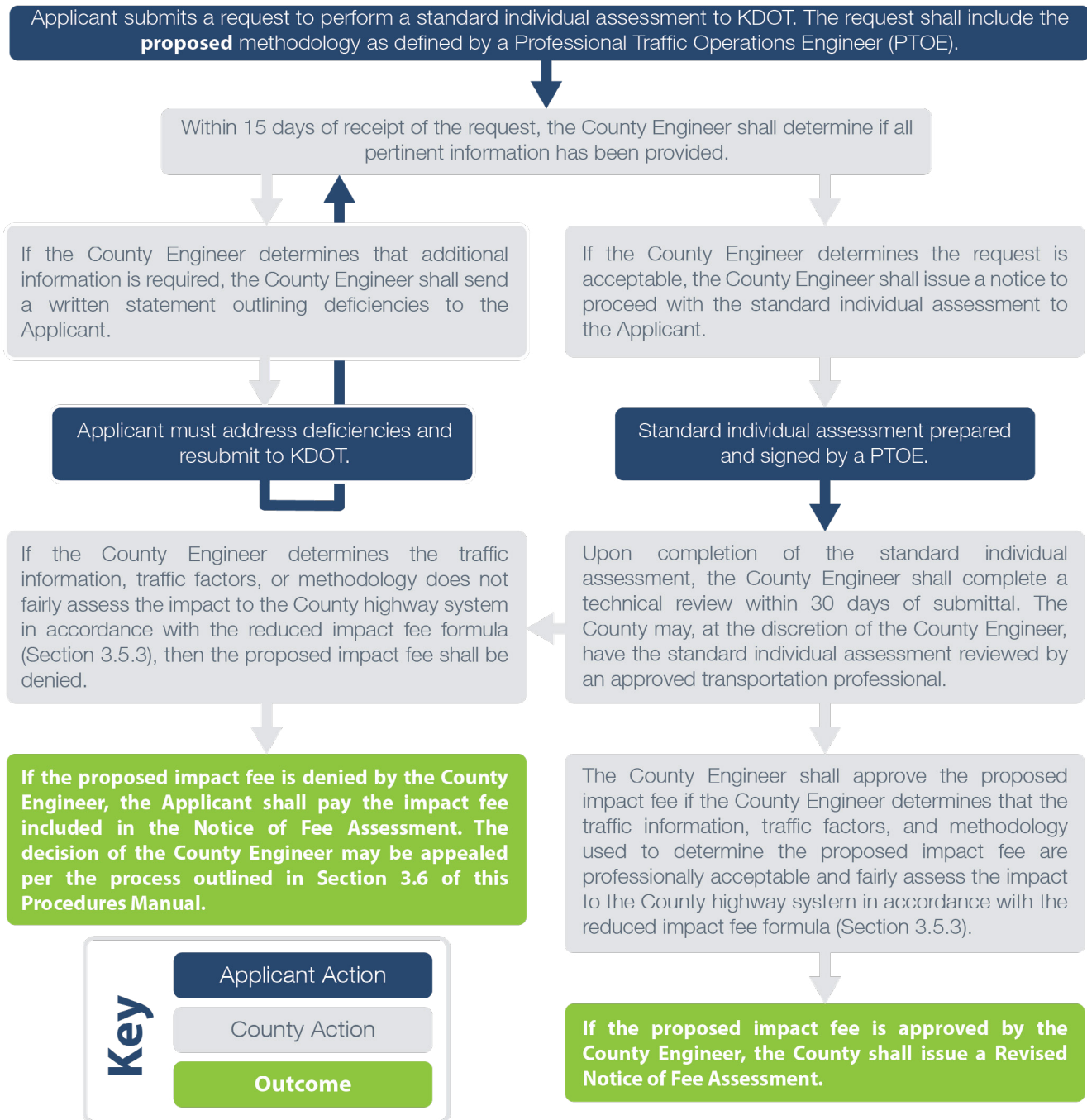
#### IMPACT FEE MULTIPLIER

Equals the percentage determined by the County Board by which the NET FEE shall be multiplied to determine the REDUCED FEE (50% multiplier per Ordinance No. 22-27).



### 3.5.4 Approval Procedures for Individual Assessment – Standard Analysis

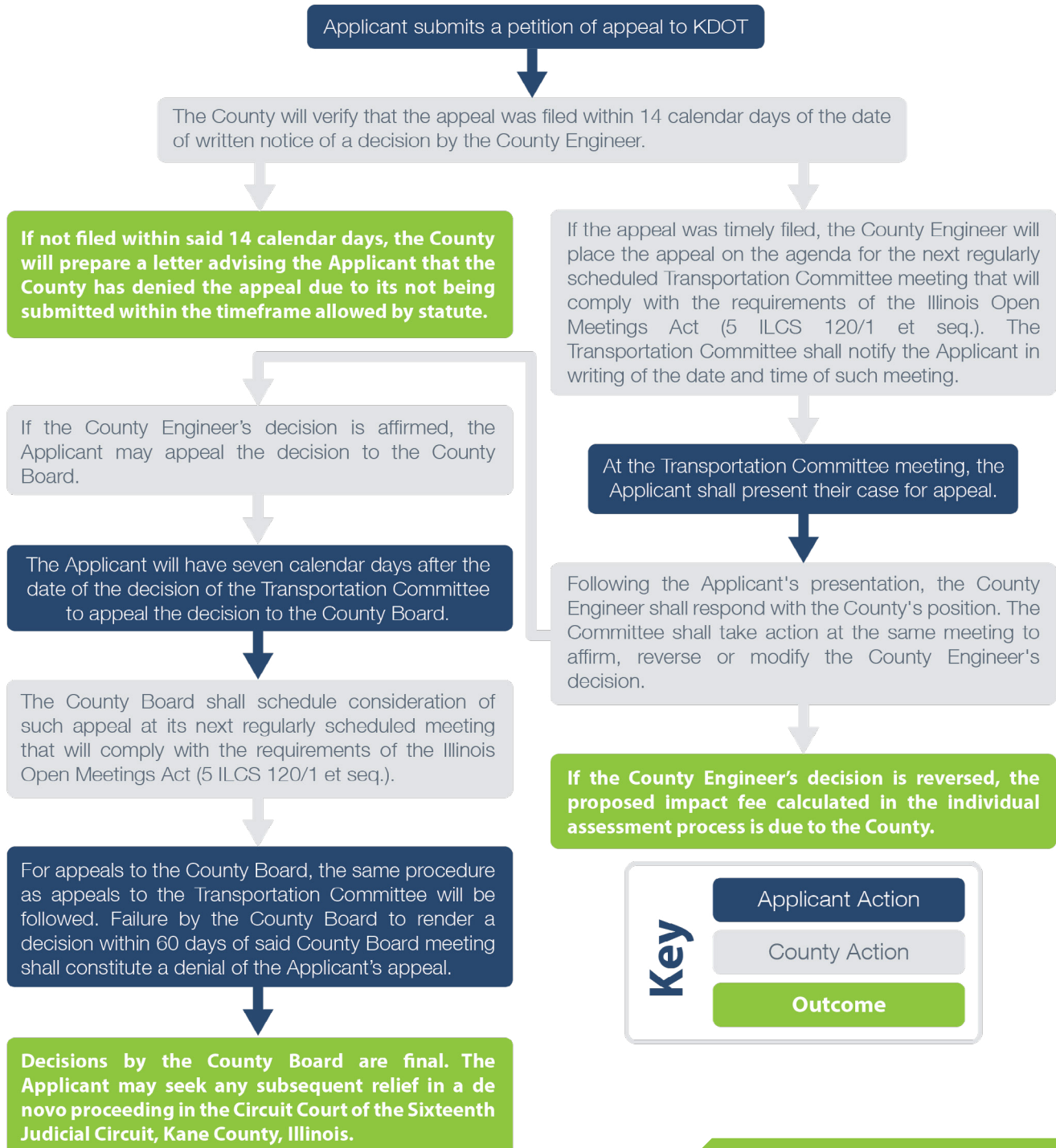
When a request to perform a standard individual assessment is received, the County will take the following steps:



## 3.6 Appeals

### Ordinance No. 22-27 Section Four

Any decision by the County Engineer (or their designee) with respect to the Ordinance may be appealed to the County Board through its Transportation Committee. Per Section Four of the Ordinance, the appeal must be submitted in writing within 14 calendar days of written notice of a decision by the County Engineer. Upon receipt of a petition for appeal, the following procedure shall be followed.



## 3.7 Enforcement

### Ordinance No. 22-27 Section Eleven

All municipalities are required by law to submit copies of all building permits to the office of the Kane County Supervisor of Assessments within 15 days of issuance (65 ILCS 5/11-39-1). The building permit is required to include the Permanent Parcel Index Number (PIN). On at least a quarterly basis, KDOT will submit a Freedom of Information Act (FOIA) request to the office of the Kane County Supervisor of Assessments requesting copies of all building permits submitted by the municipalities. Utilizing the PIN, KDOT may cross-reference building permits issued against any impact fees paid.

KDOT will keep in mind that most building permits are issued for work that is exempt from payment of impact fees. Work such as fences, driveways, decks, interior remodeling, and other permitted improvements do not generate traffic; and therefore, need not pay a fee. The building permit will generally have enough information to determine whether an impact fee should be paid.

If the cross-reference identifies a possible violation of the Ordinance, the County shall complete the following:

1. Prepare a written notice to the contact person listed on the building permit (hereinafter the "permittee"). The notice shall request the reason(s) why an impact fee was not paid and an explanation as to why there was not compliance with the Ordinance.
2. Upon receipt of a response from the permittee, the County shall complete the following:
  - If the County Engineer finds the explanation satisfactory, it should be documented through a Road Impact Fee Application Form (Appendix A-2) entered into the impact fee database and a duly issued receipt.
  - If the permittee's explanation is unsatisfactory, the County should prepare a Notice of Fee Assessment and send it to the permittee by fax or mail. If payment is not received within 30 calendar days, a second notice should be sent, advising that further non-payment will result in legal action. This letter will be sent by certified mail. If payment is not received within 30 days of the second notice, the matter will be referred to the State's Attorney's office for enforcement.

The County may periodically spot check residential and/or non-residential buildings for compliance with the stated land use and square footages as certified by the architect of record. If an inconsistency is discovered, the current owner of the building shall complete the Application process and shall be liable for any impact fees and interest due under the applicable Impact Fee Schedule.

## Section 4

# Discounts and Credits

### 4.1 Impact Fee Discount Program

#### Ordinance No. 22-27 Section Ten

As a means of encouraging new development that meets specific goals of the [Kane County 2050 Transportation Plan](#), Applicants may be eligible for an impact fee discount of up to 70% of the assessed impact fee. A summary of the discount program eligibility criteria and submittal requirements is provided below. This information is also presented in the [online estimate tool](#). The Impact Fee Discount Application is included as Appendix A-3.

Applicants wishing to apply for the Impact Fee Discount Program are strongly encouraged to express their interest to the County Engineer at an early stage in the planning and design process. Prior to submittal of an Impact Fee Discount Application, Applicants should contact the KDOT Impact Fee Coordinator to verify the applicability of discounts.



#### **MOBILITY OPTIONS DISCOUNT**

New development may earn an impact fee discount of up to 20% by encouraging the use of alternative transportation modes.



#### **MIXED-USE AND HIGHER-DENSITY DEVELOPMENT DISCOUNTS**

Mixed-use development with residential and two or more qualifying non-residential land uses may be eligible for a 10% impact fee discount. Higher-density residential development may be eligible for an impact fee discount of up to 30%. To qualify for these discounts, the new development must meet at least one of the criteria for the Mobility Options Discount.



#### **DOWNTOWN DEVELOPMENT DISCOUNT**

New development located within a downtown area is eligible for an impact fee discount of up to 20%. The new development must be located on a redevelopment or infill site.



#### **INDUSTRIAL DEVELOPMENT DISCOUNT**

Industrial new development may receive an impact fee discount of up to 20% for locating on a redevelopment or infill site and including onsite railroad spur access, airport access for freight, or direct access to a state designated truck route.



#### **SKILLED MANUFACTURING JOB CREATION DISCOUNT**

New development that generates skilled manufacturing jobs can apply for an impact fee discount of up to 20%, depending on the number of new jobs created.



#### **CHARITABLE ORGANIZATION DISCOUNT**

Buildings solely owned and occupied by a 501(c)(3)-designated charitable organization may be eligible for up to a 100% discount. The discount is applied only on the traffic impact of the first 50 weekday PM peak hour trips generated by a site.

Applicants should utilize the Impact Fee Discount Application provided in Appendix A-3. Applicants qualifying for an impact fee discount will be required to enter into a Fee Payment Agreement with the County to ensure that the new development is constructed in accordance with the documents provided with the Application within a period not to exceed 10 years, pursuant to Section 5.2.3 of this Procedures Manual.

#### 4.1.1 Mobility Options Discount

A maximum **20% Discount** may be obtained by meeting the criteria below.

- **10% Discount** if the new development is within one-quarter mile walking distance from an existing Pace Suburban Bus route.
- **10% Discount** if the new development is within one-half mile walking distance from an existing Metra station.
- **10% Discount** if the new development is within one-half mile from a Transit Supportive Corridor.
- **10% Discount** if the new development is within one-half mile from a local or regional greenway or bicycle trail. The greenway or bicycle trail shall be depicted on the Kane County Bike Map or Chicago Metropolitan Agency for Planning (CMAP) Regional Greenways and Trails Plan Map.

To apply for this discount, the Applicant shall submit the following documents with a completed Impact Fee Discount Application (Appendix A-3):

- ✓ A vicinity map showing the location of new development relative to the existing Pace Suburban Bus route, Metra station, Transit Supportive Corridor, or bicycle facility. The map shall detail the spacing distance between the new development and the alternate transportation option(s).

#### 4.1.2 Mixed-Use and Higher-Density Development Discounts

Mixed-use and higher-density residential developments can earn additional impact fee discounts. To qualify for these discounts, the new

development must meet at least one of the four Mobility Options Discount criteria.

- **10% Discount** for mixed-use developments with a residential use and at least two (2) of the following land uses incorporated. Accessory uses within a principle use may not be counted as a separate use (for example, a school within a church shall be considered one use). A single use may not be counted in more than one category.
  - parks
  - forest preserves
  - community or civic centers
  - recreation facilities
  - schools or daycare centers
  - libraries
  - places of worship
  - post offices
  - convenience stores
  - laundry/dry cleaners
  - neighborhood retail centers
  - restaurants
  - pharmacies
  - grocery stores
  - banks
  - medical/dental offices or hospitals
  - general offices
- Up to a maximum **30% Discount** for residential density where the residential new development provides an average density of at least 7 units per acre. Where the Residential Density Discount is applied, the new development shall not be eligible for the Mixed-Use Development Density Discount.
  - **10% Discount** for an average residential density of at least 7 units per acre and no more than 14 units per acre;
  - **20% Discount** for an average residential density of at least 15 units per acre and no more than 28 units per acre; or
  - **30% Discount** for an average residential density greater than 29 units per acre.



To apply for these discounts, the Applicant shall submit the following documents with a completed Impact Fee Discount Application (Appendix A-3):

#### MIXED-USE DISCOUNT

- ✓ A scaled site plan indicating the size and location of all non-residential trip generators included in the mixed-use development. The site plan shall be consistent with the site specific development approval.

#### RESIDENTIAL DENSITY DISCOUNT

- ✓ A scaled site plan indicating the residential development (location and unit count), gross floor area of non-residential uses, land area of the new development, and calculated residential density.
- ✓ A plat of subdivision showing the total area encompassed by the new development. The plat of subdivision shall be consistent with the site specific development approval.

#### 4.1.3 Downtown Development Discount

Development located within a downtown area is eligible for a **20% Discount**.

- **20% Discount** for new development located on an infill or redevelopment site defined in a municipally-adopted downtown subarea, comprehensive plan, or within an established downtown Tax Increment Finance (TIF) district.

With submittal of a completed Impact Fee Discount Application (Appendix A-3), the Applicant shall provide the following:

- ✓ A scaled site vicinity map showing the new development site clearly outlined relative to a downtown subarea, comprehensive plan, or downtown TIF district boundary.

#### 4.1.4 Industrial Development Discount

Up to **20% Discount** for industrial development where the following criteria are satisfied:

- **10% Discount** for redevelopment or infill;
- **10% Discount** for onsite railroad spur access, airport access for freight, or direct access to a state designated truck route.

The Applicant shall submit a completed Impact Fee Discount Application (Appendix A-3) along with the following:

- ✓ A scaled vicinity map showing the new development site clearly outlined as a redevelopment or infill site.
- ✓ A scaled site plan or vicinity map, as appropriate, demonstrating railroad spur access, airport access, or direct truck route access.

#### 4.1.5 Skilled Manufacturing Job Creation Discount

Up to **20% Discount** for new development that generates skilled manufacturing jobs. Only new development categorized as Light Industrial/Industrial Park (or a closely-related land use category on the Impact Fee Schedule) is eligible to receive this discount. Any new development categorized as Speculative Industrial on the Impact Fee Schedule is not eligible for this discount. Skilled manufacturing jobs are defined and classified as follows:

- Highly trained, educated, or experienced employees that can complete more complex mental or physical tasks on the job.
- Often specialized and may require a prolonged period of training and experience.
- Skills in science, technology, engineering, and math (STEM) are essential in many industries.

The discount shall be calculated based on skilled manufacturing jobs created as follows:

- **10% Discount** for 1-100 jobs created; or
- **20% Discount** for 101 or more jobs created

In order to apply for this discount, the Applicant must provide the following with the completed Impact Fee Discount Application (Appendix A-3):

- ✓ Written verification of estimated job creation from the permitting agency or municipality, local economic development organization, or local workforce development board.

#### 4.1.6 Charitable Organization Discount

Buildings solely owned and occupied by a 501(c)(3)-designated charitable organization may be eligible for up to a **100% Discount**. The discount is applied only on the traffic impact of the first 50 weekday PM peak hour trips generated by a site.

- **10% Discount** if the total traffic generated by the site, including traffic generated by any existing buildings and new development, is less than or equal to 50 weekday PM peak hour trips.
- **Site Specific Discount** if the traffic generated by the site prior to construction of the new development is less than or equal to 50 weekday PM peak hour trips, but the total site traffic with the new development is greater than 50 weekday PM peak hour trips, the discount shall be calculated as follows:

$$\text{Discount} = (50 - \text{EST}) \times \text{IFT} \times \text{IFM}$$

Where:

- **EST** = Existing Site Traffic in Trips (less than or equal to 50 trips)
- **IFT** = Applicable Cost per Trip by Service Area (Table 2, Technical Specifications Manual)
- **IFM** = Applicable Impact Fee Multiplier (Table 3, Technical Specifications Manual)
- **No Discount** if the traffic generated on the site prior to construction of the new development is greater than 50 weekday PM peak hour trips.

The trip generation estimated for the site shall be presented in a traffic impact study prepared by a Professional Traffic Operations Engineer (PTOE). If a traffic impact study is not available, the agency or municipality granting site specific development approval shall certify the estimated trip generation.

In order to apply for the Charitable Organization Discount, the following documents should be included with the completed Impact Fee Discount Application (Appendix A-3):

- ✓ A copy of the charitable organization's most recent IRS determination letter.
- ✓ A letter from the organization's chief executive officer stating that the new development will be solely owned and occupied by the charitable organization.
- ✓ Trip generation estimated for new development, prepared by a Professional Traffic Operations Engineer (PTOE).

#### 4.1.7 Discount Application Process

After consultation with the KDOT Impact Fee Coordinator, the Applicant shall submit a completed Impact Fee Discount Application (Appendix A-3), including relevant submittal requirements as defined on the previous pages, to the KDOT Impact Fee Coordinator.

Within fifteen (15) working days from the receipt of the Impact Fee Discount Application, the County Engineer shall determine if all pertinent information has been provided by the Applicant.

1. If the County Engineer determines that additional documentation is required, the County Engineer shall send a written statement to the Applicant specifying the deficiencies. Until the deficiencies are corrected, the County shall take no further action on the Impact Fee Discount Application.
2. When the County Engineer determines that the Application is complete, the County Engineer shall draft an Impact Fee Payment Agreement for the review and approval of the Applicant pursuant to the process outlined in Section 5 of this Procedures Manual.

## 4.2 Impact Fee Credits

### Ordinance No. 22-27 Section Fourteen

An Applicant may request an impact fee credit for any contribution, payment, recapture or construction of a system improvement or conveyance of land accepted and received by Kane County for any system improvement in accordance with Section Fourteen of the Ordinance.

The Applicant may be eligible for an improvement credit equal to the dollar value of the cost of any eligible system improvement contributed, paid for or committed to by the Applicant in conjunction with the County's approval of the new development.

An Impact Fee Credit Agreement shall be executed for new development which includes construction of any County highway improvements defined within the Comprehensive Road Improvement Plan (CRIP). Road improvements that are required to provide safe and efficient access to a new development shall not qualify for an impact fee credit, even though they may be within the limits of a project that is included in the CRIP. For this reason, some projects may receive only a partial impact fee credit against impact fees due.

### 4.2.1 Application for Impact Fee Credits

To request an impact fee credit, the following information must be submitted with the Road Impact Fee Application (Appendix A-2):

1. A proposed plan of specific road improvements prepared and certified by a duly qualified and Illinois licensed civil engineer.
2. The projected costs for the suggested system improvement(s), which shall be based on local information for similar improvements, along with the construction timetable for the completion of the proposed system improvements. Such estimated costs shall include the cost of all labor and materials, the appraised value or cost

of all lands, property, rights, easements and franchises acquired, financing charges, interest prior to and during construction and for one (1) year after completion of construction, cost of plans and specifications, surveys of estimated costs and of revenues, costs of engineering and legal services and all other expenses necessary or incidental to determining the feasibility or practicability of such construction or reconstruction.

### 4.2.2 Approval Procedures

When a request for an impact fee credit is received, the County will take the following steps:

1. Within 15 days of receipt of the request, the County Engineer shall determine if all pertinent information has been provided. If the County Engineer determines that additional information is required, the County Engineer shall send a written statement outlining the Application's deficiencies to the Applicant.
2. If the County Engineer determines the proposed improvement(s) is not eligible for an impact fee credit or that the proposed costs are not acceptable, the County Engineer shall notify the Applicant of the decision and may propose an alternative highway improvement consistent with the CRIP.
3. If the County Engineer determines the proposed improvement(s) (or portions thereof) qualify for an impact fee credit and the proposed costs for the improvement are acceptable, the County will prepare an Impact Fee Credit Agreement. This will take the basic form of a Fee Payment Agreement, with additional language to cover the improvements to be constructed, the impact fee credit provided, and the method of applying the impact fee credits. The Impact Fee Credit Agreement shall be forwarded to the Applicant for review. A copy of the Agreement is included in Appendix A-8.
4. Upon written acceptance of the Impact Fee Credit Agreement by both the County Engineer and the Applicant, the Transportation

Committee shall consider the Agreement at the next regularly scheduled meeting that will comply with the requirements of the Illinois Open Meetings Act (5 ILCS 120/1 et seq.).

5. At the Transportation Committee meeting, the Applicant may make a brief presentation requesting approval of the Impact Fee Credit Agreement. Following the Applicant's presentation, the County Engineer may respond with the County's position. The Transportation Committee may take action at the same meeting to approve, disapprove, or modify the Impact Fee Credit Agreement or may defer action to another meeting.
6. If the Transportation Committee approves the Impact Fee Credit Agreement, the County Engineer may execute the Agreement on behalf of the County. Any Impact Fee Credit Agreement that includes system improvement(s) with a total dollar value over \$100,000 shall be reviewed and ratified by the County Board before it is executed by the County Engineer.

### 4.2.3 Use of Impact Fee Credits

KDOT will maintain records of the use of impact fee credits toward payment of impact fees due and shall provide upon written request a quarterly statement to the beneficiary of each Impact Fee Credit Agreement indicating use of any impact fee credits during the reporting period and the balance of the impact fee credits remaining. Upon execution of an Impact Fee Credit Agreement, the beginning balance shall be equal to the total dollar value of the impact fee credits as specified in the Impact Fee Credit Agreement. Impact fee credits will be applied against new development in the following manner:

1. The recipient of the impact fee credit shall indicate on the Impact Fee Application that the impact fees assessed will be paid by utilizing impact fee credits and shall indicate the Impact Fee Credit Agreement number.
2. For each portion of the new development to which an impact fee credit is intended to be applied, the gross impact fee shall be

calculated in accordance with Section Seven of the Ordinance or as otherwise provided in Section Thirteen of the Ordinance. The remaining impact fee credit balance shall be reduced by the gross impact fee for that portion of the new development. The impact fee receipt shall note that the impact fees were paid through application of impact fee credits and the amount of impact fee credit expended.

3. If the impact fee credits remaining are insufficient to cover the gross impact fee for the new development, the remaining gross impact fee shall be multiplied by the impact fee multiplier then in effect and the Applicant notified of the impact fee assessment.

## 4.3 Demolition Credits

### Ordinance No. 22-27 Section Nine

If a building is demolished as part of a new development, a demolition credit shall be issued to the Applicant. The demolition credit shall be equal to the dollar value of the reduced impact fee that would have been assessed for the building to be demolished. The demolition credit shall be calculated based on the Impact Fee Schedule in effect as of the date of the impact fee assessment. The demolition credit shall not exceed the reduced impact fee for the new development.

In order to receive a demolition credit, the Applicant must submit to the County a copy of the demolition permit or letter of authorization from the permitting agency. In addition, the Applicant shall provide information necessary to allow the County to calculate the demolition credit, such as a building survey or final engineering or "as built" plans. For the demolition of major buildings, the County may independently verify the size of the building for the purpose of calculating the demolition credit.

## Section 5

# Impact Fee Payments

### 5.1 Regular Payments

#### Ordinance No. 22-27 Section Eleven

Impact fee payments may be made in person, online, or by mail at the Kane County Division of Transportation Impact Fee Office:

41W011 Burlington Road  
Campton Hills, Illinois 60175

Payments may be in the form of personal, corporate, certified or cashier's checks, U.S. Postal Money Orders, or via the County's [online payment portal](#). The online payment portal accepts credit, debit and alternative payment platforms as noted.

Payments should be accompanied by a copy of the Notice of Fee Assessment. Payments must identify the Impact Fee Application Number. Fees received will be processed by the County as follows:

1. Receipt issued to Applicant.
2. Payment logged into the Impact Fee Database.
3. Payment check copied and attach to KDOT copy of the Impact Fee Application and receipt.
4. Copies of the check, receipt and Application and other documents filed at KDOT.
5. Checks turned into the KDOT Accounting Office.
6. At the end of each business day, a running total and a daily total along with service area tallies for the day, including copies of all checks received that day turned into the KDOT Accounting Office.
7. A copy of the balance sheets will be kept at KDOT.

### 5.2 Impact Fee Payment Agreements

#### Ordinance No. 22-27 Section Twelve

The Applicant may enter into an Impact Fee Payment Agreement in order to provide for the following:

- Exemptions;
- Installment payments of the impact fee for a period up to ten (10) years (only in the case of new development funded by assisted financing);
- Recapture payments for construction credits;
- Credit and security arrangements; and
- Other matters relating to the impact fee.

An Impact Fee Payment Agreement may also include an Improvement Credit Agreement as outlined in Section 4.2 of this Procedures Manual.

#### 5.2.1. Security for Payment

The Impact Fee Payment Agreement shall require security, the form of which shall be determined at the sole option of the County. Security may be provided as follows. The County provides templates for acceptable forms of security, copies of which are included in Appendix A-8.

- Promissory note;
- Cash bond;
- Security bond;
- Irrevocable letter of credit; or
- Lien or mortgage on the lands to be covered by the building permit, among other things.

The security may be partially releasable upon receipt of partial payments of the impact fee as defined in the Impact Fee Payment Agreement.



## 5.2.2 Approval Procedures

The County will take the following steps to prepare, review, and approve an Impact Fee Payment Agreement:

1. Within 15 working days of receipt of a request, the County Engineer will prepare an Impact Fee Payment Agreement using information from the Notice of Fee Assessment. A copy of the Impact Fee Payment Agreement is provided in Appendix A-8.

The Impact Fee Payment Agreement will typically provide for payment of 50% of the fee up front, with the remainder paid within 365 days. The interest rate on the remainder will be 3% over the Prime Commercial Rate.

2. Once the Impact Fee Payment Agreement is complete, it will be submitted to the Applicant for review and signature.
3. Upon written acceptance of the Impact Fee Payment Agreement by the County Engineer and the Applicant, the Transportation Committee shall consider the Agreement at the next regularly scheduled meeting that will comply with the requirements of the Illinois Open Meetings Act (5 ILCS 120/1 et seq.).
4. At the Transportation Committee meeting, the Applicant may make a brief presentation requesting approval of the Fee Payment Agreement. Following the Applicant's presentation, the County Engineer may respond with the County's position. The Transportation Committee may take action at the same meeting to approve, disapprove, or modify the Impact Fee Credit Agreement or may defer action to another meeting.
5. If the Transportation Committee approves the Impact Fee Payment Agreement, the County Engineer may execute the agreement on behalf of the County.
6. KDOT will then enter the Impact Fee Payment Agreement data into the Impact Fee Database.

7. If the security provided for the Impact Fee Payment Agreement is a lien or mortgage, KDOT will record the Agreement and associated documentation against the underlying parcel of real estate at the office of the Kane County Recorder.

## 5.2.3. Approved Impact Fee Discounts

For new development approved for impact fee discounts as outlined in Section 4 of this Procedures Manual, the Impact Fee Payment Agreement shall provide that the developer will construct the new development in accordance with the Impact Fee Discount Application within a period not to exceed 10 years. The County may require a guaranty in a form acceptable to the County to ensure payment of the impact fee discount if the new development is not completed in accordance with the Impact Fee Discount Application.

If the new County-approved development is not completed in accordance with the County-approved Impact Fee Discount Application within 10 years of the date of the Impact Fee Payment Agreement or if there is a material change in the new development that would result in its ineligibility to receive an impact fee discount or its receiving a lesser impact fee discount, then the developer shall pay an amount equal to the impact fee discount or excess impact fee discount received.

The impact fee discount may be extended beyond the 10 year period upon mutual agreement between the County and the developer provided the portion of the new development completed within 10 years meets the criteria in the County-approved Impact Fee Discount Application. Additional portions of the new development receiving the discount after the 10 year period shall meet the requirements for the discount.



## 5.3 Pre-payment of Impact Fees

### Ordinance No. 22-27 Section Twelve

Applicants wishing to pre-pay impact fees for a new development may do so by entering into an Impact Fee Pre-payment Agreement with the County (Appendix A-8). Applicants are eligible for pre-payment only after site specific development approval is received.

## 5.4 Deferred Payment of Impact Fees

### Ordinance No. 22-27 Section Twelve

For multi-family residential and non-residential new development, Applicants may enter into a Fee Payment Agreement with the County to defer payment of some portion of the assessed impact fee. Payment of at least 50% of the assessed impact fee or use of impact fee credits in lieu of cash shall be payable upon the issuance of a building permit. The balance shall be payable 12 months from the date of issuance of the building permit. Deferred payment shall require the Applicant to provide security as defined in Section 5.2.1.

Applicants receiving assisted financing shall be charged a rate of interest which is 3% over the prime commercial rate in effect at the time that the impact fee is assessed, on any deferred impact fee payments.

## 5.5 Refunds

### Ordinance No. 22-27 Section Fifteen

Any impact fee collected by the County may be refunded to the Applicant based on the following conditions:

1. If the County or Applicant made an inadvertent error in calculation of the impact fee, the County Engineer may direct the County Treasurer to refund a portion of the impact fee paid.
2. Non-commencement of construction of the new development.

3. Failure by the County to encumber the impact fees paid within five (5) years of receipt of payment from the impact fee payer.

### 5.5.1. Application for Refund

To request a refund, the Applicant must submit a notarized sworn statement indicating that they are the owner of record of the new development for which the impact fee was paid and that they are entitled to a refund under Section Fifteen of the Ordinance. A refund request must be submitted to the County within one (1) year of the date that the impact fees were required to be encumbered or expended. The request must include the following required documents:

- A certified copy of the latest recorded deed for the property that comprises the new development (or part thereof) for which the impact fee was paid; and
- A copy of the most recent ad valorem property tax bill for the property that comprises the new development (or part thereof) for which the impact fee was paid.

Any charitable organization certified by the IRS as tax-exempt under Section 501(c)(3), and when so certified paid an impact fee under Ordinance No. 04-22 for new development that is solely owned and occupied by the charitable organization, will receive a one-time refund in an amount equal to 100% of the impact fee that would have been assessed on an equivalent land use that generates 50 weekday PM peak hour trips, or an amount equal to 100% of the impact fee paid, whichever is less.

### 5.5.2. Refund Approval Procedures

When a request for an impact fee refund is received, the County will proceed as follows:

1. Within 15 working days of receipt of the written request for an impact fee refund, the County Engineer will determine if the request is complete.
2. If the County Engineer determines the refund request is incomplete, the County Engineer will send a written notice specifying the deficiencies to the Applicant.



3. Once the County Engineer determines the written request is complete, the County Engineer will complete a review of the request within 15 working days. The County Engineer will approve the requested refund if the fee payer has paid an impact fee which the County has neither expended nor encumbered within five (5) years from the date of payment. The County Engineer may also approve the refund in any case where an error in the assessed impact fee calculation results in overpayment.
  - If any portion of the impact fee has not been expended or otherwise encumbered within five (5) years of the date of payment, the impact fee will be refunded along with interest at a rate which is 70% of the prime commercial rate in effect at the time that the impact fee was imposed, less 5% of the total fee to defray the costs of administration.
4. If the County Engineer determines that the Applicant is entitled to an impact fee refund, the County Engineer will direct the County Treasurer to issue the refund.



**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-1

## Definitions

## DEFINITIONS

### AFFORDABLE HOUSING

---

Decent, safe, sanitary, and appropriate housing units that low and moderate-income households can own or rent without having to devote more than approximately 30% of their yearly gross income for monthly housing expenses. "Household expenses" are: (1) rent and utilities for rental housing; and (2) debt service (principal and interest), property taxes, and home insurance for home ownership. To qualify as affordable housing, the maximum purchase price of owner-occupied units shall not exceed that specified in the "Owner Occupied Affordability Chart for Chicago Metro Area" published annually by the Illinois Housing Development Authority. For rental housing to be considered affordable housing, the monthly rent for a dwelling unit may not exceed that specified in "Affordable Rental Units for Chicago Metro Area" published annually by the Illinois Housing Development Authority.

### APPLICANT

---

See "Fee Payer".

### ASSISTED FINANCING

---

The financing of residential new development by the Illinois Housing Development Authority, including loans to developers for multi-unit residential development and loans to purchasers of single-family residences, including condominiums and townhouses.

### BUILDING

---

Either a finished or an unfinished product of construction or a structure, carrying no implication as to size or condition. The terms "building" and "structure" as used herein are interchangeable.

### BUILDING PERMIT

---

Any form of approval issued or granted by the County or a municipality that grants or otherwise allows the commencement of construction of a building.

### CERTIFICATE OF OCCUPANCY

---

Any form of approval granted by either the County or a municipality as a condition to occupy a building, and includes any temporary occupancy approval as well as any permanent occupancy approval.

### CHARITABLE ORGANIZATION

---

Entities, corporations, and any trust, fund, foundation or other entity certified by the Internal Revenue Service as tax-exempt under Section 501(c)(3) of the Internal Revenue Code organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals. Charitable organization includes organizations dedicated to the relief of the poor, the distressed, the disabled or the underprivileged; advancement of religion; advancement of education or science; erecting or maintaining public buildings, monuments or works; lessening the burdens of government; lessening neighborhood tensions; eliminating prejudice and discrimination; defending human and civil rights secured by law; and combating community deterioration and juvenile delinquency.

### COMPREHENSIVE ROAD IMPROVEMENT PLAN (CRIP)

---

The highway improvement plan, also referred to as the [CRIP](#), prepared by the County in consultation with the Advisory Committee. The plan is an analysis of the Kane County highway network, identification of the highway network deficiencies, formulation of a program of improvements and projects with associated costs thereof all of which ultimately results in the determination of a fee per trip calculation(s).

### COUNTY

---

The County of Kane, of the State of Illinois.

### COUNTY BOARD

---

The County Board of the County of Kane, of the State of Illinois.



## COUNTY ENGINEER

---

The County Engineer of Kane County as “County Engineer” is defined as set forth in the Highway Code (605 ILCS 5/5-201 et seq.).

## COUNTY HIGHWAY

---

Shall have the same definition as set forth in the Highway Code (605 ILCS 5/2-204).

## CRIP

---

See definition for [Comprehensive Road Improvement Plan](#).

## DEMOLITION CREDIT

---

A credit against an assessed impact fee which credit is determined by the dollar value of impact fees that would have otherwise been assessed on a building or buildings being demolished as part of a new development.

## DENSITY

---

An impact fee assessment factor that is calculated for residential new development by dividing the total number of residential units by the total buildable land area in acres of the new development. Buildable land excludes land occupied by nonresidential structures, and land excluded from residential development by law (e.g. wetlands, floodplains and rights of way for arterial and major collector roads), but includes areas devoted to public rights of way for local and minor collector streets internal to the new development, storm water management for the new development, parking areas, and common open space. For detached residential units on individual lots, the average density for the entire new development shall be used.

## DEVELOPER

---

Any person, corporation, organization, or other legal entity initiating or conducting new development.

## DIVISION OF TRANSPORTATION

---

The Kane County Division of Transportation located at 41W011 Burlington Road, Campton Hills, Illinois 60175.

## ENCUMBERED

---

Legally obligated or otherwise committed to use under contract or purchase order.

## ENLARGED

---

To increase in size, make larger, or to add onto so as to increase the usable floor area square footage of a building. Enlarged does not necessarily mean “structurally altered”.

## FEE PAYER

---

Any person initiating new development which pays, or is required to pay an impact fee in accordance with the terms of the Road Impact Fee Ordinance (Ordinance No. 22-27).

## HIGHWAY

---

Shall have the same definition as set forth in the Highway Code (605 ILCS 5/5-102 et seq.).

## HIGHWAY IMPROVEMENT

---

The improvement, expansion, enhancement, enlargement or construction of those highways and/or the parts thereof under the jurisdiction of the County that are designated for improvement as set forth in the [CRIP](#), which improvements include, but are not limited to bridges, right-of-ways and traffic control improvements owned and operated by the County. The term “highway improvement” shall not include tollways but may include tollway ramps at county highway intersections. The term “highway improvement” does not include any highways that are not designated for improvement in the [CRIP](#) even though they are under the jurisdiction of the County nor does it include site improvements related to the new development. Highway improvements must address capacity deficiencies on the highways as set forth in the [CRIP](#).

## HIGHWAY IMPROVEMENT CAPITAL COSTS

---

Improvement costs include, but are not limited to, capital costs associated with the construction of a highway improvement designated in the [CRIP](#), the need for which is generated by new development, which highway improvement has a life expectancy of three (3) or more years, and the land acquisition, land

improvement, planning, design, and engineering related thereto. Such costs do not include routine and periodic maintenance expenditures, resurfacing or rehabilitation of existing pavement structures, personnel, training, or other operating costs, but do include the costs of financing such highway improvements and reasonable administrative costs for administering the impact fee program, provided that such administrative costs do not exceed 5% of the impact fee paid.

### **IMPACT FEE**

---

The “road improvement impact fee” as defined herein.

### **INDUSTRIAL**

---

Manufacturing, production, light manufacturing/industry, construction, assembly, service and/or warehousing activity.

### **INFILL**

---

Undeveloped land or vacant land having at least 75% of its perimeter bordering land that has been developed. Developed land includes land either having or that has had pre-existing structures thereon. Land that is currently in agricultural use or forestry use is not considered developed. Park and forest preserve properties that border an infill site shall not be counted as part of the perimeter of undeveloped land.

### **IMPACT FEE AGREEMENT**

---

An executed, fully approved, written agreement between the County and a developer and/or fee payer as provided for in Section Twelve of the Road Impact Fee Ordinance (Ordinance No. 22-27).

### **IMPACT FEE CREDIT AGREEMENT**

---

An executed, fully approved, written agreement between the County and a developer and/or fee payer as provided for in Section Fourteen of the Road Impact Fee Ordinance (Ordinance No. 22-27).

### **IMPACT FEE PAYMENT AGREEMENT**

---

An executed, fully approved, written agreement between the County and a developer and/or fee payer as provided for in Section Twelve of the Road Impact Fee Ordinance (Ordinance No. 22-27).

### **MUNICIPALITY**

---

Any city or village or district with territory within the boundaries of Kane County.

### **NEW DEVELOPMENT**

---

Shall have the same definition as set forth in the Highway Code (605 ILCS 5/5-903). For the purpose of Section Ten of the Road Impact Fee Ordinance (Ordinance No. 22-27), new development shall additionally constitute a structure or group of structures that require site specific development approval.

### **NON-COMMENCEMENT**

---

The cancellation of new development prior to commencing construction thereof.

### **NONRESIDENTIAL NEW DEVELOPMENT**

---

New development consisting of a building(s) or other structure(s) suitable or capable of being used for all purposes other than residential purposes.

### **ORDINANCE**

---

Kane County Ordinance No. 04-21 as subsequently amended by Ordinance No. 22-27.

### **PRIVATE SCHOOL**

---

A private, nonprofit educational facility serving one or more of grades, kindergarten through grade-12 and formally recognized by the Illinois State Board of Education.

### **PROCEDURES MANUAL**

---

The document developed by the County Engineer and available from the Division of Transportation that sets forth the procedures, processes, forms and operating definitions to be used in the administration of this Ordinance.

### **REDEVELOPMENT**

---

A new development site in which at least 75% of the land area thereof has been previously developed.



### **RESIDENTIAL NEW DEVELOPMENT**

House(s), building(s) or other structure(s) that is suitable or capable of being used for residential purposes.

### **ROAD IMPROVEMENT IMPACT FEE**

Any charge or fee levied or imposed by the County pursuant to the Road Improvement Impact Fee Law as a condition to the issuance of a building permit or certificate of occupancy in connection with a new development, when any portion of the revenues collected is intended to be used to fund any portion of the costs of system improvements.

### **SERVICE AREA**

Any one of the three (3) land areas within Kane County delineated by the boundaries shown on Exhibit A of the Road Impact Fee Ordinance (Ordinance No. 22-27), and which are so designated in the [CRIP](#).

### **SIMPLIFIED INDIVIDUAL ASSESSMENT**

A process to determine the impact fee for new development not otherwise identified in Section Seven of the Road Impact Fee Ordinance (Ordinance No. 22-27). A simplified individual assessment shall apply where the latest version of the Institute of Transportation Engineers *Trip Generation Manual* provides trip generation data for a Land Use Code(s) which represents the new development as provided for in Section Thirteen of the Ordinance.

### **SITE SPECIFIC DEVELOPMENT APPROVAL**

Shall have the meaning as set forth in the Highway Code (605 ILCS 5/5-903 et seq.). If the site specific development approval is preliminary in nature, the final plat or plan for the new development must be in substantial conformance with the approved preliminary plat or plan.

### **SPECULATIVE INDUSTRIAL NEW DEVELOPMENT**

Industrial or warehouse new development where the developer intends to lease or otherwise convey

parts thereof to parties not yet determined at the time of issuance of the building permit and where construction will commence prior to the new development or the part(s) thereof being leased or otherwise conveyed. Speculative industrial new development is otherwise defined as Light Industrial/Industrial Park or Warehouse/Distribution Terminal, allow for the collection of impact fees based on an assumption of 20% General Office (ITE LUC 710) and 80% Warehousing (ITE LUC 150) prior to the identification of a tenant(s) or interior architectural plan.

### **STANDARD INDIVIDUAL ASSESSMENT**

A process to determine the impact fee for new development not otherwise identified in Section Seven of the Road Impact Fee Ordinance (Ordinance No. 22-27). A standard individual assessment shall apply where empirical trip generation data is used to define the unique operational characteristics of the new development as provided for in Section Thirteen of the Ordinance.

### **STRUCTURALLY ALTERED**

Any change or addition to the load bearing elements of a building that increases the usable internal floor area square feet thereof. Structurally altered does not necessarily mean “enlarged”.

### **SUBSTANTIAL CONFORMANCE**

Any final plat or plan for new development which is generally consistent with the approved preliminary plat or plan virtually including the same mix of land uses and density. A final plat or plan in substantial conformance with the preliminary plat or generates the same or fewer peak hour trips, which peak hour trips are determined using the methodology as set forth in Appendix A of the [CRIP](#).

### **SYSTEM IMPROVEMENT**

See “highway improvement”.

### **TECHNICAL SPECIFICATIONS MANUAL**

Those documents that contain the impact fee calculation factors necessary for computation of the impact fee for a particular land use, an individual

assessment, and the impact fee schedule attached to this Ordinance.

### **TEMPORARY STRUCTURE**

---

A building or structure designed or intended for temporary human occupancy or for the temporary protection of animals, chattels, or property of any kind. For the purposes of this Ordinance, “temporary” is defined as a period of time no greater than two (2) years.

### **TRANSIT SUPPORTIVE CORRIDORS**

---

Shall be as defined in the report titled *[Implementation of the Kane County 2040 Long Range Transit Plan Transit-Supportive Corridors: Existing Conditions and Implementation Tools](#)*, prepared by the Chicago Metropolitan Agency for Planning (CMAP) (dated May 2015) which report may be amended from time to time .

### **TRANSPORTATION COMMITTEE**

---

The Transportation Committee as designated by the County Board.

### **WALKING DISTANCE**

---

The distance that a pedestrian must travel between destinations without obstruction, in a safe and comfortable environment. Walking distance is measured in linear feet along such paths, sidewalks or ways with one thousand three hundred twenty feet (1,320') equaling a one-fourth (1/4) mile and two thousand six hundred forty feet (2,640') equaling a one-half (1/2) mile.

### **WORKING DAY**

---

Any day on which the offices of the County are officially open, not including Saturdays, Sundays, and other holidays as designated by the County Board.



**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-2

# Road Impact Fee Application



# ROAD IMPACT FEE APPLICATION

## Instructions

In accordance with Kane County Ordinance No. 22-27, a road impact fee is assessed for all new development in Kane County. Through the Impact Fee Program, new development pays a fair share of the cost of County highway improvements as defined in the [Comprehensive Road Improvement Program \(CRIP\)](#).

All new development is required to complete this Road Impact Fee Application. The completed Application should be submitted to the Kane County Division of Transportation. **DO NOT SEND PAYMENT.** Upon receipt of the completed Application, the County will assess the impact fee and respond to the contact person identified on the Application. Additional information can be found in the Impact Fee Procedures Manual available on the County's website

### I. APPLICANT INFORMATION

- Please complete all fields.
- The Applicant is the person or organization who owns the development. The contact (if different from the Applicant) should be a person who can answer questions regarding the Application.
- Please provide an email address to facilitate communications regarding the Application.

### II. PROPERTY INFORMATION

- Provide the lot number, subdivision name and unit/phase/neighborhood number as applicable for recorded subdivisions or Planned Unit Developments (PUD's). Also include the original plat or plat number recorded with the County. Provide a copy of the municipal ordinance approving the subdivision or PUD.
- Section, township and range information can be found on the plat of survey. A copy of the plat of survey must be included with submittal of the Application.
- New development shall be assessed an impact fee under the Ordinance in effect at the time site specific development approval was received. Additional information regarding site specific development approval is provided in Section 2 of the Impact Fee Procedures Manual.

### III. PRINCIPAL BUILDING USE

- Unless a building has both residential and non-residential areas, please check only one box.
- The principal use of the building should be identified. For example, an industrial building with a nominal amount of office space would be considered industrial, and the office portion should be included in the gross square footage of the building. A multi-unit retail building that could include a restaurant would be considered general retail. Buildings located on outlots in a retail center should be identified by the principal use of the building.
- For non-residential buildings, provide a copy of the site plan and floor plan for each floor (in PDF format), and a signed and sealed letter from the architect certifying the gross square footage of the building.

### IV. OPTIONAL DATA FOR ASSESSMENT

- Please refer to the Impact Fee Procedures Manual for:
  - A list of uses exempt from impact fee payment
  - Demolition credits
  - Discounts
- If the Applicant has previously entered into an Impact Fee Payment Agreement or Improvement Credit Agreement with the County, and desires to apply credits against this Application, please so note and identify the agreement number.



## Road Impact Fee Application

Please read the instructions on preceding page carefully before completing the application form.

**Kane County Division of Transportation**  
41W011 Burlington Road  
Campton Hills, IL 60175  
Phone: (630) 845-3798 | Fax: (630) 584-5265  
Email: LisaLarson@co.kane.il.us

**Office Use Only**  
Date Received:  
  
Application #:

### APPLICANT INFORMATION

Applicant Name:	
Address:	
City, State, ZIP:	
Contact Name:	Email:
Phone:	Fax:
Contact (Architect):	
Contact (Engineer):	

### PROPERTY INFORMATION (Please answer all)

Lot:	Block:	Subdivision:		
Quarter/Half Section:		Section#:	Township#:	Range#:
Tax Parcel Index Number(s) (e.g. 09-01-100-014):			Final Plat Date:	
Site Address:				
Building Permit Issuing Agency:			Development Approval Date:	

### PRINCIPAL BUILDING USE

Single Family Detached	<i>Dwelling Units:</i>	Warehousing/Distribution Terminal	<i>GFA:</i>
Single Family Attached	<i>Dwelling Units:</i>	Speculative Industrial	<i>GFA:</i>
Multi-Family Attached	<i>Dwelling Units:</i>	Light Industrial/Industrial Park	<i>GFA:</i>
Age Restricted Housing	<i>Dwelling Units:</i>	Fast Food Restaurant	<i>GFA:</i>
Retail	<i>GFLA:</i>	Fine Dining Restaurant	<i>GFA:</i>
Supermarket	<i>GFA:</i>	Day Care	<i>GFA:</i>
Convenience Store/Gas Station	<i>Fuel Positions:</i>	Hospital	<i>GFA:</i>
General Office	<i>GFA:</i>	Nursing Home	<i>Beds:</i>
Medical-Dental Office	<i>GFA:</i>	Hotel/Motel	<i>Beds:</i>
Office Park	<i>GFA:</i>	Religious Institution	<i>GFA:</i>
Business Park	<i>GFA:</i>	Other (Specify)	<i>GFA:</i>

### OPTIONAL DATA FOR ASSESSMENT (Attachments required)

New development is an exempt use. <i>Use:</i>	Applying for Impact Fee Demolition Credit - existing building(s) on site to be demolished (Procedures Manual Section 4.3)
Apply to credits under Credit Agreement. <i>CA#:</i>	Requesting Individual Assessment - Simplified (Procedures Manual Section 3.5)
Applying for Impact Fee Discount Program (Procedures Manual Section 4.1)	Requesting Individual Assessment - Standard (Procedures Manual Section 3.5)

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-3

# Impact Fee Discount Application

# IMPACT FEE DISCOUNT APPLICATION

Submit this checklist with your Impact Fee Application and any additional documents required on the following pages to determine eligibility for the discount program.

A new development may be eligible for discount of up to 70% from impact fees assessed in accordance with Section Seven of the Kane County Impact Fee Ordinance (Ordinance No. 22-27), provided the following criteria are satisfied. **Developments using any of the discounts on this Application (also presented in Section Ten of the Ordinance) may not receive additional discounts through the Individual Assessment process.**

## Available Discounts



### MOBILITY OPTIONS DISCOUNT

New development may earn an impact fee discount of up to 20% by encouraging the use of alternative transportation modes.



### MIXED-USE AND HIGHER-DENSITY DEVELOPMENT DISCOUNTS

Mixed-use development with residential and two or more qualifying non-residential land uses may be eligible for a 10% impact fee discount. Higher-density residential development may be eligible for an impact fee discount of up to 30%. To qualify for these discounts, the new development must meet at least one of the criteria for the Mobility Options Discount.



### DOWNTOWN DEVELOPMENT DISCOUNT

New development located within a downtown area is eligible for an impact fee discount of up to 20%. The new development must be located on a redevelopment or infill site.



### INDUSTRIAL DEVELOPMENT DISCOUNT

Industrial new development may receive an impact fee discount of up to 20% for locating on a redevelopment or infill site and including onsite railroad spur access, airport access for freight, or direct access to a state designated truck route.



### SKILLED MANUFACTURING JOB CREATION DISCOUNT

New development that generates skilled manufacturing jobs can apply for an impact fee discount of up to 20%, depending on the number of new jobs created.



### CHARITABLE ORGANIZATION DISCOUNT

Buildings solely owned and occupied by a 501(c)(3)-designated charitable organization may be eligible for up to a 100% discount. The discount is applied only on the traffic impact of the first 50 weekday PM peak hour trips generated by a site.

## 1. MOBILITY OPTIONS DISCOUNT

New development may earn an impact fee discount of up to 20% by encouraging the use of alternative transportation modes.

### CRITERIA

- 10% Discount** if the new development is within one-quarter mile walking distance from an existing Pace Suburban Bus route.
- 10% Discount** if the new development is within one-half mile walking distance from an existing Metra station.
- 10% Discount** if the new development is within one-half mile from a Transit Supportive Corridor.
- 10% Discount** if the new development is within one-half mile from a local or regional greenway or bicycle trail. The greenway or bicycle trail shall be depicted on the [Kane County Bike Map](#) or Chicago Metropolitan Agency for Planning (CMAP) [Regional Greenways and Trails Plan Map](#).

### SUBMITTAL REQUIREMENTS

With submittal of this Application, the Applicant must provide the following documents in PDF format or as a hard copy:

- ✓ A vicinity map showing the location of new development relative to the existing Pace Suburban Bus route, Metra station, Transit Supportive Corridor, or bicycle facility. The map shall detail the spacing distance between the new development and the alternate transportation option(s).

## 2. MIXED-USE AND HIGHER-DENSITY DEVELOPMENT DISCOUNTS

Mixed-use and higher-density residential developments can earn additional impact fee discounts. To qualify for these discounts, the new development must meet at least one of the four Mobility Options Discount criteria.

### CRITERIA

- 10% Discount** for Mixed-Use Developments with a residential use and at least two (2) of the following land uses incorporated. Accessory uses within a principle use may not be counted as a separate use. Check all non-residential uses included within the Mixed-Use Development.

- Parks
- Forest preserves
- Community or civic centers
- Recreation facilities
- Schools or daycare centers
- Libraries
- Places of worship
- Post offices
- Convenience stores

- Laundry/dry cleaners
- Neighborhood retail centers
- Restaurants
- Pharmacies
- Grocery stores
- Banks
- Medical/dental offices or hospitals
- General offices





- Up to a **30% Discount** for Residential Density where the residential new development provides an average density of at least 7 units per acre. Where the Residential Density Discount is applied, the new development shall not be eligible for the Mixed-Use Development Density Discount. Check the appropriate density category.
  - 10% Discount** for an average residential density of at least 7 units per acre and no more than 14 units per acre.
  - 20% Discount** for an average residential density of at least 15 units per acre and no more than 28 units per acre.
  - 30% Discount** for an average residential density greater than 29 units per acre.

#### **SUBMITTAL REQUIREMENTS**

With submittal of this Application, the Applicant must provide the following documents in PDF format or as a hard copy:

##### **Mixed-Use Discount**

- ✓ A scaled site plan indicating the size and location of all non-residential trip generators included in the Mixed-Use Development. The site plan shall be consistent with the site specific development approval.

##### **Residential Density Discount**

- ✓ A scaled site plan indicating the residential development (location and unit count), gross floor area of non-residential uses, land area of the new development, and calculated residential density.
- ✓ A plat of subdivision showing the total area encompassed by the new development. The plat of subdivision shall be consistent with the site specific development approval.

### **3. DOWNTOWN DEVELOPMENT DISCOUNT**

Development located within a downtown area is eligible for an impact fee discount of up to 20%.

#### **CRITERIA**

- 20% Discount** for new development located on an infill or redevelopment site defined in a municipally-adopted downtown subarea, comprehensive plan, or within an established downtown Tax Increment Finance (TIF) district.

#### **SUBMITTAL REQUIREMENTS**

With submittal of this Application, the Applicant must provide the following documents in PDF format or as a hard copy:

- ✓ A scaled vicinity map showing the new development site clearly outlined relative to a downtown subarea, comprehensive plan, or downtown TIF district boundary.

## 4. INDUSTRIAL DEVELOPMENT DISCOUNT

Industrial new development meeting specific criteria may receive an impact fee discount of up to 20%.

### CRITERIA

- 10% Discount** for new development located on a redevelopment or infill site.
- 10% Discount** for onsite railroad spur access, airport access for freight, or direct access to a state designated truck route.

### SUBMITTAL REQUIREMENTS

With submittal of this Application, the Applicant must provide the following documents in PDF format or as a hard copy:

- ✓ A scaled vicinity map showing the new development site clearly outlined as a redevelopment or infill site.
- ✓ A scaled site plan or vicinity map, as appropriate, demonstrating railroad spur access, airport access, or direct truck route access.

## 5. SKILLED MANUFACTURING JOB CREATION DISCOUNT

New development that generates skilled manufacturing jobs can apply for an impact fee discount of up to 20%. Only new development categorized as Light Industrial/Industrial Park (or a closely-related land use category on the Impact Fee Schedule) is eligible to receive this discount. Any new development within the Speculative Industrial category on the Impact Fee Schedule is not eligible for this discount. Skilled manufacturing jobs are defined and classified as follows:

- Highly trained, educated, or experienced employees that can complete more complex mental or physical tasks on the job.
- Often specialized and may require a prolonged period of training and experience.
- Skills in science, technology, engineering, and math (STEM) are essential in many industries.

### CRITERIA

- 10% Discount** for 1-100 jobs created; or
- 20% Discount** for 101 or more jobs created

### SUBMITTAL REQUIREMENTS

With submittal of this Application, the Applicant must provide the following documents in PDF format or as a hard copy:

- ✓ Written verification of estimated job creation from the permitting agency or municipality, local economic development organization, or local workforce development board.

## 6. CHARITABLE ORGANIZATION DISCOUNT

Buildings solely owned and occupied by a 501(c)(3)-designated charitable organization may be eligible for up to a 100% discount in the impact fee assessed. The discount is applied only on the traffic impact of the first 50 weekday PM peak hour trips generated by a site. Please refer to Section Three of the Procedure Manual for more detail regarding calculating this discount.

### CRITERIA

- If the total traffic generated by the site, including traffic generated by any existing buildings and new development, is less than or equal to 50 weekday PM peak hour trips, the new development shall receive a **100% discount** on gross impact fee.
- If the traffic generated on the site prior to construction of the new development is less than or equal to 50 weekday PM peak hour trips, but the total site traffic including the new development is greater than 50 weekday PM peak hour trips, the new development shall receive an impact fee **discount calculated using a formula**. Please refer to Section Three of the Procedure Manual for the most current formula.
- If the traffic generated on the site prior to construction of the new development is greater than 50 weekdays PM peak hour trips, **no discount** for charitable organizations shall be applied.

### SUBMITTAL REQUIREMENTS

With submittal of this Application, the Applicant must provide the following documents in PDF format or as a hard copy:

- ✓ A copy of the charitable organization's most recent IRS determination letter.
- ✓ A letter from the organization's chief executive officer stating that the new development will be solely owned and occupied by the charitable organization.
- ✓ Trip generation estimate for the new development, prepared by a Professional Traffic Operations Engineer (PTOE) licensed in the state of Illinois.

## Discount Application Process

In order to receive the impact fee discounts described in this checklist and in Section Ten of the Impact Fee Ordinance, the Applicant shall submit a completed Impact Fee Discount Application, including relevant submittal requirements as defined on the previous pages, to the Division of Transportation Impact Fee Coordinator.

Within fifteen (15) working days from the receipt of the Impact Fee Discount Application, the County Engineer shall determine if all pertinent information has been provided by the Applicant.

- If the County Engineer determines that additional documentation is required, the County Engineer shall send a written statement to the Applicant specifying the deficiencies. Until the deficiencies are corrected, the County shall take no further action on the Impact Fee Discount Application.
- When the County Engineer determines that the Application is complete, the County Engineer shall draft an Impact Fee Payment Agreement for the review and approval of the Applicant pursuant to Section Twelve of the Impact Fee Ordinance (Ordinance No. 22-27).



**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-4

## Simplified Individual Assessment Application



**Office Use Only**  
Date Received:  
  
Application #:

## Simplified Individual Assessment Application

To request a simplified individual assessment, please complete this Application. Additional information related to the simplified individual assessment process is provided in Section 3.5 of the Impact Fee Procedures Manual. The maximum reduction determined through an individual assessment shall not exceed 70% of the impact fee assessed per the Notice of Fee Assessment.

### APPLICANT INFORMATION (Please type or print clearly)

Applicant Name:	
Address:	
City, State, ZIP:	
Contact Name:	Email:
Phone:	Fax:
Contact (Architect):	Contact (Engineer):
Service Area: ___ North ___ Central ___ South <i>Refer to map provided in Appendix A-5 of the Impact Fee Procedures Manual.</i>	Was a traffic impact study prepared for the new development? ___ Yes ___ No <i>If yes, include a copy of the approved study with this Application.</i>

### CURRENT ASSESSMENT

*To complete this section, please refer to the Notice of Fee Assessment issued by KDOT.*

Land Use Category:	ITE Land Use Code:
Impact Unit: <i>See Impact Fee Schedule</i>	Number of Impact Units: <i>Per Site Specific Development Approval</i>
Reduced Impact Fee per Impact Unit: <i>See Impact Fee Schedule</i>	<b>Assessed Fee:</b> <i>Number of Impact Units x Reduced Impact Fee per Impact Unit</i>

### PROPOSED ASSESSMENT

*Please attach relevant information to support the requested revision to the land use utilized for the initial assessment. Documents could include an approved traffic study, architectural/engineering plans, and/or local approval documents which designated allowed property uses. Please include only information relevant to the requested ITE Land Use Code revision. Other requested adjustments, including discounts, credits, or other considerations would require the completion of a standard individual assessment.*

Reason for Requested Revision (Check all that apply): ___ Other ITE Land Use Code more representative of proposed use. ___ Updated ITE manual data published.	Proposed ITE Land Use Code:  ITE Trip Generation Manual (Select one): ___ 11th Edition ___ Other (Specify Edition)
Reason for change in ITE Land Use category:	
Trip Units: <i>See the ITE Trip Generation Manual</i>	Number of Trip Units: <i>Per site specific development approval</i>
ITE Trip Generation Rate (per Trip Unit): <i>Use the rate established for PM Peak Hour of Adjacent Street Traffic in the ITE Trip Generation Manual.</i>	Projected Trips PM Peak Hour Trips: <i>Refer to approved traffic impact study or trip generation estimate provided by a Professional Traffic Operations Engineer (PTOE) licensed in the state of Illinois.</i>
Cost per Trip (Select one): ___ North Service Area: \$2,895 ___ Central Service Area: \$2,911 ___ South Service Area: \$2,900	
Reduced Impact Fee per Impact Unit: <i>ITE Trip Generation Rate x Cost per Trip x 50% multiplier</i>	<b>Proposed Assessed Fee:</b> <i>Number of Trip Units x Reduced Impact Fee per Impact Unit</i>



**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-5

## Summary of Impact Fee Assessment Under Previous Ordinances



## SUMMARY OF IMPACT FEE ASSESSMENT UNDER PREVIOUS ORDINANCES

The County adopted its first Impact Fee Ordinance in 2004 (Ordinance 04-22). Since that time, four amendments were approved (Ordinance 07-232, Ordinance 12-100, Ordinance 17-92, and Ordinance 22-27). Each Ordinance includes an Impact Fee Schedule, which is used to assess the impact fee for new development. The Impact Fee Schedule applicable to new development is based on the date of site specific development approval and final plat approval as summarized in **Table A5-1**. However, for any new development, the assessed impact fee shall not be greater than the impact fee calculated under the most current version of the Ordinance.

The current Impact Fee Schedule (Ordinance 22-27) reflects the lowest rates per impact unit with the exception of Ordinance 04-22; and therefore, Ordinance 22-27 should be used for most impact fee assessments. If site specific development approval was granted prior to January 1, 2008, Applicants should contact the KDOT Impact Fee Coordinator to determine the appropriate Impact Fee Schedule and evaluate the need for a simplified individual assessment.

**Table A5-1:** Summary of Impact Fee Schedule per Site Specific Development Approval

Site Specific Development Approval	Final Plat Approval	Impact Fee Schedule
Prior to January 1, 2008	Prior to January 1, 2010	<b>Ordinance 04-22</b>
On or after January 1, 2008 and prior to April 10, 2012	On or after January 1, 2008 and prior to April 10, 2012	<b>Ordinance 07-232</b>
On or after April 10, 2012 and prior to April 11, 2017	On or after April 10, 2012 and prior to April 10, 2017	<b>Ordinance 12-100</b>
On or after April 11, 2017 and prior to January 11, 2022	On or after April 11, 2017 and prior to January 11, 2022	<b>Ordinance 17-92</b>
On or after January 11, 2022	On or after January 11, 2022	<b>Ordinance 22-27</b>

Under each previous Ordinance, the impact fee is determined based on the impact fee per impact unit multiplied by the number of impact units contained in the new development. For residential new development, the impact unit is the number of dwelling units. For most non-residential new developments, the impact unit is the number of 1,000 gross square feet of building area. For example, a 24,000 square foot office building would contain 24 impact units ( $24,000 \div 1,000 = 24$ ). For the non-residential land uses summarized in **Table A5-2**, an impact unit other than 1,000 square feet is required.

**Table A5-2:** Summary of Alternative Impact Units for Non-Residential Land Uses

Land Use	Impact Unit
Service Station	Fueling Positions
Hospital	Beds
Nursing Home	Beds
Hotel / Motel	Room

A summary of each Impact Fee Ordinance is outlined below. For additional information, the respective *Technical Specifications Manual for Road Improvement Impact Fees* and *Impact Fee Program Procedures Manual* should be referenced.

### **Ordinance 04-22**

---

For new development pursuing assessment under Ordinance 04-22, the County will ascertain the service area in which the new development is located. The service area together with the new development's land use shall be used to determine the impact fee per impact unit from the Impact Fee Schedule. Note that under Ordinance 04-22, there were nine service areas. A copy of the Service Area Map is provided in Ordinance 04-22.

To calculate an impact fee for an unlisted use under Ordinance 04-22, the County follows the procedures outlined in the *Technical Specifications Manual for Impact Fees*, dated January 13, 2004.

### **Ordinance 07-232**

---

Ordinance 07-232 provides a revised Service Area Map and a scheduled phase-in of the amended impact fees over the life of Ordinance 07-232. The revised Service Area Map is provided in Appendix A-6.

To calculate an impact fee for an unlisted use, the County follows the procedures outlined in the *Technical Specifications Manual for Road Improvement Impact Fees* under Ordinance 07-232. New development qualifying for the Impact Fee Discount Program must be assessed individually.

### **Ordinance 12-100 and Ordinance 17-92**

---

The service area in which the new development is located is determined using the map in Appendix A-6. The impact fee schedule, together with the new development land use, is then used to ascertain the impact fee per impact unit from the applicable Impact Fee Schedule.

To calculate an impact fee for an unlisted use, the County follows the procedures outlined in the *Technical Specifications Manual for Road Improvement Impact Fees* under Ordinance 12-100. New development qualifying for the Impact Fee Discount Program must be assessed individually.

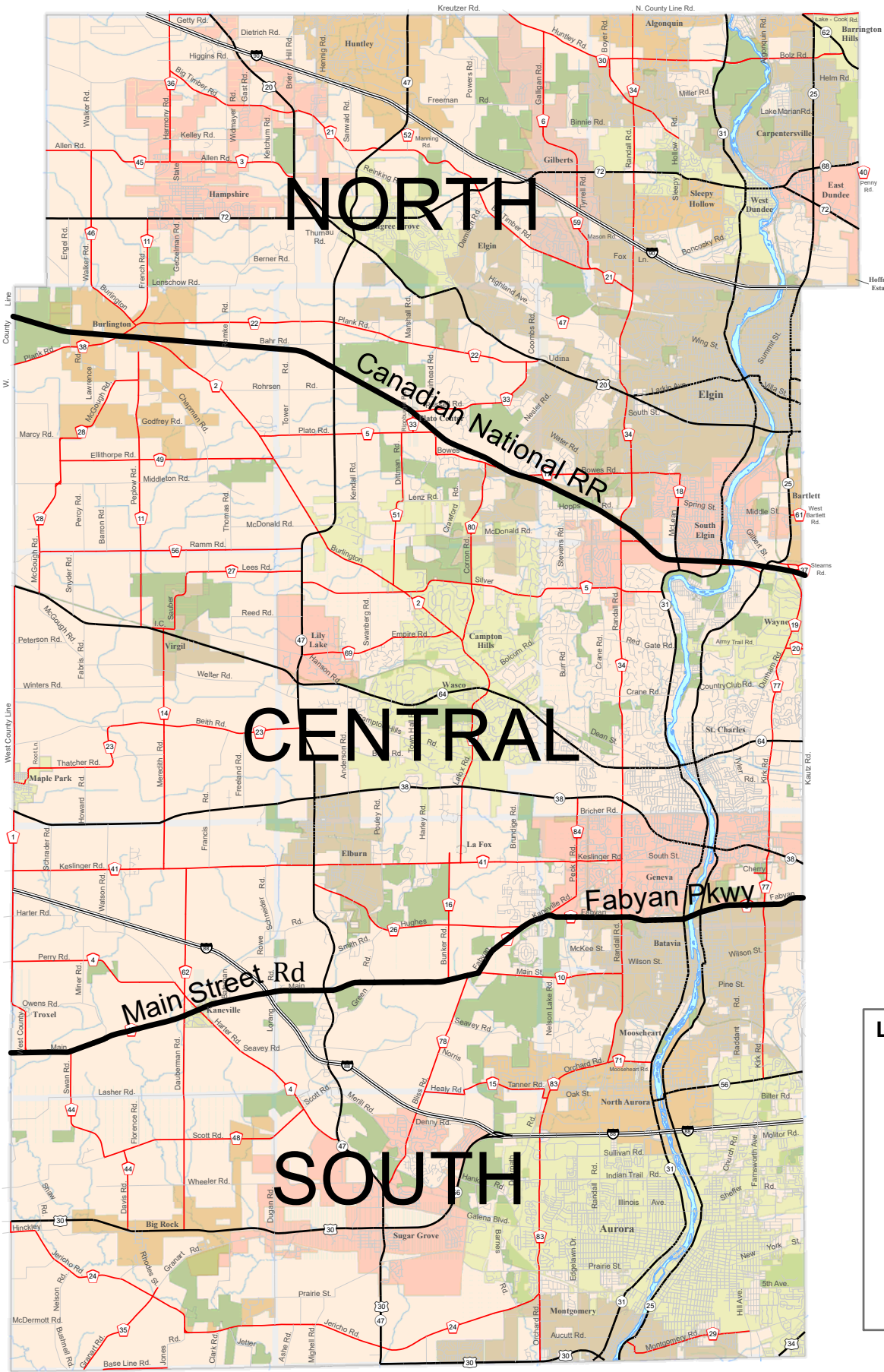


**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-6

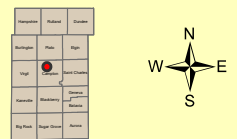
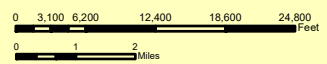
## Impact Fee Service Area Map



**Legend**

- Interstates
- US Roads
- State Roads
- County Roads
- Other Roads
- Rail Roads
- County Boundry
- Township Boundry
- Fox River
- Forest Preserves
- Municipalities

# Impact Fees Service Areas





Impact Fee Procedures Manual

# Appendix A-7

## Fee Schedule and Multiplier Table

# IMPACT FEE SCHEDULE

EFFECTIVE JANUARY 11, 2022

LAND USE	IMPACT UNIT	LUC (3)	GROSS IMPACT FEE PER IMPACT UNIT			REDUCED IMPACT FEE PER IMPACT UNIT		
			NORTH	CENTRAL	SOUTH	NORTH	CENTRAL	SOUTH
<b>RESIDENTIAL</b>								
SINGLE FAMILY DETACHED	DWELLING UNIT	210	\$2,721.19	\$2,725.81	\$2,736.12	\$1,360.59	\$1,362.91	\$1,368.06
SINGLE FAMILY ATTACHED	DWELLING UNIT	215	\$1,650.08	\$1,652.89	\$1,659.14	\$825.04	\$826.44	\$829.57
MULTI-FAMILY ATTACHED	DWELLING UNIT	220	\$1,476.39	\$1,478.90	\$1,484.49	\$738.20	\$739.45	\$742.25
AGE RESTRICTED HOUSING	DWELLING UNIT	251	\$868.46	\$869.94	\$873.23	\$434.23	\$434.97	\$436.62
<b>COMMERCIAL RETAIL</b>								
RETAIL 1 TO < 40,000 S.F. (4)	1,000 S.F. (1)	822	\$7,058.59	\$7,070.59	\$7,097.32	\$3,529.30	\$3,535.29	\$3,548.66
RETAIL 40,000 TO 150,000 S.F.	1,000 S.F. (1)	821	\$9,672.09	\$9,688.53	\$9,725.17	\$4,836.05	\$4,844.26	\$4,862.58
RETAIL OVER 150,000 S.F.	1,000 S.F. (1)	820	\$5,118.15	\$5,126.85	\$5,146.24	\$2,559.08	\$2,563.42	\$2,573.12
SUPERMARKET	1,000 S.F. (2)	850	\$12,436.42	\$12,457.55	\$12,504.66	\$6,218.21	\$6,228.77	\$6,252.33
GAS SERVICE STATION	FUELING POSITION	944	\$4,832.14	\$4,840.35	\$4,858.65	\$2,416.07	\$2,420.17	\$2,429.33
CONVENIENCE STORE/GAS STATION (GFA 2-4K)	FUELING POSITION	945	\$7,998.56	\$8,012.15	\$8,042.45	\$3,999.28	\$4,006.08	\$4,021.23
CONVENIENCE STORE/GAS STATION (GFA 4-5.5K)	FUELING POSITION	945	\$6,588.75	\$6,599.95	\$6,624.91	\$3,294.38	\$3,299.97	\$3,312.45
<b>COMMERCIAL OFFICE</b>								
GENERAL OFFICE	1,000 S.F. (2)	710	\$4,168.63	\$4,175.71	\$4,191.51	\$2,084.32	\$2,087.86	\$2,095.75
MEDICAL-DENTAL OFFICE	1,000 S.F. (2)	720	\$11,376.89	\$11,396.22	\$11,439.32	\$5,688.45	\$5,698.11	\$5,719.66
OFFICE PARK	1,000 S.F. (2)	750	\$3,763.35	\$3,769.74	\$3,784.00	\$1,881.67	\$1,884.87	\$1,892.00
BUSINESS PARK	1,000 S.F. (2)	770	\$3,531.76	\$3,537.76	\$3,551.14	\$1,765.88	\$1,768.88	\$1,775.57
<b>COMMERCIAL INDUSTRIAL</b>								
WAREHOUSING/DISTRIBUTION TERMINAL	1,000 S.F. (2)	150	\$521.08	\$521.96	\$523.94	\$260.54	\$260.98	\$261.97
SPECULATIVE INDUSTRIAL (5)	1,000 S.F. (2)	150/710	\$1,244.80	\$1,246.91	\$1,251.63	\$622.40	\$623.46	\$625.82
LIGHT INDUSTRIAL/INDUSTRIAL PARK	1,000 S.F. (2)	110	\$1,881.67	\$1,884.87	\$1,892.00	\$940.84	\$942.44	\$946.00
<b>COMMERCIAL RESTAURANT</b>								
FAST FOOD RESTAURANT	1,000 S.F. (2)	934	\$24,860.68	\$24,902.92	\$24,997.09	\$12,430.34	\$12,451.46	\$12,498.55
FINE DINING RESTAURANT	1,000 S.F. (2)	931	\$6,548.23	\$6,559.35	\$6,584.16	\$3,274.11	\$3,279.68	\$3,292.08
<b>COMMERCIAL SERVICE</b>								
DAY CARE	1,000 S.F. (2)	565	\$7,725.86	\$7,738.99	\$7,768.26	\$3,862.93	\$3,869.50	\$3,884.13
HOSPITAL	BED	610	\$4,892.35	\$4,900.67	\$4,919.20	\$2,446.18	\$2,450.33	\$2,459.60
NURSING HOME	BED	620	\$405.28	\$405.97	\$407.51	\$202.64	\$202.99	\$203.75
HOTEL/MOTEL	ROOM	320	\$1,042.16	\$1,043.93	\$1,047.88	\$521.08	\$521.96	\$523.94
<b>OTHER</b>								
RELIGIOUS INSTITUTION	1,000 S.F. (2)	560	\$1,418.49	\$1,420.90	\$1,426.28	\$709.25	\$710.45	\$713.14

## NOTES AND ADDITIONAL INFORMATION

- GROSS LEASABLE FLOOR AREA (GLFA)**  
THE AMOUNT OF FLOOR SPACE AVAILABLE TO BE LEASED OR RENTED. THE GROSS LEASABLE AREA IS THE TOTAL FLOOR AREA DESIGNED FOR TENANT OCCUPANCY AND EXCLUSIVE USE.
  - GROSS FLOOR AREA (GFA)**  
THE TOTAL FLOOR AREA CONTAINED WITHIN THE BUILDING MEASURED TO THE EXTERNAL FACE OF THE EXTERNAL WALLS.
  - LAND USE CODES**  
BASED ON DATA AVAILABLE IN THE ITE TRIP GENERATION MANUAL, 11TH EDITION.
  - RETAIL 1 TO < 40,000 S.F.**  
PASS-BY AND DIVERTED TRIP INFORMATION NOT AVAILABLE IN THE 11TH EDITION OF THE ITE TRIP GENERATION MANUAL FOR LUC 822; THEREFORE PASS-BY AND DIVERTED TRIP INFORMATION WAS UTILIZED FROM SIMILAR LAND USE, LUC 821.
  - SPECULATIVE INDUSTRIAL**  
RATE CALCULATED USING 80% OF LUC 150 AND 20% OF LUC 710 PER THE ITE TRIP GENERATION MANUAL, 11TH EDITION.
- NOTE:** FOR A PROPERTY WITH ONLY ONE TENANT, THE MEASUREMENTS OF GFA AND GLFA ARE ESSENTIALLY EQUAL.





**KANE COUNTY**  
IMPACT FEE PROGRAM

Impact Fee Procedures Manual

# Appendix A-8

# Standard Agreements

# STANDARD AGREEMENTS

Please contact the KDOT Impact Fee Coordinator at (630) 845-3798 or via email at [kdotimpactfee@co.kane.il.us](mailto:kdotimpactfee@co.kane.il.us) in order to obtain the standard agreements available for the Impact Fee Program.